

**Tooele City Planning Commission  
Business Meeting Minutes**

**Date:** Wednesday, January 11, 2023

**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

Chris Sloan

Alison Dunn

Jon Proctor

**Commission Members Excused:**

Melodi Gochis

**City Council Members Present:**

Ed Hansen

Maresa Manzione

**City Employees Present:**

Andrew Aagard, City Planner

Jim Bolser, Community Development Director

Roger Baker, City Attorney

Minutes prepared by Katherin Yei

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

**1. Pledge of Allegiance**

The Pledge of Allegiance was led by Chairman Hamilton.

**2. Roll Call**

Melanie Hammer, Present

Matt Robinson, Present

Tyson Hamilton, Present

Weston Jensen, Present

Chris Sloan, Present

Alison Dunn, Present

Jon Proctor, Present

Melodi Gochis, Excused

**3. Public Hearing and Decision on a Conditional Use Permit Request by Zach Spencer to Authorize a “Personal Storage Facility (Mini-Storage)” Use on 2.83 Acres of Property Located at 1121 Utah Avenue in the LI Light Industrial Zoning District.**

Mr. Aagard presented a conditional use permit for the property located at 1121 Utah Avenue. The vacant, undeveloped land is zoned LI, Light Industrial. The applicant’s previously approved Conditional Use Permit has expired. The permit is for personal storage units. Staff is recommending approval with the conditions listed in the staff report.

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

**Commissioner Robinson motioned to approve a Conditional Use Permit Request by Zach Spencer to Authorize a “Personal Storage Facility (Mini-Storage)” Use on 2.83 Acres of Property Located at 1121 Utah Avenue in the LI Light Industrial Zoning District based on the findings and conditions listen in the staff report.** Commissioner Jensen seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Chairman Hamilton, “Aye” Commissioner Robinson, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Dunn, “Aye”. The motion passed.

**4. Public Hearing and Recommendation on a Zoning Map Amendment Request by Mike Davey to Reassign the Zoning for Approximately 1.0 Acres of Property Located at the Northwest Corner of the 2200 North Berra Boulevard Intersection from the RR-5 Rural Residential Zoning District to the R1-8 Residential Zoning District.**

Mr. Aagard presented a zoning map amendment for the property located near the new High School. The applicant would like to build a seminary building. The property is currently zoned RR-5, which requires 5 acre lots and a 20-foot setback. They would like it rezoned to R1-8 to reduce setbacks. The r1-8 zone would comply with the City use in the General Plan.

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

**Commissioner Jensen forwarded a positive recommendation on a Zoning Map Amendment Request by Mike Davey to Reassign the Zoning for Approximately 1.0 Acres of Property Located at the Northwest Corner of the 2200 North Berra Boulevard Intersection from the RR-5 Rural Residential Zoning District to the R1-8 Residential Zoning District based on the findings and conditions listen in the staff report.** Commissioner Proctor seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Chairman Hamilton, “Aye” Commissioner Robinson, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Dunn, “Aye”. The motion passed.

**5. Public Hearing and Recommendation on a Zoning Map Amendment Request by DR Horton to Amend the Terms of the PUD (Planned Unit Development) Zoning Overlay Assigned to the Western Acres Development on 85.4 Acres Located at Approximately 2000 North Copper Canyon Drive in the MR-16 PUD Zoning District.**

Mr. Aagard presented a Zoning Map PUD amendment for the property South of Pine Canyon. The current zoning is MR-16. DR Horton is currently constructing on site for their first two phases. The amendment to the current PUD would add vinyl to the list without percentage requirements. As well as, eliminating the requirement for one covered parking stall per multi-family residents.

The Planning Commission asked the following questions:

Would this be retroactive?

How many spaces does the covered parking effect?

Mr. Aagard addressed the Commission. Staff does not recommend it be retroactive. The amendment would affect about 18 spaces.

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

Mr. DeCarlo addressed the Commission. DR Horton is focused on making the housing more affordable for families. The vinyl allows for a different view, cost saving, and a life-time warranty.

The Planning Commission asked the following questions:

How new is the vinyl?

They asked for clarification on the parking situation.

Mr. DeCarlo addressed the Commission's questions. The vinyl is newer within the last couple of years. It allows them to make the housing more affordable and creates consistency. They would like to see this retroactive.

**Commissioner Robinson motioned to forward a negative recommendation on a Zoning Map Amendment Request by DR Horton.** Commissioner Hammer seconded the motion. The vote was as follows: Commissioner Hammer, "Aye", Commissioner Proctor, "Aye", Commissioner Sloan, "Aye" Chairman Hamilton, "Nay" Commissioner Robinson, "Aye", Commissioner Jensen, "Aye", and Commissioner Dunn, "Aye". The motion passed.

Mr. Bolser addressed the Commission and the public. This step is only a recommendation. It will get its final vote at the City Council meeting.

**6. Decision on a Conditional Use Permit Request by Cristian Martinez for a "Dwelling, Multi-Family" Use at 432 South Main Street in the MU-G Mixed Use General Zoning District on 1.33 Acres (Tabled from the October 26, 2022 Planning Commission Meeting).**

Mr. Aagard presented a Conditional Use Permit on the proposed apartment buildings located at 432 South Main Street. It is zoned MU-G, Mixed Use General. This item was tabled from a Planning Commission meeting held in October 2022. The Commission asked for a traffic impact study to be done. In order to accommodate fire trucks, 50 West will need to be widened with

asphalt to 400 South. Staff is recommending approval with the condition the applicant widens the frontage to 30 feet on 50 West.

