

**Tooele City Planning Commission
Business Meeting Minutes**

Date: Wednesday, August 10, 2022

Time: 7:00 p.m.

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

Commission Members Present:

Melanie Hammer

Matt Robinson

Tyson Hamilton

Weston Jensen

Alison Dunn

Commission Members Excused:

Chris Sloan

Paul Smith

Melodi Gochis

City Council Members Present:

Ed Hansen

City Council Members Excused:

Maresa Manzione

City Employees Present:

Jim Bolser, Community Development Director

Paul Hansen, Tooele Engineer

Roger Baker, Tooele City Attorney

City Employees Excused:

Andrew Aagard, City Planner

Minutes prepared by Katherin Yei

Chairman Robinson called the meeting to order at 7:07 p.m.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Commissioner Jensen.

2. Roll Call

Melanie Hammer, Present

Matt Robinson, Present

Tyson Hamilton, Present

Weston Jensen, Present
Alison Dunn, Present
Paul Smith, Excused
Chris Sloan, Excused
Melodi Gochis, Excused

3. Public Hearing and Decision on a Conditional Use Permit Request by Heygly Gonzales to Operate a Home-Based Day-Care Business Involving the Care of 8 to 16 Children at 858 North Galena Drive on 0.15 Acres in the R1-7 PUD Residential Zoning District.

Mr. Bolser presented information on a Conditional Use Permit for a home-based day-care business. The property is zoned R1-7 PUD. Public notices were sent out to neighboring properties within 200 feet. Staff is recommending approval based on the findings and conditions listed in the Staff Report.

Mr. Baker addressed the Commission. Conditional Use Permits are not something that can be denied if there are not reasonable conditions and evidence. The Commission is listening for how the use will adversely impact the neighborhood and what conditions can be put on them to mitigate those impacts. There has to be discussion and evidence of those concerns and reasoning.

Emails were received for the public comment from the following:
Erin Dawson-Feraco, Michael Fordham, Kim Gentile, and Dallas McCloy.

The public hearing was opened.

Erin Dawson-Feraco shared concerns about rules not being followed by the applicant. As well as parking, traffic, and City Road uses.

Callie Allgood shared concerns of the environment for the homeowners with noise and destruction of property.

Jacob Belcolon addressed the Commission regarding the appropriate driveway, dead lawn from the drought, standard pickup times, and additional traffic.

Brian Fehrmann shared concerns regarding traffic and maintaining the neighborhood.

The public hearing was closed.

Heygly Gonzales addressed the Commission. The business will follow all rules and laws. The daycare will work to not disturb the neighborhood.

The Planning Commission had the following questions:
Do you anticipate hiring people?
What are hours of operation?
Will you allow kids to be dropped off early or stay late?

There is a stipulation for times in City code?

In the emails from the public, there were references to the applicant living in the HOA. Is there a concern about putting in a written permission from the HOA?

Ms. Gonzales addressed the Commission's questions. They anticipate hiring two people. 5 O'Clock is the latest people can pick up, because she has other obligations.

Mr. Bolser addressed the Commission. There is not something for hours of operation in regards to home occupations. There are limitations on hiring employees.

Mr. Baker addressed the Commission's concerns. Commission could look at reasonable conditions, including hours of operations. State law does not allow conditions to prohibit the use, only mitigate the impacts. CC&Rs do not prohibit home occupations, but creates a process that looks at the home occupation's impacts.

The Concerns with mitigation include:

The traffic and parking are addressed by the parking plan provided.

The business will be operating during noise ordinance times.

Employees in home base businesses in the City code are limited to 1 non-resident employee.

There is a snow parking ordinance that prohibits parking while it snows.

There is not an ordinance within the City to address landscape.

Commissioner Hamilton motioned to approve the Conditional Use Permit Request by Heygly Gonzales to Operate a Home-Based Day-Care Business Involving the Care of 8 to 16 Children Based on the findings and conditions listed in the staff report, including an additional condition to follow all City and State code. Chairman Hammer seconded the motion. The vote was as follows: Commissioner Hammer, "Aye", Commissioner Dunn, "Aye" Chairman Robinson, "Aye" Commissioner Hamilton, "Aye", and Commissioner Jensen, "Aye". The motion passed.

4. Public Hearing and Recommendation on a Land Use Map Amendment Request by Thrive Development Corporation to Re-Assign the Land Use Designation for 17.3 Acres Located at Approximately 2520 and 2540 North 600 East from the Regional Commercial and Medium Density Residential Land Use Designations to the High-Density Residential Land Use Designation.

