

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for **Wednesday, June 12, 2024** at the hour of 7:00 p.m. The meeting will be held in the City Council Chambers of Tooele City Hall, located at 90 North Main Street, Tooele, Utah.

*We encourage anyone interested to join the Planning Commission meeting electronically through Tooele City's YouTube channel by logging onto www.youtube.com/@tooelecitey or searching for our YouTube handle **@tooelecitey**. If you would like to submit a comment for any public hearing item you may email pcpubliccomment@tooelecitey.gov any time after the advertisement of this agenda and before the close of the hearing for that item during the meeting. Emails will only be read for public hearing items at the designated points in the meeting.*

AGENDA

1. **Pledge of Allegiance**
2. **Roll Call**
3. **City Council Reports**
4. **Public Hearing and Decision, Continued from May 22, 2024** – Consideration of a request for Conditional Use Approval by Evergreen Preschool & Childcare to allow an in-home child daycare business for up to 16 children at 529 Park Hill Drive in the R1-12 Zoning District. *Jared Hall, City Planner presenting*
5. **Planning Commission Training** – Public Hearings and Comments Policy. *Roger Baker, City Attorney presenting*
6. **Review and Approval** – Planning Commission Minutes for the meeting held on May 22, 2024.
7. **Adjourn**

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify Jared Hall, Tooele City Planner prior to the meeting at (435) 843-2132.

STAFF REPORT

June 7, 2024

To: Tooele City Planning Commission
Business Date: June 12, 2024

From: Planning Division
Community Development Department

Prepared By: Jared Hall, City Planner / Zoning Administrator

Re: Evergreen Preschool & Childcare – Conditional Use Permit Request, In-Home Childcare

Application No.: 2024-008 (Continued from Public Hearing on May 22, 2024)
Applicant: Victoria Burnham
Project Location: 529 Park Hill Drive
Zoning: R1-12, Residential
Acreage: 0.45-acres
Request: Conditional Use Permit approval to allow in-home childcare for 8-16 children

BACKGROUND

The subject property is a single-family residence located in the R1-12 zoning district. The applicant wishes to operate an in-home pre-school and day care for up to 16 children. Such a use can be allowed as a home occupation in the R1-12 Zone, but requires Conditional Use Permit approval by the Planning Commission.

CONTINUATION FROM MAY 22, 2024

The Planning Commission reviewed this application in a public hearing on May 22, 2023 and voted to table the discussion and request additional information from the applicant. The applicant submitted a response to the Commission’s request which is attached to this report as “Exhibit B”. The response includes a narrative explanation of staggered drop-off and pick-up times, off-street parking for an additional employee needed to support more students, as well as depictions of that parking and drop-off on aerial photos. The applicant’s additional information has been included in an update to the sections of this report, but following is a brief summary of the information provided:

Parking – One additional employee will be needed. There is a long driveway area which can easily accommodate the employee’s vehicle without impacting the homeowner’s parking or precluding the parents from pulling into the driveway for drop-off and pick-up if the times are staggered.

Drop-off & Pickup – The applicant attached a diagram indicating that parents can enter one street over (to the west) so that they can park for drop-off and pick-up directly in front of the subject property, or pull onto the driveway. Drop-off times are staggered between 3:00 p.m. and 5:30 p.m. Pick-up times are also staggered, between 3:00 p.m. and 5:30 p.m. The applicant observes that this allows for the parents to pull off the street onto the driveway. Staff recommends that this option is best.

Supervision – The children range in age from 1-years to 4-years old. No child goes out the front door without a parent.

