

**Tooele City Planning Commission  
Business Meeting Minutes**

**Date:** Wednesday, June 22, 2022

**Time:** 7:00 p.m.

**Place:** Tooele City Hall Council Chambers  
90 North Main Street, Tooele Utah

**Commission Members Present:**

Chris Sloan  
Matt Robinson  
Tyson Hamilton  
Weston Jensen  
Paul Smith  
Melodi Gochis  
Alison Dunn

**Commission Members Excused:**

Melanie Hammer  
Nathan Thomas

**City Council Members Present:**

Justin Brady

**City Council Members Excused:**

Ed Hansen  
Maresa Manzione

**City Employees Present:**

Andrew Aagard, City Planner  
Jim Bolser, Community Development Director  
Paul Hansen, Tooele Engineer  
Roger Baker, Tooele City Attorney

Minutes prepared by Katherin Yei

Chairman Robinson called the meeting to order at 7:00 p.m.

**1. Pledge of Allegiance**

The Pledge of Allegiance was led by Chairman Robinson.

**2. Roll Call**

Chris Sloan, Present  
Matt Robinson, Present  
Tyson Hamilton, Present

Weston Jensen, Present  
Paul Smith, Present  
Melodi Gochis, Present  
Alison Dunn, Present  
Melanie Hammer, Excused  
Nathan Thomas, Excused

**3. Public Hearing and Decision on a Conditional Use Permit Request by Mike Combs for Construction of a Detached Accessory Shop that will Exceed the 8% Accessory Building Lot Coverage Requirement, Located at 181 Wallace Way in the MR-8 Multi-Family Residential Zoning District on 0.09 Acres**

Mr. Aagard presented information on the Conditional Use Permit for the twin home property near Wallace Way and 200 West. It is zoned MR-8, multi-family. The applicant is requesting the Conditional Use Permit for a 400-foot detached structure. The ordinance allows the Planning Commission to exceed the 8% once a public hearing is held. The purpose of hearing is to determine if it will be detrimental to nearby properties. Staff cannot identify determinantal impacts of the detached garage and is recommending approval with the conditions listed in the staff report.

The Planning Commission had the following questions and concerns.

On the review section in packet, Fire department access is required. Is that a new requirement or a typo?

Mr. Aagard addressed the Planning Commission.

The fire section is not applicable to this application and is a carry-over typo.

The public hearing was opened. No one came forward. The hearing was closed.

**Commissioner Sloan motioned to approve the conditional use permit Request by Mike Combs for Construction of a Detached Accessory Shop that will Exceed the 8% Accessory Building Lot Coverage Requirement Based on the finding's conditions in the staff report.**

Commissioner Hamilton seconded the motion. The vote was as follows:

Commissioner Gochis, "Aye", Commissioner Dunn, "Aye", Commissioner Sloan, "Aye"  
Chairman Robinson, "Aye" Commissioner Hamilton, "Aye", Commissioner Jensen, "Aye", and Commissioner Smith, "Aye". The motion passed.

**4. Public Hearing and Recommendation on a Zoning Map Amendment Request by Thrive Development Corporation to Re-Assign the Zoning for 34.4 Acres Located at Approximately 2520 and 2540 North 400 East from GC General Commercial and RD Research and Development Zoning Districts to the RC, Regional Commercial (Western 8 Acres), MR-25 Multi-Family Residential (Central 8 Acres) and R1-7 Residential (Eastern 1 6 Acres) Zoning Districts**

Mr. Aagard presented information on a Zoning Map amendment for 34-acre parcel located north of Lidiards. The Property contains two zoning districts; west side is zoned GC General Commercial and eastern half is RD Research and Development. The RD blends Light Industrial with commercial uses. The Land Use Map has three designations. The western is Regional Commercial, RC; central area is High-Density Residential for multi-family density; the eastern acres are Medium-Density Residential. The Land Use Map does not specify which zones are appropriate for a specific property. The applicant is requesting the Zoning Map is changed to RC, Regional Commercial and R1-7. They are in compliance with the Land Use Map. The properties are isolated from accesses to utilities. The applicant did not submit a conceptual site plan. Notices were posted and sent to neighboring property owners.

The Planning Commission had the following questions and concerns.  
The change seems adequate for the area. Commercial tax base is important to remain Regional Commercial. Where will access be to the property?

Mr. Aagard addressed the Planning Commission.  
Some serves nearby, but not know if it is adequate. They would have to upgrade to make it to code. There is no access to the property. 400 east extends to the side of Lidiards. There is no direct access.

