

**Tooele City Planning Commission
Business Meeting Minutes**

Date: Wednesday, July 13, 2022

Time: 7:00 p.m.

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

Commission Members Present:

Melanie Hammer

Chris Sloan

Tyson Hamilton

Weston Jensen

Paul Smith

Commission Members Excused:

Matt Robinson

Melodi Gochis

Alison Dunn

City Council Members Present:

Ed Hansen

Maresa Manzione

City Employees Present:

Andrew Aagard, City Planner

Paul Hansen, Tooele Engineer

Roger Baker, Tooele City Attorney

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 Hamilton.

2. Roll Call

Melanie Hammer, Present

Chris Sloan, Present

Tyson Hamilton, Present

Weston Jensen, Present

Paul Smith, Present

Matt Robinson, Excused

Melodi Gochis, Excused

Alison Dunn, Excused

3. Public Hearing and Recommendation on a Zoning Map Amendment Request by Johnathan Aubrey to Reassign the Zoning for 0.28 Acres Located at 738 West McKellar Street from MR-8 Multi-Family Residential to MR-20 Multi Family Residential.

Mr. Aagard presented information on a zoning map amendment application involving the existing Multi-Family structure near McKellar Street. The property is non-conformity and is zoned MR-8, Multi-Family residential. The Zoning Map request is unique in that the request is to make a Multi-Family structure legal and will not add existing units or additional traffic. The application is asking for the MR-20 Zoning District. Notices were sent to property owners within 200-feet of the property. An email was received from Greg Parkinson and is included below in the public comment.

The Planning Commission asked for clarification on the legal understanding of the request. They discussed what approval of this item might do for the City down the road. If the request is approved, will they be allowed to build something bigger?

Mr. Aagard addressed the Planning Commission. With the approval of MR-20, it will be the first step to make this property legal. Once the application is approved, the boundary line will be approved by administration. The Commission could add a condition that wherever the six units are, will be included in the MR-20. They would still be limited to the same number of units.

Mr. Baker stated the Commission could make a motion to include that small portion of MR-8.

Mr. Aubrey addressed the Commission. A lot line adjustment will need to be done. Part of their due diligent to buy the property is to get it up to code. No one else is willing to put in the time and effort for the property.

The Public hearing was opened.

The email from Mr. Parkinson read as follows:

It is very frustrating to be back in front of the board having to defend our little community against Mr. Aubrey who, under the guise of "doing what's best for Tooele" is only interested in maximizing profits and moving on.

Mr. Aubrey used the argument that he is only interested in bringing the illegal building located on the property in compliance during his last visits in front of the zoning board and council meetings. This is a half-truth as he demonstrated during his last appearances in front of both the zoning board and council hearings that his actual plan is to also build the maximum number of apartments that he can on his properties. He also had to admit that he would then sell the complexes and move on. With this rezoning it appears he could put 50+ apartments on that little 2+ acre lot. I'd like to address three major impacts of this to Tooele:

First, Renters have no investment in the building, property, and frequently the community. They don't own the property so they aren't planting flowers, trimming trees, mowing lawns. Outside of a security deposit, they have no investment in the property. Home owners have the incentive to keep their properties up and keep the community clean. The current MR8 zoning is the max to build and grow a great community that Tooele can be proud of.

Second, McKellar is a small street with small streets feeding it. The street to the east is small and winding and often

when two cars meet up, one ends up riding the shoulder because the street is fairly narrow. And if you heading south, you don't want to be in the area of the school when it lets out. A very conservative estimate for 50 apartments is 75 cars. High density housing is better suited for an urban area with access to public transportation. 75+ cars will now be using McKellar along with the 100 + cars from Mr. Aubrey's upcoming development on his adjacent property means this quiet peaceful community will soon be gone.

Third, this is a rural community. Mr. Aubrey is going to tell you a story about his father trying to find cheap housing. Well Mr. Aubrey, here's my story. I scrimped and saved all my pennies for years to buy my dream property. A quiet property overlooking lake with a view of the hills. You've already shattered that dream with your rezoning of the adjacent property. Neighbors are already talking about moving and I don't want to live next to a future slum, so I don't know that I have much desire to stay. Allowing this rezoning will destroy the peace and quiet we have now and in 20 years will be a blithe of Tooele. Tooele won't have something to be proud of, it will have something to be ashamed of.

The public hearing was closed.

The Planning Commission had the following questions:

How many parking stalls are required in a unit of this size?

Would they be able to configure 14 spots into the lot?

Are they allowed to create an application of they are the purchasing party?

Mr. Aagard addressed the Planning Commission. They would need 14 parking stalls for the units. Staff is not sure if they can add to the 14 parking stalls, until further analysis. The owners do have to sign a document saying the applicant can act in their behalf.

Commissioner Hamilton motioned to forward a positive recommendation Zoning Map Amendment Request by Johnathan Aubrey to Reassign the Zoning for 0.28 Acres Located at 738 West McKellar Street from MR-8 Multi-Family Residential to MR-20 based on the findings listed in the staff report and the conditionals as follows: Allow property line to increase 6 units and additional parking and then the property line be zoned to MR-20 after the lot line is moved. Commissioner Smith seconded the motion. The vote was as follows: Commissioner Hammer, “Nay”, Commissioner Sloan, “Aye” Commissioner Hamilton, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Smith, “Aye”. The motion passed.

4. Public Hearing and Recommendation on a Land Use Map Amendment Request by Tooele Industrial Land Holdings, LLC and GB Tooele Land Holdings, LLC, to Reassign the Land Use Designation for Approximately 421 Acres Located at Approximately 1500 North 1300 West from the Light Industrial and High-Density Residential Land Use Designations to the Industrial Land Use Designation.

