

**Tooele City Planning Commission
Business Meeting Minutes**

Date: Wednesday, October 26, 2022

Time: 7:00 p.m.

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

Commission Members Present:

Melanie Hammer

Paul Smith

Tyson Hamilton

Weston Jensen

Chris Sloan

Melodi Gochis

Jon Proctor

Commission Members Excused:

Matt Robinson

Alison Dunn

City Council Members Present:

Maresa Manzione

City Employees Present:

Andrew Agard, City Planner

Jim Bolser, Community Development Director

Paul Hansen, City Engineer

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

Tyson Hamilton, Present

Weston Jensen, Present

Chris Sloan, Present

Melodi Gochis, Present

Jon Proctor, Present

Paul Smith, Present

Matt Robinson, Excused

Alison Dunn, Excused

3. Public Hearing and 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.

Mr. Aagard presented information on the parcel near 50 west and main street. The property is zoned M-UG, Mixed Use General. The applicant wishes to construct multi-family apartments. This is allowed with a Conditional Use Permit. A site plan application has been submitted and is being reviewed by staff. Staff has not received any documentation from UDOT regarding the State road near the potential development. Staff is recommending approval with the conditions listed in the staff report.

The Planning Commission had the following question:

What does the City code require on fencing?

Will they be required to make improvements to 50 West?

What is required to be asphalt?

If UDOT does not approve the request, would the City still approve the project?

Has there been a fire report done?

Can the City require the applicant to improve 50 West as a part of the Conditional Use Permit?

Are there any requirements for fire access or snow removal?

Mr. Aagard addressed the Planning Commission. The language in the code has been reviewed. The code states it depends on the zone and location for improvements. There is not a requirement to improve 50 West. If the applicant desires to make improvements, they can.

The public hearing was opened.

Brent Larson shared concerns about traffic, water run-off, flooding, and privacy.

Carol Leatham shared concerns on water-run off.

Zach Saint-Claire shared concerns on the amount of people in the area, traffic, privacy

The public hearing was closed.

Mr. Hansen addressed the Commission. The site plan is under review. The requirement is to retain all water on site. 50 West is a City road. Improvements would need to be done by the City. They do require information and approval from UDOT.

Mr. Bolser addressed the Commission. They would have to have a nuisance or hazard with evidence. The City cannot deny a Conditional Use Permit, unless there is an issue that cannot be mitigated. There is a standard for building height in the ordinance, the Commission cannot propose that as a nuisance. There are standards for 50 West, requires the dedication of right-of way without the requirement of improvements.

Commissioner Smith motioned to table this item until the applicant can be present and a UDOT study be present. Commissioner Hamilton seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Commissioner Smith, “Aye” Commissioner Hamilton, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

4. Public Hearing and Decision on a Conditional Use Permit Request by Kishka Erikson for an “Automobile Sales and Rental” Use at 494 South Main Street in the MU-G Mixed Use General Zoning District on 0.82 Acres

Mr. Aagard presented information on a Conditional Use Permit for an automobile sales and rental dealership. The property is the old restaurant at 494 south main street. The property is zoned M-UG, Mixed Use General. The zone does allow the use of automobile dealership with a Conditional Use Permit. The office space is in the southwest area of the building. The parking stalls will be separate from the day care area. Most of the business will be done online. Staff is recommending approval with the conditions listed in the staff report.

The Planning Commission had the following questions and concerns:

Is there a separate entrance from the daycare into the office space?

The security of not having a separate entrance is an issue for the daycare.

Is the business State Licensed?

A concern is that additional employees or additional items can be added later.

If the only access is cut off for the automobile business, does that cause issues for the daycare?

Mr. Aagard addressed the Planning Commission. A floor plan has been provided, but is unaware if there is another entrance.

Kishka Erikson addressed the Commission. The use of the building is just for the office space. The door near the kitchen could be used if there is in-person business. The idea is that the office space is only for her husband. The State requires the office to be separate from the daycare. There is a total of three doors to the building, still allowing plenty of access.

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

Commissioner Sloan motioned to approve a Conditional Use Permit Request by Kishka Erikson for an “Automobile Sales and Rental” Use at 494 South Main Street in the MU-G Mixed Use General Zoning District on 0.82 Acres based on the findings subject to the conditions and findings listed in the staff report and include the condition the outside entrances to the automobile business be secured so there is no entrance to the daycare.

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

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

5. Decision on a Site Plan Design Review Request for the Villas at Sunset Estates Townhome Development by Hallmark Homes Located at the Northwest Corner of 2000 North Berra Boulevard on 4.6 acres in the MR-8 Multi-Family Residential Zoning District.

