

**Tooele City Planning Commission
Business Meeting Minutes**

Date: Wednesday, April 26, 2023

Time: 7:00 p.m.

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

Commission Members Present:

Melanie Hammer

Jon Proctor

Chris Sloan

Matt Robinson

Weston Jensen

Melodi Gochis

Alison Dunn

Commission Members Excused:

Tyson Hamilton

Doug Newel

City Council Members Present:

Ed Hansen

Maresa Manzione

City Employees Present:

Andrew Aagard, City Planner

Paul Hansen, City Engineer

Roger Baker, City Attorney

Darwin Cook, Parks and Recreation Director

Jared Stewart, Economic Development Director

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 Dunn.

2. Roll Call

Melanie Hammer, Present

Jon Proctor, Present

Matt Robinson, Present

Weston Jensen, Present

Chris Sloan, Present

Melodi Gochis, Present
Alison Dunn, Present
Doug Newell, Excused
Tyson Hamilton, Excused

3. Public Hearing and Decision on a Conditional Use Permit request by Natsu Healthcare to authorize the use of “Residential Treatment Facility” for properties located at 491 South Main Street and 461 South Main Street on 2.5 acres in the MU-G Mixed Use General zoning district.

Mr. Aagard presented a Conditional Use Permit for Residential Treatment Facilities at 491 South Main Street and 461 South Main Street. The two hotel buildings will be converted to treatment centers. The property is Mixed-Use General, allowing a mix of commercial and residential uses. There is existing fencing on the site. Notices were sent out to property owners within 200 feet of the property. Staff is recommending approval with two conditions listed in the staff report. The applicant is willing to comply with all conditions.

The public hearing was opened.

Jeremy Harris shared concerns and asked questions on behalf of himself and local business. Additional fencing, public access/open campus, security around property, is this a local or residential area, what is the recourse to alleviate the problem if it becomes one.

Victor Garcia addressed the public's questions and concerns. The property will be enclosed with additional fencing and gating. Many of the clients are coming from a variety of areas including the Tooele community. The clinic takes in many from the Native American Tribes and medicate. This is a volunteer facility. The patients that come in are wanting to get help. The facilities will be separated by male and female. There are about 80 employees, with 50 of them from Tooele.

The Planning Commission asked the following questions:

What is their business motto?

Is there financial assistance?

Who are they governed by?

Are there current residents?

What is the duration of the residents stay?

Are people who are on probation allowed to attend?

How are they going to protect people in the community?

Does the facility have a security system internally and externally?

Will you be moving all of the operations to this location?

Is there continuing fencing throughout the property?

How many residents will be there at one time?

Mr. Garcia addressed the Commission's questions. Private insurances are not excepted. The facility is governed by IHS, Indian Health Service. They were previously located across from the Hospital. By moving to this location, it allows them to expand and provide more treatment.

Treatment lasts about 60 days for the first step of the program. It progresses onto phase two which helps them back into society getting jobs, schooling, and other outpatient services. The clients they focus on are the people in the community. They do have an updated security system. As well as, a full security team. The administrative offices and outpatient services will stay at the current location. There is plenty of parking for employees. Patients do not often have vehicles. The only time they tend to see vehicles is for outpatient service. They will have 60 male and 60 females at one time.

The public hearing was closed.

Mr. Baker addressed the Commission. From his understanding, the facility is governed by Indian Affairs, but they still have to comply with City codes. The Code does allow the Commission to take the time they need to make a proper decision. The applicant will have to have building permits and fire inspections. Mr. Baker is not familiar with tribal regulations and licensing.

Commissioner Gochis motioned to table the Conditional Use Permit until the following information is found or provided: Regarding Indian Health Services in how it relates to state and local coded having an impact to adjacent properties. Commissioner Hammer seconded the motion. The vote was as follows: Commissioner Hammer, “Nay”, Commissioner Proctor, “Nay”, Commissioner Sloan, “Nay”, Commissioner Dunn, “Nay”, Commissioner Jensen, “Nay”, Commissioner Robinson, “Nay”, and Commissioner Gochis, “Nay”. The motion did not pass.

Commissioner Proctor motioned to approve a Conditional Use Permit request by Natsu Healthcare to authorize the use of “Residential Treatment Facility” for properties located at 491 South Main Street and 461 South Main Street on 2.5 acres in the MU-G Mixed Use General zoning district based on the findings and subject to conditions listed in the staff report including surrounding property fencing. Commissioner Dunn seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Commissioner Dunn, “Aye”, Commissioner Jensen, “Aye”, Commissioner Robinson, “Aye”, and Commissioner Gochis, “Nay”. The motion passed.

4. Public Hearing and Decision on a Conditional Use Permit request by Kim Gibson to authorize a home-based day-care business involving the care of 8 to 16 children at 822 Cedarview Circle in the R1-8 Residential zone on .3 acres.

Mr. Aagard presented a home-based daycare holding the care of 8-12 children. The property is zoned R1-8. The applicant did provide a traffic and parking plan with drop off and pick up times are usually staggered. No written or verbal comments have been received. 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 Dunn motioned to approve a Conditional Use Permit request by Kim Gibson to authorize a home-based daycare business involving the care of 8 to 16 children at 822 Cedarview Circle in the R1-8 Residential zone on .3 acres 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” Commissioner Dunn, “Aye”, Commissioner Jensen, “Aye”, Commissioner Robinson, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

5. Public Hearing and Recommendation on a Zoning Map Amendment request by Holly Jones to re-assign the zoning for .39 acres located at 60 South Main Street from GC General Commercial zoning district to the MU-G Mixed Use General zoning district.

Mr. Aagard presented a Zoning Map Amendment for the old Gordan Furniture building. It is zoned GC, General Commercial. A Land Use Map amendment was done in early March changing the Land Use to Mixed-Use. The applicant is requesting to amend the zoning to the MU-G Mixed Use General zoning district for a treatment facility.