ANALYSIS

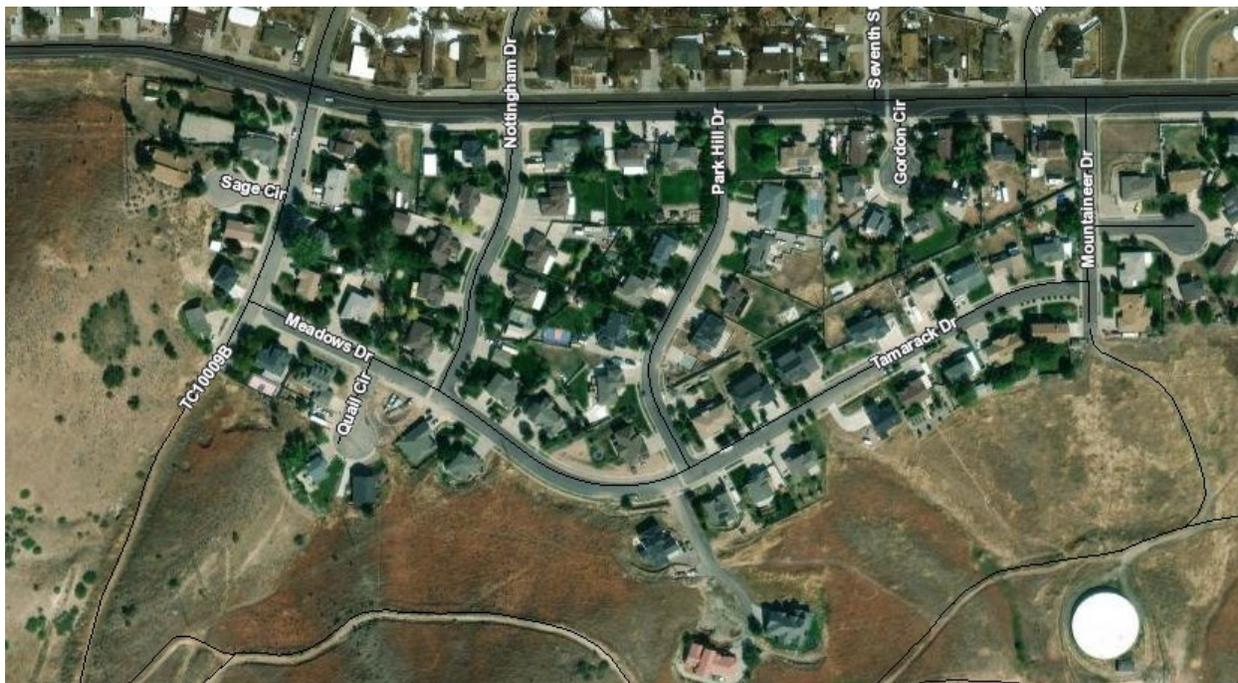
General Plan and Zoning. The subject property is located in the R1-12, Single-Family Residential zoning district. “Home Occupation Day Care / Preschool is an allowable use in the R1-12 Zone, but requires Conditional Use Approval when 8-16 children are involved. The purpose of the R1-12 zoning district is “to provide a range of housing choices to meet the needs of Tooele City residents, to offer a balance of housing types and densities, and to preserve and maintain the City’s residential areas as safe and convenient places to live.” In-home childcare can be an integral part of neighborhoods and communities, and can benefit these areas if operated properly.

The surrounding properties are all used as single-family residences, and all are located in the same R1-12 Zone or in the R1-7 Zone. With conditions, Staff finds that the proposed use for an in-home daycare is in keeping with the zoning, and can be compatible with the overall development pattern in the surrounding area. Mapping pertinent to the subject property can be found in Exhibit “A”, attached to this report.

Operations: The applicant has indicated that the child care is operated from 7:00 a.m. to 5:30 p.m., Monday through Friday. They do not operate on weekends or national holidays. Hours of operation are potentially the most impactful aspect of an in-home child care. Staff suggests that with the Conditional Use Permit, hours be established for earliest drop-offs and latest pick-ups between 6:30 a.m. and 6:30 p.m. The applicant indicates that one additional employee will be added to help care for the children if the conditional use is granted.

Parking / Circulation: The applicant has provided a plan for parents to be able to pull up and park curbside at the subject property without impacting traffic. They also have a large driveway that can accommodate up to four vehicles. The employee parking space is identified on the plans provided. The employee could also park in the gravel area, making the full driveway available during drop-off and pick-up. The applicant’s narrative also states that drop-offs and pick-ups of the children are staggered to avoid any problems of congestion. Staff suggests that staggered times should be a condition of approval, and that the applicant makes the parents aware of the availability of the driveway as well. These actions should mitigate any potential impacts to neighboring properties.