David Gumucio addressed the Commission. This item was brought forward before, with the recommendation to have a buyer stay within the land use map designations. Thrive development provide homes that the City and County needs. There are utilities on 400 East and run down 2400 North. They are looking to run sewer and loop the water. Frontage road would move North and 600 East will move through center.

Jeff Lee spoke about the company and the properties. They have the power to do large deals, execute and finish the project, and hire or bring in a company to maintain the property. Commercial is important and intend to utilize it. The high-density properties will be rentals and be maintained. Single-family homes will be sold.

The public hearing was opened. No one came forward. The hearing was closed.

The Planning Commission had a discussion regarding the change.  
MR-25 is a large district that needs to be used at the right time. Though commercial is important, the City does need housing. Could the Commission recommend a contingency upon approval?

Mr. Bolser addressed the Commission. If the Commission decides to make a recommendation, the Council has the same decision as the Commission. The Commission provides a recommendation on MR-25.

Mr. Baker spoke to the Commissions decision process. They could decide to consider this once they know the zones, recommend for or against, or any combination of zoning districts. State law does say council can assign any zoning district they want whether it is being asked for or not.

Commissioner Sloan motioned to forward a positive recommendation a Zoning Map Amendment Request by Thrive Development Corporation to Re-Assign the Zoning for 34.4 Acres Located at Approximately 2520 and 2540 North 400 East from GC General Commercial and RD Research and Development Zoning Districts to the RC, Regional Commercial (Western 8 Acres), MR-25 Multi-Family Residential (Central 8 Acres) and R1-7 Residential (Eastern 16 Acres) Zoning Districts Based on the findings and conditions listed in the staff report. Chairman Robinson seconded the motion. The vote was as follows: Commissioner Gochis, “Aye”, Commissioner Dunn, “Aye”, Commissioner Sloan, “Aye” Chairman Robinson, “Aye” Commissioner Hamilton, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Smith, “Nay”. The motion passed.

**5. Public Hearing and Recommendation on a City Code Text Amendment Request by Scott Mommer Representing Lars Anderson & Associates, Inc. to Revise Table 1 of Chapter 7-16 of the Tooele City Code Regarding Heavy Equipment Rental and Sales in Non-Residential Zoning Districts**

Mr. Bolser presented a text amendment that has come in from a private applicant. The City is working with Home Depot to be able to store equipment for the community to rent and use. Working with the applicant, the change would function using the existing land use category title and work as an accessory use in the text. One staff recommendation is to have this listed as a conditional use in the case of a hazard or nuisance. A second staff recommendation is including the conditional use into the RC Regional Commercial zone as well.

The Planning Commission asked the following questions:

What is considered an accessory use?

To get it in zone, they have to have Conditional Use Permit and there has to be something there?

Is there a benefit of conditional use versus permitted use?

Mr. Bolser addressed the questions. By a primary use existing on an existing site and having the accessory use be a secondary use.

The public hearing was opened. No one came forward. The hearing was closed.

The advantage is that heavy equipment sales are not included and they don't lose anything. It provides an opportunity that if a nuisance or a hazard is created, the Planning Commission can have an opportunity to mitigate any nuisance or hazard.

**Commissioner Smith motioned to forward a positive recommendation City Code Text Amendment Request by Scott Mommer Representing Lars Anderson & Associates, Inc. for heavy equipment Based on the findings it requires a conditional use permit and it is an accessory unit, in RC and GC zones.** Commissioner Gochis seconded the motion. The vote was as follows: Commissioner Gochis, “Aye”, Commissioner Dunn, “Aye”, Commissioner Sloan, “Aye” Chairman Robinson, “Aye” Commissioner Hamilton, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Smith, “Aye”. The motion passed.

**6. Public Hearing and Recommendation on a City Code Text Amendment Request by Tooele City to Revise Sections 7-13-1,7-15-3, 7-15a-3 and Chapter 7-14 of the Tooele City Code Regarding Multi-Family Residential Zoning District**

Mr. Bolser presented a City Code Text Amendment regarding the MR-8, MR-16, and MR-25 multi-family zoning districts. Each zone almost doubles each other in density. The Council requested staff put together two proposals, establishing a zone between the two higher and two lower districts or convert the MR-25 to a lower density and add a lower density zone. The two proposals are identical with one creating a new MR-20 zone and the other converting the MR-25 into an MR-20 zone. They have found a long-standing error when it comes to Table 4 about garages and unit size in R1-7 zone. That verbiage will be updated as well.

