

**Tooele City Planning Commission
Business Meeting Minutes**

Date: Wednesday, May 24, 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

Tyson Hamilton

Matt Robinson

Melodi Gochis

Commission Members Excused:

Doug Newel

Weston Jensen

Alison Dunn

City Council Members Present:

Maresa Manzione

City Employees Present:

Andrew Aagard, Community Development Director

Paul Hansen, City Engineer

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

Jon Proctor, Present

Matt Robinson, Present

Tyson Hamilton, Present

Chris Sloan, Present

Melodi Gochis, Present

Doug Newell, Excused

Alison Dunn, Excused

Weston Jensen, Excused

3(A). Public Hearing and Recommendation on a Land Use Map Amendment to consider a request to re-assign the land use designation for approximately 326 acres located at approximately 1200 West 700 South from the existing land use designation of Regional Commercial to Light Industrial land use.

Mr. Aagard presented a Land Use Map Amendment and a new zone for the property located at 1200 West 700 South. Staff is looking to create a new zoning district, TCBD, The Tooele City Business District. The business park will involve the 326 acres near 1200 West 700 South. Staff has established two applications to track the process.

The Land Use Map designates the property as RC, Regional Commercial. The Regional Commercial district does not allow any industrial businesses. Staff is requesting the property be re-assigned as Light Industrial.

The Zoning Map amendment request is to change, create, and adopt a new zoning district. The current zoning is RD, Research and Development and LI Light Industrial with a rezone to TCBP, Tooele City Business Park. There were many public comments and concerns of having industrial near residential zones. To help mitigate those concerns, there are three sections to the new zone. Section A, the closest to the residential area, is limited to commercial and office type businesses only. Building height is limited to 35 feet and required additional architecture with pitched roofs and all mechanical being in the building or on the ground. It is designed to be a buffer, minimizing the impact to the surrounding areas. Section B has lighter industrial uses, prohibiting heavy industrial. The building height allows up to 50 feet with flat roof being permitted. Mechanical is allowed on the roof with decoration hiding it from public view. They will have access to the railroad. Section C is the farthest from residential, would allow heavy industrial. Building height would be permitted up to 70 feet with the same architecture requirements as section b.

The new code will establish architecture standards, fencing standards, signs, prohibits bill boards along the future Mid-valley Highway, and limits wind turbines to section B & C with size limitations. It will include a table of uses for the Tooele City Business Park. Many heavy uses such as hazardous material, recycling places, and auto wrecking yards are not permitted in the new zone. There was an error in the staff report that states there are no development standards for setbacks. The correction refers to the light industrial setback requirements.

Staff asks when Commission makes a motion to make a motion for Land Use and the Zone.

The public hearing was opened.

An email was received from Chris Freerkson with positive feedback to the change.

The following commented during the public hearing in regards to traffic patterns, vehicles, added noise, preventative measures, easements and fire breaks, and de-railing:

Ann Paris, Kalani Mascherino, Moroni Besendorf, Julia Hardy, and Scott Paris.

The public hearing was closed.

The Planning Commission asked the following questions:

How do they answer the concerns of the heavy truck traffic?

What is the responsibility between the residential areas and the new development?

Are the wind turbine requirements, due to the incoming business wanting to manufacture a wind turbine?

Mr. Baker addressed the Commission. To understand the traffic impacts, they would have to have a traffic study done. However, they will not be adding any residential streets to the truck routes. The Mid-Valley Highway will be the largest impact. The buildings that are drawn in are conceptual. This project will take decades to build out and will likely be building out the same time the highway is. Certainly, there will be impacts to the residents different from today, with possible mitigations and enforcements. Tooele City does own the strip of property near the residential area. The City acquired it in a land trade with a developer. It will be a part of the property that will be contributed to the bigger project. City code does require a 30-foot fire break around property lines. The rail lines are not through rail lines. They are rail spurs, meaning it is dead end traffic and slow. They are trying to fill markets that are not being filled today. If a wind turbine is allowed, it has to be 15% of its height away from all property lines.

Mr. Aagard addressed the Commission. The company does manufacture ski products. They would like a wind turbine on the property for a greener approach.

