

**Tooele City Planning Commission
Business Meeting Minutes**

Date: Wednesday, April 13, 2022

Time: 7:00 p.m.

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

Commission Members Present:

Melanie Hammer
Nathan Thomas
Chris Sloan
Tyson Hamilton
Weston Jensen
Paul Smith
Melodi Gochis
Alison Dunn

Commission Members Excused:

Matt Robinson

City Council Members Present:

Ed Hansen
Maresa Manzione

City Employees Present:

Andrew Aagard, City Planner
Jim Bolser, Community Development Director
Darwin Cook, Parks and Recreation Director
Paul Hansen, Tooele Engineer
Jared Steward, Economic Development Coordinator

Minutes prepared by Katherin Yei

Commissioner Sloan called the meeting to order at 7:00 p.m.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Commissioner Sloan.

2. Roll Call

Melanie Hammer, Present
Nathan Thomas, Present
Chris Sloan, Present
Tyson Hamilton, Present
Weston Jensen, Present

Paul Smith, Present
Melodi Gochis, Present
Alison Dunn, Present

3. Recommendation on a City Code Text Amendment Request by Zenith Tooele, LLC to Revise the Terms of Section 7-11a-18 of the Tooele City Code Regarding Exterior Building Material Requirements for Multi-Family Residential Development. (Continued from December 8, 2021 and January 12, 2022 Planning Commission Meetings)

Presented by Jim Bolser, Community Development Director

Mr. Bolser presented follow up information regarding the City Code text amendment. New Language has been presented for the change of Section 7-11a-18 of the Tooele City Code. In working with the applicant, the revisions are regarding the language. The staff only looked at if the wording is enforceable. The Planning Commission has filled the requirements of a public hearing.

The Planning Commission shared their concerns regarding the following:
If the code was rewritten to be separate for multi-family, what is the definition of project plan?
The mention to the direct impact of esthetics to the community, looking at the numbers, is less material that is currently being required.

Mr. Bolser addressed the Commission. The project plan is referring to an application for a specific project including multi-family development. This part of the City Code addresses exterior building materials. The proposal suggests to amend that language.

Mr. Aquirflow addressed the Commission. The problem with the wording the City had couldn't apply to the applicant because they don't truly have a front to the building, because their buildings are turned into the center of the property. They want the same of the entirety of the buildings. Another paragraph of the code will make it flexible for developers producing bigger areas at one time.

The Planning Commission shared additional concerns. The design element could cost the developers more; what is the percentage be to make them cohesive. The Commission would like to hear a recommendation from staff regarding the code change.

Mr. Aquirflow addressed the Commission. The extra cost is not a part of the discussion. It is about the architecture of the project and being cohesive throughout the development. They have two fronts and have entrances on both sides. The materials will be spread around the building and be cohesive throughout all their buildings.

Commissioner Sloan motioned to table this item until the meeting on March 27th, specifically asking for a staff recommendation. Chairman Hammer seconded the motion. The vote was as follows: Commissioner Hammer, "Aye", Commissioner Thomas, "Aye", Commissioner Dunn, "Aye," Commissioner Hamilton, "Aye", Commissioner Sloan, "Aye", Commissioner Jensen, "Aye", and Commissioner Smith, "Naye". The motion passed.

4. Public Hearing and Recommendation on a Zoning Map Amendment Request by the Zenith Tooele, LLC to Re-assign the Zoning of 33.82 Acres Located Generally at Approximately 1200 North Franks Drive From the MR-16 Multi-Family Residential Zoning District to the MR-16 PUD Multi-Family Residential Zoning District.

Presented by Jim Bolser, Community Development Director

Mr. Bolser presented a zoning map amendment for the Multi-Family area of Lexington Green projects. The current land use is high density residential. The existing zoning is MR-16. The proposed zoning does not change; a proposed PUD would be added, which allows for configuration changes. The remaining six lots in the area, have received development approval or have active applications with the City. The uses of the lots are locked in. The intent is to take the eight lots and assign a number of dwelling units. The application's lot amounts in their private agreement will most likely match what the City can enforce. Notices were sent to the public. They did receive three emails from the following: Cristal Grave, Edward Midgley, and Ashley Grant.