The Planning Commission asked the following questions:

Has the applicant received UDOT approval to SR-36?

Would they need to widen on 400 South?

Mr. Aagard addressed the Commission's questions. An application has been submitted to UDOT. The applicant would only be required to do the frontage.

Mr. Baker addressed the Commission. As shown in the staff report, the law requires two things. There needs to be a connection that shows the developer is creating an impact on the City and a nexus between that impact and the exaction or condition. There also needs to be a proportional or equivalent value of the exaction to the impact. A small amount of improvements is probably proportionate. If the Commission imposes a condition, they need first to make a finding regarding anticipated detrimental effects and only then discuss conditions that will mitigate the impact. Mr. Baker addressed the difficulty of analyzing the proportionality of requiring road improvements from the project site all the way to 400 South.

Although a public hearing was opened and closed at a prior Commission meeting, the Chairman allowed additional public comment, and a public hearing was opened at the discretion of the Chairman.

Members of the public shared concerns of units going in, traffic on 50 West, water drainage, privacy, and snow removal.

Doug Newell is in favor of smart growth and affordable housing in Tooele.

Mr. Baker wondered whether the project needed to be built up above existing grade next to the neighbors, and whether a reasonable mitigating condition might be to require the northern end of the project to be at-grade and to require the southern end of the project to excavate and retain.

Isaac Riches, the engineer for the applicant, addressed the Council. He has carefully examined site elevations and grading, and designed the site optimally for the project owners and the neighbors. They have begun the process with UDOT. They need to do additional calculations for the site triangles. The right-of-way at 50 West is 33 feet already. To make the structure work, they are trying to balance and manage the property without increasing the retaining wall to the maximum.

The public hearing was closed.

The Planning Commission had the following concerns and questions:

Will the utility poles be in the way of expanding on 50 West?

They discussed concerns of the road only having a small portion being widened, creating a possible traffic concern as the road narrows again. Traffic and on-street parking with additional

tenants present a potential issue. A condition could be placed to red-curb the area to help mitigate the parking issue. Water run-off and flooding down 50 West present an issue without having curb and gutter down the entire road.

Mr. Aagard addressed the Commission's questions and concerns. There is sufficient width to accommodate asphalt with the poles remaining. Parking could be an issue. The Council could add a red curb or parking requirements to help mitigate the parking issue. The civil engineer looks at the process for run off and is approved through the process with the staff.

Mr. Baker addressed the Commission. There are two types of surface storm water. The first type of historic storm water that current enters and exits the property, and the developer will have the obligation to safely route it through the project. The City Engineer will review it. The second type of surface storm water is the storm water generated on site and will have to be designed to be retained, or detained, on the property, and if detained slowly drained from where it is located. The City Engineer will also review this with the site plan. Storm water can be an anticipated determinantal effect identified by the Commission. They can find a condition to mitigate it.

Mr. Bolser addressed the Commission. One of the standard reviews for site plan consideration is the storm water managements. The consideration includes the water coming too or through a site and leaving the property.

The concerns of the Conditional Use Permit were listed as following: Water run-off, safety of traffic, parking, and privacy issues.

Mr. Rich addressed the Commission. Striping the road should help the traffic flow and safety. To maintain the 30 feet of asphalt, they will do curb and gutter but not sidewalk. With curb and gutter, it will be 31 feet from back of curb to back of curb. Drainage wells can be produced to help mitigate any storm water.

Mr. Baker reminded the Commission the law allows them to impose reasonable conditions to mitigate but not eliminate anticipated detrimental effects, and to design their conditions accordingly.

**Commissioner Sloan motioned to approve a Conditional Use Permit Request by Cristian Martinez for a "Dwelling, Multi-Family" based on the conditions and findings listed in the staff report; including adding striping on the road, and parking be prohibited in the area of the frontage for fire and general safety.** Commissioner Robinson seconded the motion. The vote was as follows: Commissioner Hammer, "Nay", Commissioner Proctor, "Nay", Commissioner Sloan, "Aye" Chairman Hamilton, "Aye" Commissioner Robinson, "Aye", Commissioner Jensen, "Aye", and Commissioner Dunn, "Nay". The motion passed.

## **7. City Council Reports**

Council Member Manzione shared the following information from the City Council Meeting: Kept same assignments from the previous year.

The approved the renaming of the competitive lane and lap pool after Mel Roberts.

They Approved a temporary ordinance to remove “group home” from general-commercial verbiage.

Mayor Winn has made an appointment for the alternate Planning Commission member. They will approve it next meeting.

**8. Review and Approval of Planning Commission Minutes for the Business Meeting Held on December 14, 2023.**

There are no changes to the minutes.

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

Mr. Bolser addressed the Planning Commission. January training will be done online this month as the yearly required powers and duties training.

Chairman Hamilton asked for Conditional Use Permit review for a future training.

**9. Adjourn**

**Chairman Hamilton adjourned the meeting at 8:32 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 the 25<sup>th</sup> day of January, 2023

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Tyson Hamilton, Tooele City Planning Commission Chair