Commissioner Proctor motioned to forward a positive recommendation on a Land Use Map Amendment to consider a request to re-assign the land use designation for approximately 326 acres located at approximately 1200 West 700 South from the existing land use designation of Regional Commercial to Light Industrial land use based on the findings and subject to the conditions listed in the staff report. 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”, and Commissioner Gochis, “Aye”. The motion passed.

3(B). Public Hearing and Recommendation on an Ordinance and Zoning Map Amendment to create the new TCBP Tooele City Business Park zoning district, to establish zoning and development standards within the TCBP Tooele City Business Park zoning district and to reassign the zoning for approximately 326 acres of property located at approximately 1200 West 700 South from the existing zones of RD, Research and Development and LI Light Industrial to the TBP Tooele Business Park zoning district.

This information and the public hearing were presented above.

Commissioner Sloan motioned to forward a positive recommendation on an Ordinance and Zoning Map Amendment to create the new TCBP Tooele City Business Park zoning district, to establish zoning and development standards within the TCBP Tooele City Business Park zoning district and to reassign the zoning for approximately 326 acres of property located at approximately 1200 West 700 South from the existing zones of RD, Research and Development and LI Light Industrial to the TBP Tooele Business Park zoning district based on the findings and subject to the conditions listed in the staff report. Commissioner Gochis seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Chairman Hamilton, “Aye”, Commissioner Robinson, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

4. Public Hearing and Decision on a Conditional Use Permit request by Crystal Neerings to authorize the use of “Kennel” on .5 acres located approximately 580 North 1000 West in the LI Light Industrial zoning district.

Mr. Aagard presented a Conditional Use Permit for the property North of McKellar Street. It is operated as the Hunsaker meats currently. The zoning is LI, Light Industrial. The applicant is proposing the operation of an animal daycare. They will not be kenneling the animals outside and proposing chain-link fencing. Notices were sent out to property owners within 200 feet. Staff is recommending approval with the conditions listed in the staff report.

The public hearing was opened.

Mike Leonelli shared concerns of having clarifications on their business permit, animals staying overnight, and the regulations they will need to follow.

The public hearing was closed.

The Planning Commission asked the following questions:

What kind of regulations are they held to in regards to animal control?

Is there a dog run?

What times are the animals brought inside the facility?

Will it be staffed at night?

Mr. Baker addressed the Commission. The Commission would need to identify impacts to the neighbors; then mitigate those impacts with mitigating conditions.

Mr. Goetz addressed the Planning Commissions questions. The fencing around the property is for the protection of animals and the community. They have hired a licensed a dog walker to walk the dog within fence lines on a leash and be brought back inside. They also plan to have a fence and a gate providing double doors within the facility. A security system and motion lights will be installed. There are applications for clients to fill out that want to leave their animals for daycare or board a dog. The kennels are inside the building with a dog run located inside as well. The dogs will be walked two times during their stay. Staff will be there during the day, security only at night.

Commissioner Robinson motioned to approve a Conditional Use Permit request by Crystal Neerings to authorize the use of “Kennel” on .5 acres located approximately 580 North 1000 West in the LI Light Industrial zoning districts based on the findings and subject to the conditions listed in the staff report with a condition that animals being held overnight to be held inside to mitigate noise with the time of the noise ordinance. Commissioner Gochis seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Chairman Hamilton, “Aye”, Commissioner Robinson, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

5. Recommendation on a three lot Preliminary Subdivision Plan request by Kurti Halim to approve Halim Subdivision proposed to be located at 400 East 1000 North in the R1-8 Residential zone on 3.37 acres

Mr. Aagard presented a preliminary subdivision request for the property located at 400 East and North of England Acres park. It is zoned R1-8, Residential. The preliminary subdivision plan is to subdivide the property without altering the drainage channel. There are three lots proposed with the construction of Helene Way, including sidewalks and improvements. The subdivision meets standards. Staff is recommending approval with the basic house keeping items listed in the staff report.

The Planning Commission asked the following questions:

Will Helene lane be a public road?

Does the retention basin to the north interfere with the flood area?