Mr. Aagard presented information on a Land Use Map Amendment involving the 421 acres located 1500 North 1300 West. They property is undeveloped and has limited access. It bares two land use designations including LI, Light Industrial and HDR, High Density Residential. The applicant would like to develop a large industrial development including large warehouses and manufacturing structures. The Industrial Land Use designation provides an area for heavy industrial use and permits a wide range of land uses. Notices have been sent to property owners within 200-feet.

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

The Planning Commission had a discussion on the putting industrial near family homes. The Commission would like to see a buffer between the industrial and residential areas.

Commissioner Sloan motioned to forward a negative recommendation for Land Use Map Amendment Request by Tooele Industrial Land Holdings, LLC and GB Tooele Land Holdings, LLC, to Reassign the Land Use Designation for Approximately 421 Acres Located at Approximately 1500 North 1300 West based on the following findings:

There is no buffer between the industrial and the residential and removing the medium-residential area. Commissioner Smith seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Sloan, “Aye” Commissioner Hamilton, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Smith, “Aye”. The motion passed.

5. Public Hearing and Recommendation on a Zoning Map Amendment Request by Tooele Industrial Land Holdings, LLC and GB Tooele Land Holdings, LLC, to Reassign the Zoning for Approximately 460 Acres Located at Approximately 1500 North 1300 West from the GC General Commercial, RR-5 Residential and LI Light Industrial Zoning Districts to the I Industrial Zoning District.

Mr. Aagard presented information the application for a zoning map amendment for the property located near 1500 north and 1300 west. The property does extend to SR-12. It bares the RR-5, General Commercial, and Light Industrial. The property is undeveloped ground. The applicant is requesting the existing zones to be changed to I, Industrial Zoning District. Notices have been sent to property owners within 200-feet.

The Planning Commission had discussion on not wanting to get rid of the residential property. As well as needing a buffer between the family homes and industrial area. Is the R1-7 property and area Tooele City was going to land swap?

Mr. Aagard addressed the Planning Commission. R1-7 is owned by Tooele City. To his knowledge, they are working on some projects.

Mr. Baker recalled there was some discussion on land swapping the R1-7 property, but no official action has been taken.

Mr. Boorman addressed the Commission. The Commission’s concerns are the buffer and the residential area. They are not planning to do heavy manufacturing. They plan on doing light industrial warehouse stuff. In their perspective, giving the location and site, the best use would be light industrial.

Mr. Jackson addressed the Commission. There is not much access to the Light Industrial portion. They want to combine it to create access and likeminded areas.

The Commission had a discussion on their concerns regarding the reasoning of a buffer and a losing residential area. The applicant is free to work with the staff and the concerns the Commission has presented.

The public hearing was opened. No one came forward.

The applicant would like to see the item tabled to put in some additional work into the project.

Commissioner Hamilton motioned to table the item until the applicant amend their application and allowing staff to put in on the agenda when staff sees fit. Commissioner Hammer seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Sloan, “Aye” Commissioner Hamilton, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Smith, “Aye”. The motion passed.

The public hearing has been left open until a motion has been made.

6. Decision on a Multi-Family Residential Site Plan Design Review for the Lexington Greens Lot 107 Townhomes by Adam Sapers Representing Lex Townhomes for Property Located at 641 West 1200 North in the MR-16 Multi-Family Residential Zoning District on 1.27 acres.

Mr. Aagard presented a Site Plan Design review application for lot 107 of Lexington Green development. It is currently zoned MR-16. There is a guest lot at center, with 56% of open space and sod. It does meet the City landscaping environments. The townhomes meet the height requirement with three-story townhomes. The staff report did state the plan only showed 48% of the buildings being brick. It did not meet the City requirement. The applicant did resubmit with a 52% brick to comply with code. The staff suggests a condition is listed to address the number of amenities. It is required for every 50-units an amenity is required. They do not currently have any.

Commissioner Jensen motioned to approve the Site Plan Design Review for the Lexington Greens Lot 107 Townhomes by Adam Sapers Representing Lex Townhomes for Property Located at 641 West 1200 North in the MR-16 Multi-Family Residential Zoning District on 1.27 acres based on the findings and subject to the conditionals listed in the staff report.

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

Commissioner Hammer, “Aye”, Commissioner Sloan, “Aye” Commissioner Hamilton, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Smith, “Nay”. The motion passed.

7. City Council Reports

Council Member Manzione shared the following information from the City Council Meeting:

The Ordinance amending the City Code regarding the Zoning amendments was approved with a 3/2 vote to remove the MR-25 zone.

The rezone request for the property from GC to MR-25 was approved with the cap at MR-20 and a buffer zone in between.

The Delmer development was approved.

8. Review and Approval of Planning Commission Minutes for the Business Meeting Held on June 22, 2022.

There are no changes to the minutes

Commissioner Jensen motioned to approve the minutes. Commissioner Hammer seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Sloan, “Aye” Commissioner Hamilton, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Smith, “Aye”. The motion passed.

The Commission shared their concerns on making a motion on two applications for the same property in the same meeting.

Mr. Aagard addressed the concerns. Typically, when there are two applications for one property in a single meeting, it is to expatiate the process. They will honor the Commission’s wishes and keep them separate.

9. Adjourn

Vice-chair Sloan adjourned the meeting at 7:51 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 27th day of July, 2022

Matt Robinson, Tooele City Planning Commission Chair