The public hearing was opened. No one came forward. The hearing was closed.

The Planning Commission had a discussion on the following:

The gap between MR-25 and MR-16 was huge. By creating two more zones, it takes the pressure off. MR-25 is appropriate some places, giving some additional flexibility.

Commissioner Gochis and Commissioner Smith were in favor of eliminated the MR-25 zone.

**Commissioner Gochis motioned to forward a positive recommendation on a City Code Text Amendment Request by Tooele City to Revise Sections 7-13-1,7-15-3, 7-15a-3 and Chapter 7-14 of the Tooele City Code Regarding Multi-Family Residential Zoning District Based on the findings in staff report and eliminate MR-25.**

Commissioner Smith seconded the motion. The vote was as follows:

Commissioner Gochis, “Aye”, Commissioner Dunn, “Nay”, Commissioner Sloan, “Nay”  
Chairman Robinson, “Nay” Commissioner Hamilton, “Nay”, Commissioner Jensen, “Nay”, and  
Commissioner Smith, “Aye”. The motion fails.  
passed.

**Sloan motioned to forward a positive recommendation including the MR-25, MR-20 and MM-12.** Commissioner Hamilton seconded the motion. The vote was as follows:

Commissioner Gochis, “Aye”, Commissioner Dunn, “Aye”, Commissioner Sloan, “Aye”  
Chairman Robinson, “Aye” Commissioner Hamilton, “Aye”, Commissioner Jensen, “Aye”, and  
Commissioner Smith, “Nay”. The motion passed.

**7. Recommendation on the Jake and Amy Subdivision, a Subdivision Plat Amendment Request by John and Amy Johnson to Amend Lot 3 of the Delamare Planned Unit Development and Lot 67 of the Pioneer Subdivision Addition #4, Located at Approximately 668 Pine Meadow Lane in the R1-7 Residential Zoning District on 4.83 Acres**

Mr. Aagard presented a Subdivision Plat Amendment near Pine Meadows. There are two parcels involved in the amendment, zoned R1-7, Residential. There is an existing home in the corner with the amendments to lot 3 of Delamare lot and Pioneer plan. It will shift the lot line to the east. Uses will be consistent with R1-7, Residential district. Some building will need to be

removed because of non-conformities. City staff is recommending approval with conditions listed in the staff report.

The Planning Commission asked the following questions:

Will it cut off access to the existing house? Is Tooele Drive a public road? Will the applicant be required to make improvements?

Mr. Aagard addressed the questions. Half of Pine Meadows is a public road. There will still be access to the home. They are not required to do anything with it, but if they do choose to do something with lot 2, they will have to follow proper applications and code.

**Commissioner Hamilton motioned to forward a positive recommendation on the Jake and Amy Subdivision, a Subdivision Plat Amendment Request by John and Amy Johnson to Amend Lot 3 of the Delamare Planned Unit Development and Lot 67 of the Pioneer Subdivision Addition #4, Located at Approximately 668 Pine Meadow Lane in the R1-7 Residential Zoning District on based on the findings and conditions listed in the staff report. Commissioner Jensen** seconded the motion. The vote was as follows: Commissioner Gochis, “Aye”, Commissioner Dunn, “Aye”, Commissioner Sloan, “Aye” Chairman Robinson, “Aye” Commissioner Hamilton, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Smith, “Aye”. The motion passed.

**8. Decision on a Multi-Family Residential Site Plan Design Review for Millennial Park Phase 1, a 17 Town Home Development Located at Approximately 300 West 400 North in the MR-16 Multi-Family Residential Zoning District on 1.25 Acre**

Mr. Aagard presented an application for the property near Dow James park. The applicant had to submit new application from the application reviewed in 2020. The property is zoned MR-16. The applicant would like to develop 17-town homes with 2 six-unit buildings and 1 five-unit building. They will be privately owned and maintained. They’re technically rear-load but have deep driveways, individually owned, and a park. Each unit provides 2 stalls, and 5 spots for visitors with 6-foot masonry fencing. The building elevations were submitted. They meet or exceed City codes. Staff missed one on review: street side elevation is required to have 40% in brick or stone. The plans show 31% brick or stone. The staff requests they add condition to bring side elevations up to 40%. Staff is recommending approval with basic conditions.

The Planning Commission had a discussion on the total height allowed, driveways allowance, guest parking, and the use of the detention basin.