The public hearing was opened.

Ms. Jones addressed the Commission. The facility serves private insurance. The reason is for the Mixed-Use General to allow residential areas above the outpatient services on the main floor.

The public hearing was closed.

Commissioner Jensen motioned to forward a positive recommendation a Zoning Map Amendment request by Holly Jones to re assign the zoning for .39 acres located at 60 South Main Street from GC General Commercial zoning district to the MU-G Mixed Use General zoning district based on the findings and conditions listen in the staff report. Commissioner Robinson seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Commissioner Dunn, “Aye”, Commissioner Jensen, “Aye”, Commissioner Robinson, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

6. Public Hearing and Recommendation on a Land Use Map Amendment request by Godelio Palomino and Juana Cruz to re-assign the land use designation for .28 acres located at 248 North Garden Street from Medium Density Residential to Community Commercial

Mr. Aagard presented a Land Use Map amendment for the property located east of Garden Street. It is zoned R1-7. The property bares the Medium Density Residential. The applicant would like to add a laundromat and beauty salon on the property.

The Public hearing was opened.

Ken shared concerns of the buffer zone between residential and commercial areas, parking on the roads, and having commercial sharing a fence to residential property.

Glenda Palmedo shared the intention of rezoning the property. The intention was to build a home when they bought the property, but with the commercial in the area, they decided to go that direction.

Planning Commission asked the following questions:
Did any other property owners bring concerns forward?
How long ago did the buffer line occur?

Mr. Aagard addressed the Commission. No comments were received.

Mr. Baker addressed the Commission. Spot zoning used to be a concern, but it is no longer a concern. The question is if the rezone is in the City's interest. It is no longer an illegal thing to spot zone.

The public hearing was closed.

Council Member Manzione addressed the Commission. The discussion of the buffer zone may have occurred during the general plan.

Commissioner Sloan motioned to forward a positive recommendation on a Land Use Map Amendment request by Godelio Palomino and Juana Cruz to re-assign the land use designation for .28 acres located at 248 North Garden Street from Medium Density Residential to Community Commercial 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" Commissioner Dunn, "Aye", Commissioner Jensen, "Aye", Commissioner Robinson, "Aye", and Commissioner Gochis, "Nay". The motion passed.

7. Public Hearing and Recommendation on a Land Use Map Amendment request by the Tooele City RDA to re-assign the land use designation for approximately 25 acres located at approximately 450 South Tooele Boulevard from Regional Commercial to Light Industrial.

Mr. Aagard presented a Land Use Map amendment for the 25-acre parcel near Tooele Boulevard and the railroad. The property is owned by the RDA and bares the RC, Regional Commercial designation. The business that is interested in purchasing the property needs the map changed to LI, Light Industrial Zone in order to operate their business. This is a zone that allows business that do not have a large impact. A comment was received from USU expressing the noise disrupting the classes, safety of students, and the front landscape match theirs. The small piece of RC, is a City well.

The public hearing was opened.

Mr. Stewart addressed the Commission. The City is working to be mindful of the surrounding area. The interested party manufactures cables and products for Ski Resorts. They operate things indoors with internal noise. They do intend to have outdoor storage which requires a Conditional Use Permit. This is a small portion of the large 300-acre project. Light industrial will have limited impacts to the area. Landscaping requirements will be addressed making this area of the City to be unique and be esthetically appealing and a benefit to the City.

Sharlynn Mueller asked the following questions:

Will there be large trucks?

Will air brakes be restricted in this area?

Mr. Aagard addressed the Commission. The City Council can put a condition on the approval to mitigate any issues.

The public hearing was closed.

The planning Commission asked the following:

Does it need to be discussed to have a condition placed on the use of wind turbines?

Mr. Baker addressed the Commission. A wind turbine is not allowed in any of the zones today.

Commissioner Robinson motioned to forward a positive recommendation on a Land Use Map Amendment request by the Tooele City RDA to re-assign the land use designation for approximately 25 acres located at approximately 450 South Tooele Boulevard from Regional Commercial to Light Industrial based on the findings and conditions listen in the staff report. Commissioner Gochis seconded the motion. The vote was as follows:

Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye”
Commissioner Dunn, “Aye”, Commissioner Jensen, “Aye”, Commissioner Robinson, “Aye”,
and Commissioner Gochis, “Aye”. The motion passed.

Mr. Baker addressed the Commission in regards to the Noise Ordinance.

8. Public Hearing and Recommendation on a Zoning Map Amendment request by the Tooele City RDA to re-assign the zoning for approximately 25 acres located at approximately 450 South Tooele Boulevard from the RD Research & Development zoning district to LI Light Industrial zoning district

Mr. Aagard presented a Zoning Map Amendment request by the Tooele City RDA for the property located at 450 South Tooele Boulevard. The property is zoned RD, Research and Development. The request is to rezone it to LI, Light Industrial.

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

Commissioner Gochis motioned to forward a positive recommendation on a Zoning Map Amendment request by the Tooele City RDA to re-assign the zoning for approximately 25 acres located at approximately 450 South Tooele Boulevard from the RD Research & Development zoning district to LI Light Industrial zoning district. Commissioner Dunn seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Commissioner Dunn, “Aye”, Commissioner Jensen, “Aye”, Commissioner Robinson, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

9. City Council Reports

There was not a City Council meeting held last week. There is nothing to report.

10. Review and Approval of Planning Commission Minutes for the meeting held on March 22, 2023.

There were no changes to the minutes.

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

11. Adjourn

Chairman Hamilton adjourned the meeting at 8:15 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 10th day of May, 2023

Tyson Hamilton, Tooele City Planning Commission Chair