Mr. Aagard addressed the Commission. It will be a public road. The detention basin is on the outside of the flood area.

Commissioner Sloan motioned to forward a positive Recommendation on a three lot Preliminary Subdivision Plan request by Kurti Halim to approve Halim Subdivision proposed to be located at 400 East 1000 North in the R1-8 Residential zone on 3.37 acres based on the findings and subject to the conditions listed in the staff report. Commissioner Robinson seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Chairman Hamilton, “Aye”, Commissioner Robinson, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

6. Public Hearing and Recommendation on proposed ordinance amendments to Tooele City’s Landscaping requirements as found in Tooele City codes 4-11, 4-11a, 7-4, 7-11, 7-11a, 7-14, 7-16 Table 2, 7-19, Amendments proposed by Tooele City. Item also includes a discussion on the proposed Tooele City Tree Selection Guide.

Mr. Aagard presented an outdoor landscaping text amendment. They have emphasized and made provisions for more water wise landscaping. They would like to adopt specific provisions required by the state to be eligible for programs. There are many ordinances regarding landscaping requirements.

The amendments include the following:

park strip prohibit sod, requires drip systems instead of spray systems, authorizes artificial turf, prohibits the use of sod in off-street parking areas, general design review, design review in multi-family residential areas, preliminary plans to residential districts limiting 50% of natural lawn landscape, table of development standards allowing the developer to use trees from street tree guide, and subdivisions including tree spacing, drip style irrigations, and limiting sod.

The Tooele City street Tree selection guide amendments include recommendations of certain sizes depending on the projects, avoiding nuisance varieties, adding known performers and trees that tolerate the weather and surroundings areas making it easy to understand and read.

The Planning Commission asked the following questions:

How can they enforce these changes or the upkeep/cleanup of the trees?

Are the changes made to meet the “flip the strip” program?

What is the difference between turf grass and sod?

Is someone required to clean up the storm water detention basins?

Some of the Planning Commission shared concern of overstepping by requiring trees on private property and the maintenance of trees in park strip.

Mr. Aagard addressed the Commission. At this time, it is hard to enforce. They can add a spacing requirement to help with the numbers of trees allowed. The Public Works department does trim and take care of the trees. Dry-scape landscaping in Utah takes more work than sod because of the weather and environment. If a basin is private or included in easements, the private owner is required to maintain it. If it is dedicated to the City, staff will take care of it as needed. The difference between sod and turf grass is the application. There are no restrictions on artificial turf.

Mr. Baker addressed the Commission. The City Code does require that all park strip trees comply with the adopted tree guide, allowing current ordinance to enforce the tree guide. When trees impede or damage the street or sidewalks, Tooele City can prune or remove the trees.

The public hearing was opened.

Kalani Mascherino shared her excitement of the City working towards water wise programs.

Jordan Taylor shared tips on how Lake Point encourages water wise activities.

The public hearing was closed.

Commissioner Sloan motioned to forward a positive recommendation on proposed ordinance amendments to Tooele City’s Landscaping requirements as found in Tooele City codes 4-11, 4-11a, 7-4, 7-11, 7-11a, 7-14, 7-16 Table 2, 7-19. Amendments proposed by Tooele City. Item also includes a discussion on the proposed Tooele City Tree Selection Guide based on the findings and conditions listed in the staff report; including the

requirements for the maintenance of the trees in the park strip. Commissioner Proctor seconded the motion. The vote was as follows: Commissioner Hammer, “Nay”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Chairman Hamilton, “Aye”, Commissioner Jensen, “Aye”, Commissioner Robinson, “Nay”, and Commissioner Gochis, “Nay”. The motion passed.

8. City Council Reports

Council Member Manzione shared the following information from the City Council Meeting: They approved changes to the policy for fee-in-lieu water rights conveyance. The Headworks project hired an engineer to overlook the project, as required by State law. A \$50 fine was added for people that do not file their financial reports on time during an election.

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

There are no changes to the minutes.

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

10. Adjourn

Chairman Hamilton adjourned the meeting at 8:33 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 14th day of June, 2023

Tyson Hamilton, Tooele City Planning Commission Chair