Mr. Bolser presented information on a Land Use Map amendment for the parcel located near 2520 and 2540 North. When the applications were submitted, there was mapping that made it appear the property was in smaller sections involved. The Land Use Map involves two pieces inside the larger parcels. The zoning is MR-20, RC, and R1-7. The Land Use Map identifies the revision from Medium Density Residential to High Density Residential.

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

Jeff Lee gave the Commission a handout. They worked to cascade down throughout the property, starting with commercial and apartments, to less density creating a natural buffer.

David Gumucio addressed the Commission. The tearing effect is more adequate for this development. There was concerns to have R1-7 directly next to MR-20.

The Commission likes the concept for the Land Use Map.

Commissioner Jensen motioned to forward a positive recommendation Land Use Map Amendment Request by Thrive Development Corporation to Re-Assign the Land Use Designation for 17.3 Acres Located at Approximately 2520 and 2540 North 600 East from the Regional Commercial and Medium Density Residential Land Use Designations to the High-Density Residential Land Use Designation based on the conditions and findings listed in the staff report. Chairman Robinson seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Dunn, “Aye” Chairman Robinson, “Aye” Commissioner Hamilton, “Aye”, and Commissioner Jensen, “Aye”. The motion passed.

5. Public Hearing and Recommendation on a Zoning Map Amendment request by Thrive Development Corporation to Re-Assign the Zoning for Approximately 17.3 Acres Located at Approximately 2520 and 2540 North 600 East from RC Regional Commercial and R1-7 Residential to the MR-20, MR-16 and MR-12 Multi-Family Residential Zoning Districts.

Mr. Bolser presented information on the Zoning Map amendment. The property is currently zoned RC, MR-20, and R1-7 with the proposed amendment being changed to MR-16 and MR-12 for a portion of the R1-7 area.

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

Commissioner Dunn motioned to forward a positive recommendation of the Zoning Map Amendment request by Thrive Development Corporation to Re-Assign the Zoning for Approximately 17.3 Acres Located at Approximately 2520 and 2540 North 600 East from RC Regional Commercial and R1-7 Residential to the MR-20, MR-16 and MR-12 Multi-Family Residential Zoning Districts based on the conditions and findings listed in the staff report. Commissioner Hammer seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Dunn, “Aye” Chairman Robinson, “Aye” Commissioner Hamilton, “Aye”, and Commissioner Jensen, “Aye”. The motion passed.

6. Public Hearing and Recommendation on a City Code Text Amendment to Table 7-4-1 and Section 7-11a-13 Regarding Garage Parking in Multi-Family Residential Developments.

Mr. Bolser presented information on a City Code text amendment in regards to parking in multi-family residential developments. There were concerns surrounding multi-family residential areas, specifically about garages and whether they count towards required parking. A temporary ordinance came forward in March that allowed the City to properly address the issue. The City

needed a balanced approach that was clear and understandable allowing them to maintain public safety and the design aspect from the developers. The changes were to Table 7-4-1 and section 7-11a-13 to clarify and mitigate potential issues.

The Planning Commission shared the appreciation for the clarity and the balance.

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

Commissioner Hammer motioned to forward a positive recommendation on the City Code Text Amendment to Table 7-4-1 and Section 7-11a-13 Regarding Garage Parking in Multi-Family Residential Developments. Commissioner Jensen seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Dunn, “Aye” Chairman Robinson, “Aye” Commissioner Hamilton, “Aye”, and Commissioner Jensen, “Aye”. The motion passed.

7. City Council Reports

Council Member Hansen shared the following information from the City Council Meeting: There was a discussion and input from the citizens regarding the tax raise and budget. The applications for the property near Approximately 2000 North 1400 West was changed to Light Industrial.

8. Review and Approval of Planning Commission Minutes for the Business Meeting Held on July 27, 2022.

No changes to the minutes.

Commissioner Hammer motioned to approve the minutes from July 27. Commissioner Hamilton seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Dunn, “Aye” Chairman Robinson, “Aye” Commissioner Hamilton, “Aye”, and Commissioner Jensen, “Aye”. The motion passed.

8. Adjourn

Chairman Robinson adjourned the meeting at 8:12 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 24th day of August, 2022

Matt Robinson, Tooele City Planning Commission Chair