The Planning Commission asked the following clarifying questions:

Are they allowed to build two-three story apartments?

Does a PUD require additional amenities?

Are the application requirements something the staff reviews and provides for the Commission?

Mr. Bolser addressed the Commissions questions. By allowing what they are proposing, each lot will be developed separately. They do not require any additional amenities. It is an odd request because a PUD is done in advance usually. PUD is often used for clustering to help preserve an area or provide more room for amenities. They did not require additional drawings since the project is not new and the other projects match this one.

Mr. Aquirrow addressed the Planning Commission. The density is MR-16 which is 16 units to the acre. They minus acreage of streets and left with 29 acres to develop. The way the code is read, if they apply 16 units per acre it becomes a problem to develop any mix of housing.

Commissioner Sloan opened the public hearing.

Brad Romney addressed the Commission regarding the aesthetics of having an apartment complex and property values will be decreased.

Tracy Warming shared her concerns about her property values and the density.

Cameron Banner is concerned with the privacy of their homes with the density.

Camila Brown addressed the concern of lower income housing and government subsidies housing on the community. Part of their HOA is going into the park located near their neighborhood and access should be addressed.

Rod Marcs concern is traffic.

Rachel Guzik shared her concern regarding the parks and on street parking with the additional density.

Valerie Royal addressed the Commission regarding the Parking with the apartments, especially overnight parking.

Mr. Aquirflow addressed the public and Planning Commission. This area will not have subsidized housing. Within the community, there is a dual structure HOA. The single-family pay for their share of the upkeep of the parks and the multi-family have a higher fee they have to pay to maintain their own amenities. Everyone that lives their pays into the HOA fund that helps upkeep the park. They are continuing to expand Franks Drive, hopefully helping mitigate traffic. They have met requirements of parking. In the master plan that the sellers could see, they are buying into a master plan housing community. They are only here to talk about a simple matter of adding PUD that allows adding the mix of housing without changing the zoning.

Adam Sapers has worked with developers and they took in consideration the neighborhood across the street with minimal impact.

Matt Smock shared the developers are trying to blend in with the single-family homes. The HOA is strict about parking and overnight parking. They have aligned themselves with a towing company. Their goal is to keep the streets cleaned.

Commissioner Sloan closed the public hearing.

Mr. Bolser addressed the Commission. It will come back, but only for a design review. Configuration is a staff decision.

Commissioner Sloan addressed the public's concerns regarding home value, referencing a study from the U of U.

Commissioner Hamilton motion to forward a positive recommendation on a Zoning Map Amendment Request by the Zenith Tooele, LLC to Re-assign the Zoning of 33.82 Acres Located Generally at Approximately 1200 North Franks Drive From the MR-16 Multi-Family Residential Zoning District to the MR-16 PUD Multi-Family Residential Zoning District. Based on the conditions and findings in the staff report. Commissioner Jensen seconded the motion. The vote was as follows: Commissioner Hammer, "Aye", Commissioner Thomas, "Aye", Commissioner Dunn, "Aye," Commissioner Hamilton, "Aye", Commissioner Sloan, "Aye", Commissioner Jensen, "Aye", and Commissioner Smith, "Naye". The motion passed.

Mr. Bolser addressed the public. The action is not the final action but a recommendation for the City Council.

Commissioner Hamilton was excused from the remainder of the meeting.

Commissioner Gochis was invited to join the Commission as a voting party.

5. Public Hearing and Decision on a Conditional Use Permit Request by Christopher Child Representing Burt Brother's Tire and Service to Authorize the "Automobile Service and Repair" Use for 2.08 Acres Located at Approximately 400 East 2400 North in the GC General Commercial Zoning District.