Mr. Aagard addressed the Commission. The maximum building height is 35 feet with 20-foot driveways. There will be one guest parking stall for every 4 units. The parking stalls will be the width of area needed to meet fire code and ensure emergency vehicle access. There will be an HOA.

**Commissioner Jensen motioned to approve site plan Design Review for Millennial Park Phase 1, a 17 Town Home Development Located at Approximately 300 West 400 North in the MR-16 Multi-Family Residential Zoning District on 1.25 Acre Based on the findings**

**and conditions listen in staff report and the street side elevation to be a minimum 40% brick or stone.** Chairman Sloan seconded the motion. The vote was as follows: Commissioner Gochis, “Aye”, Commissioner Dunn, “Aye”, Commissioner Sloan, “Aye” Chairman Robinson, “Aye” Commissioner Hamilton, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Smith, “Aye”. The motion passed.

**9. Recommendation on a Petition for the Canyon Springs Annexation of 61.16 Acres at Approximately 750 North Droubay Road by Howard Schmidt**

Mr. Bolser presented an annexation petition regarding the vacant site east of Droubay Road. By state law the city is preemptive from annexing it unless it is in a designated area to be considered, which this property is. The properties that border the site are identified as medium-density residential land uses. The existing zone adjacent to the property are all R1-7 zoning. The plat outlines the subject property. A concept plan has been submitted with identified trails, open spaces, storm water detention, and ideas to help support their request. The process is detailed and lengthy and controlled by the Utah State Code. Proposed uses and existing needs of infrastructure are supported with the seven submitted studies. The Planning Commission is only required to make a recommendation to the Council.

The Planning Commissions had a discussion regarding the annexation.

Why not approach the County to do this project?

Does water need to be developed in this location?

What are the staff’s recommendations for the storm water detention?

Mr. Bolser addressed the Commission’s questions and concerns. Development regulations are very different to the City and the concept likely wouldn’t be a possibility in the County. The concept shows multiple basins. The administration will identify and ensure there is anticipation to have multiple basins instead of a large single area.

Mr. Baker spoke on the water rights. Water is there and developed. Kennecott sold the water right credits in the open market and the applicant purchased those.

Mr. Schmidt addressed the Commission. The County does well with rural lots, but then they have to compete with utilities in the City. The way Droubay Road is, the City and County maintenance would have issues. There will now be curb and gutter, and sidewalks, bordered by the City.

Commissioner Gochis asked the following questions:

In the City recommendation, they address trails. Are there considerations to changing things based on recommendations? Would the sidewalks be considered the interior trail? With the proposed zoning, are there any unique things within the development?

Mr. Schmidt addressed the questions from the Commission. They discovered an area owned by UDOT which is a perfect use for a trail. There is a process that allows UDOT to donate that area to the City or County. The advantage is the trail gets you near Erickson and would be available

to the entire community. The sidewalks tie back into the streets. With 100 feet, they would build and pave a trail with the addition of a mountain bike trail. They concluded during a discussion with the City, they will be contributing to the Parks Department to enhance other parks within the City as well as a contribution to the Tooele County Housing Authority. It will be a step-up community.

**Commissioner Sloan motioned to forward a positive recommendation on the proposed annexation.** Commissioner Gochis seconded the motion. The vote was as follows:

Commissioner Gochis, “Aye”, Commissioner Dunn, “Aye”, Commissioner Sloan, “Aye” Chairman Robinson, “Aye” Commissioner Hamilton, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Smith, “Nay”. The motion passed.

### **10. City Council Reports**

Council Member Brady shared the following information from the City Council Meeting: Swearing in Fire Chief McCoy, adopted a tentative budget, discussion on annexation, and a discussion of the GTM property by Steve Evans.

### **11. Review and Approval of Planning Commission Minutes for the Business Meeting Held on June 8, 2022.**

There are no changes to the minutes on June 8<sup>th</sup>, 2022.

**Commissioner Sloan motioned to approve.** Chairman Robinson seconded the motion. The vote was as follows: Commissioner Gochis, “Aye”, Commissioner Dunn, “Aye”, Commissioner Sloan, “Aye” Chairman Robinson, “Aye” Commissioner Hamilton, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Smith, “Aye”. The motion passed.

### **12. Adjourn**

**Chairman Robinson adjourned the meeting at 8:33 p.m.**

*The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.*

Approved this 13<sup>th</sup> day of July, 2022

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Matt Robinson, Tooele City Planning Commission Chair