Mr. Aagard presented information a site plan review for the Villas at Sunset Estates Townhome. The property is zoned MR-8. The application proposes a townhome development, consisting of 36 townhomes connected to Berra Boulevard. All roads and storm basin will be maintained by the HOA. Driveways will allow up to four-vehicles, including the garage space. There are 41 guest parking stalls. 37% of the site will be landscape. The proposed townhomes have been reviewed for City requirements. Staff is recommending approval with the conditions listed in the staff report.

The Planning Commission had the following questions and concerns.

What is the cobble rock they are deciding on?

Will curb, gutter, and park strip be required?

Is there enough street parking?

There are concerns on the additional traffic on 2000 North and the cobblestone.

Mr. Aagard addressed the Planning Commission. The cobble rock is 4-6-inch rocks used for weed barrier. The applicant would need to maintain that area. Curb, gutter, and park strip will be required. There is nothing that will prohibit from people parking on the street. There is an amenity of open space in the site plan.

Mr. Hansen addressed the Commission. The street parking is prohibited near the round-about due to City Code. If it is an issue, they will paint red curb.

Commissioner Jensen motioned to approve a Site Plan Design Review Request for the Villas at Sunset Estates Townhome Development by Hallmark Homes Located at the Northwest Corner of 2000 North Berra Boulevard on 4.6 acres in the MR-8 Multi-Family Residential Zoning District based on the findings and subject to the conditions listed in the staff report. Commissioner Sloan seconded the motion. The vote was as follows:

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

6. Decision on a Site Plan Design Review Request for the Harris Community Village Multi-Family Residential Support Facility Development by AJC Architects located at 251 North First Street in the MR-8 Multi-Family Residential Zoning District on 9.3 Acres.

Mr. Aagard presented information a site plan review for the Harris Community Village. The property is zoned MR-8. It will house a community food pantry, daycare, housing, and other support programs. The review does not involve the CRC. The Tooele Housing Authority is proposing 66-unit support facility for community that is in need of longer support, located in the southwest property. The northern portion of the site will not be developed at this time. There is an exception to parking for this kind of structure with a requirement of 66 spots. There are 99 spots available. The site exceeds the 25% landscape requirement, including 132 new trees. The City is working with the applicant to bring the building into architecture standards. Staff has

identified other means to provide horizontal relief, including adding window coverings. There also needs to be additional vertical relief including the columns. The window requirement on front facade may have not been fully meant. There is a fencing requirement of solid 6-foot fencing with masonry on the South and West.

The Planning Commission had the following questions and concerns.

Does the height meet requirement?

Is there a reason they did not finish the trim on the windows?

Is the 6-foot fence required around the entire property?

A concern is the building does not look like a home, but more commercial feeling.

What does a Juliet balcony look like?

Mr. Aagard addressed the Planning Commission. The building is right under the 35 feet requirement. The fence is only required near single-family homes.

Justin addressed the Commission. The ordinance asked to look at historical buildings on the property. They looked to find ways to meet the spirit of the ordinance. The trim elements are represented by the large trim. They occur frequently at the pop outs and regularly spaced. They felt it met the intent of the Code. They felt the columns would not fit into the design. A Juliet balcony is implied but not functional.

DeAnn Christensen spoke regarding the safety of the residents.

Mr. Bolser clarified the purpose of the review is to establish if it meets the terms of the City Code. The unique nature of the use does create elements that are not congruent to what is the usual. Does the treatments and the features of the building meet the requirement of Code and standards?

It is clarified the Commission needs to discuss the trim on the windows, awnings, and the pillars.

This item was tabled because there needs to be clarification and consensus on the interpretation of the ordinance between staff and the application.

Commissioner Sloan motioned to table this item. Commissioner Hammer seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Commissioner Smith, “Aye” Commissioner Hamilton, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

7. City Council Reports

Council Member Manzione shared the following information from the City Council Meeting: The property on 1000 North bond has been paid off. Construction has been started on the area. There is work that needs to be done on sidewalks, signs, and ADA areas within the City based on the study that had been done for the City.

A possible City Code text amendment regarding M-UG for residential areas needs to be redone.

8. Planning Commission Training on Commercial Zoning Principles.

The training has been postponed.

9. Review and Approval of Planning Commission Minutes for the Business Meeting Held on September 28, 2022.

There are no changes to the minutes.

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

10. Adjourn

Vice-Chairman Sloan adjourned the meeting at 8:24 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 9th day of November, 2022

Matt Robinson, Tooele City Planning Commission Chair