Presented by Andrew Aagard, City Planner

Mr. Aagard presented a conditional use permit on the property located approximately 400 East 2400 North near Lidiards. The property is zoned GC, General Commercial. The applicant has provided a site plan for review only. The use involves a Burt Brother's Tire service and repair. With no detrimental impact to the roads or surrounding areas, staff is recommending approval with the findings in the staff report. Public notices have been sent out to owners within 200 feet.

Commissioner Sloan opened the public hearing. No one came forward. The public hearing was closed.

Commissioner Hammer motion to approve the Conditional Use Permit by Christopher Child Representing Burt Brother's Tire and Service to Authorize the "Automobile Service and Repair" Use for 2.08 Acres Located at Approximately 400 East 2400 North in the GC General Commercial Zoning District based on the findings and conditions listed in the staff report. Commissioner Thomas seconded the motion. The vote was as follows: Commissioner Hammer, "Aye", Commissioner Thomas, "Aye", Commissioner Dunn, "Aye," Commissioner Gochis, "Aye", Commissioner Sloan, "Aye", Commissioner Jensen, "Aye", and Commissioner Smith, "Aye". The motion passed.

6. Public Hearing and Decision on a Conditional Use Permit Request by Tier Drop Enterprises, LLC, to Authorize the "Warehouse" Use for 11.55 Acres Located at Approximately 1180 West Utah Avenue in the LI Light Industrial Zoning District

Presented by Andrew Aagard, City Planner

Mr. Aagard presented a conditional use permit for the property located approximately 1300 west. The zoning map shows it bares two zoning district, LI light Industrial and I, Industrial. The applicant would like to build a warehouse area for the trucking business for storage. The site plan demonstrates only a section is for warehouse area. Notices have been sent out to public within 200 feet.

The Planning Commission shared their concerns regarding the following:

A traffic study being provided, the entrances and exits for the warehouse, and not having specific details to make a proper decision.

Mr. Aagard addressed the Commission's concerns. The site plan application has not been submitted yet. There is property access form Utah Ave and Emerald Road with permission from

the private lane owner. Tier Drop Enterprises is expanding and needs a place to store their trucks and trailers. The facility can be used for storage of exclusively uses and goods.

Commissioner Sloan opened the public hearing.

Susan Howard shared an observation about having to declare any hazardous material being hauled or stored.

Mr. Aagard stated if the applicant was going to store hazard material they would need a permit.

The public hearing was closed.

Commissioner Sloan motion to approve the Conditional Use Permit Request by Tier Drop Enterprises, LLC, to Authorize the “Warehouse” Use for 11.55 Acres Located at Approximately 1180 West Utah Avenue in the LI Light Industrial Zoning District based on the findings and conditions listed in the staff report. Commissioner Hammer seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Thomas, “Aye”, Commissioner Dunn, “Aye,” Commissioner Gochis, “Aye”, Commissioner Sloan, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Smith, “Naye”. The motion passed.

7. Public Hearing and Decision on a Conditional Use Permit Request by the Tooele City Redevelopment Agency to Authorize the “Contractor’s Storage Yard” Use for 3 Acres Located at Approximately 385 South 1200 West in the IS Industrial Service Zoning District.

Presented by Andrew Aagard, City Planner

Mr. Aagard presented a Conditional Use Permit for contractor’s storage yard near 385 South 1200 West. The property is zoned IS, Industrial Service. The applicant is asking for contractor’s storage with 5-foot chain-link fence. The applicant’s business does pump and discard waste water, but will be disposed at a different location. Notices have been sent out according to State and City law.

Commissioner Gochis shared her concerns about not having obstructive material within the fence.

Mr. Aagard addressed the Commission. The Commission does have the authority to attach a mitigation to an issue if they see fit.

Commissioner Sloan opened the public hearing. No one came forward. The public hearing was closed.

The Planning Commission discussed the pros and cons to having obstructive material in the chain-link fence.

Commissioner Jensen motion to approve the Conditional Use Permit Request by the Tooele City Redevelopment Agency to Authorize the “Contractor’s Storage Yard” Use for 3 Acres Located at Approximately 385 South 1200 West in the IS Industrial Service Zoning District based on the findings and conditions listed in the staff report. Commissioner Dunn seconded the motion.

Commissioner Gochis made a motion to approve the Conditional Use Permit Request by the Tooele City Redevelopment Agency to Authorize the “Contractor’s Storage Yard” Use for 3 Acres Located at Approximately 385 South 1200 West in the IS Industrial Service Zoning District with the condition of adding obstructive material to all four sides of the surrounding fence. Commissioner Smith seconded.

Mr. Johnson clarified that only the maker of the original motion can change the motion.

The Planning Commission discussed the bylaws on making a substitute motion and how to vote.

Commissioner Gochis motion to approve the Conditional Use Permit Request by the Tooele City Redevelopment Agency to Authorize the “Contractor’s Storage Yard” Use for 3 Acres Located at Approximately 385 South 1200 West in the IS Industrial Service Zoning District with the condition of adding obstructive material to all four sides of the surrounding fence. Commissioner Smith seconded the motion. The vote was as follows: Commissioner Hammer, “Naye”, Commissioner Thomas, “Naye”, Commissioner Dunn, “Naye,” Commissioner Gochis, “Aye”, Commissioner Sloan, “Naye”, Commissioner Jensen, “Naye”, and Commissioner Smith, “Aye”. The motion did not pass.

Commissioner Jensen motion to approve the Conditional Use Permit Request by the Tooele City Redevelopment Agency to Authorize the “Contractor’s Storage Yard” Use for 3 Acres Located at Approximately 385 South 1200 West in the IS Industrial Service Zoning District based on the findings and conditions listed in the staff report. Commissioner Dunn seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Thomas, “Aye”, Commissioner Dunn, “Aye,” Commissioner Gochis, “Naye”, Commissioner Sloan, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Smith, “Naye”. The motion passed.

8. Recommendation on the Bryant Subdivision Preliminary Plan Request by Clint Bryant to Create a New 1.00 Acre Platted Lot at Approximately 426 North Coleman Street in the RR-1 Residential Zoning District.

Presented by Andrew Aagard, City Planner

Mr. Aagard presented a preliminary subdivision plan for the Bryant Subdivision. There are currently agricultural structures on the lot. The property is zoned RR-1. The applicant is proposing to subdivide into one-acre lots. The one-acre lot meets and exceeds lot width and lot size. There are existing buildings on site that would be non-conformities that would not be approved. Those buildings will be removed and ten feet of right-of-away will be added. Along with sidewalk and gutter, Staff is recommending approval of the plan with conditions listed in the staff report.

Commissioner Hammer motion to forward a positive recommendation on the Bryant Subdivision Preliminary Plan Request by Clint Bryant to Create a New 1.00 Acre Platted Lot at Approximately 426 North Coleman Street in the RR-1 Residential Zoning District based on the findings and conditions listed in the staff report. Commissioner Dunn seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Thomas, “Aye”, Commissioner Dunn, “Aye,” Commissioner Gochis, “Aye”, Commissioner Sloan, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Smith, “Aye”. The motion passed.

9. City Council Reports

Council Member Manzione presented a brief overview of the City Council’s meeting. They approved the rezone classification on the 900 south main street development with the conditions they put a fence along the highway and a trail within the development. They approved the Ordinance for the setback. They updated and adopted a culinary impact fee plan. They received results for the Fire Study that was reviewed during the work meeting.

10. Review and Approval of Planning Commission Minutes for the Meeting Held on March 23, 2022

No changes to the minutes.

Commissioner Jensen motion to approve the Planning Commission minutes from March 23, 2022. Commissioner Hammer seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Thomas, “Aye”, Commissioner Dunn, “Aye,” Commissioner Gochis, “Aye”, Commissioner Sloan, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Smith, “Aye”. The motion passed.

11. Planning Commission Training on the Planning Commission Bylaws.

Mr. Bolser presented training and review on the Planning Commission bylaws.

12. Adjourn

Vice-Chairman Sloan adjourned the meeting at 10:00 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 ____ day of April, 2022

Matt Robinson, Tooele City Planning Commission Chair