Traffic: At the hearing on May 22, 2024 there were concerns about traffic on Park Hill Drive because of limited access to Skyline Drive. Staff’s observation is that there are multiple roads providing access from the homes in this area to Skyline Drive. This suggests that traffic on Park Hill should not be significant enough to raise concern over the childcare operations. See the aerial below:



Home Layout / State Requirements. The applicant has provided a layout of the home, and has demonstrated capacity for the maximum of up to 16 children by the State standards. This includes indoor kitchen, living, and nap areas. The home also has use of an 845 square-foot patio space. The home layout can be found in “Exhibit B”, attached to this report.

Criteria for Approval. The criteria for review and potential approval of a Conditional Use Permit request is found in Sections 7-5-3(3) and (4) of the Tooele City Code. This section depicts the standard of review for such requests as:

- (3) Procedure. At the public hearing, testimony may be given by the applicant and all other persons either in support of or in opposition to the application. The Planning Commission may take the application under advisement, but shall render its determination within 30 days of the date of the hearing.
- (4) Approval. The Planning Commission shall approve the conditional use application if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied.

Findings of Fact. As a part of the approval or denial of a Conditional Use Permit a finding of fact according to Sections 7-5-4 of the Tooele City Code is required. This section depicts the standard for findings of fact:

Prior to approving or denying a Conditional Use Permit application the Planning Commission shall make, in the business meeting at which the public hearing is conducted or the permit is approved or denied, a finding of the following facts:

- (1) The reasonably anticipated detrimental effects of the proposed use upon adjacent and nearby persons and properties;
- (2) The evidence identified regarding the identified reasonably anticipated detrimental effects of the proposed use;
- (3) The reasonable conditions imposed, as part of the Conditional Use Permit approval, intended to mitigate the reasonably anticipated detrimental effects of the proposed use;
- (4) The reasons why the imposed conditions are anticipated or hoped to mitigate the reasonably anticipated detrimental effects of the proposed use;
- (5) The evidence, if any, identified regarding the ability of the imposed conditions to mitigate the reasonably anticipated detrimental effects of the proposed use.

In response to the City Code requirement for findings of fact, the following are the staff responses and comments on the potential effects this application, should it be approved, upon adjacent and nearby persons and property:

1. The proposed use is located in a residential area. In order to mitigate potential impacts, hours of operation should be limited.
2. Drop-off and pick-up could impact access to the street by neighboring property owners. The applicant should demonstrate and adhere to a plan to manage the arrivals, departures, and parking to limit the impact.
3. The home and outdoor area are large enough to accommodate the number of children requested. ut

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the Conditional Use Permit submission and has issued a recommendation for approval for the request with the following comments:

1. The applicant will need to meet all requirements of the State, County and City for operation of child care facilities, and be licensed by each as required.
2. The applicant should set hours of operation that can mitigate impact on adjoining property owners, Staff recommends no earlier than 6:30 a.m. for drop-off and no later than 7:00 p.m. for pick-up.
3. The applicant should demonstrate appropriate fencing of the property to assure that children do not leave the site unsupervised at any time.

Engineering and Public Works Review. The Tooele City Engineering Division and the Public Works recommend approval with the condition that the applicant manage the traffic to and from the site to mitigate impacts to neighboring properties.

Tooele City Fire Department Review. The Tooele City Fire Department recommends approval with the condition that the facility must meet and maintain compliance with Building and Fire Codes.

STAFF RECOMMENDATION

Staff recommends APPROVAL of the request for Conditional Use Permit to allow an in-home childcare on the property at 529 Park Hill Drive in the R1-12 zoning district, subject to the following conditions:

1. The applicant shall meet all requirements of the State, County and City for operation of child care facilities, and be licensed by each as required.
2. The applicant shall comply with all Tooele City requirements for Home Occupation Business Licenses.
3. Hours of operation, including drop-off and pick-up, are limited to no earlier than 6:30 a.m. no later than 7:00 p.m., weekdays Monday through Friday. Drop-off and pick-up times shall be staggered, and the applicant shall make clients aware of the option to use the driveway on the property.
4. The applicant shall demonstrate appropriate fencing of the property to assure that children do not leave the site unsupervised at any time.
5. The facility shall meet all applicable Building and Fire Codes.

This recommendation is based on the following findings:

1. With conditions, the proposed use meets the intent, goals, and objectives of the Tooele City General Plan and the R1-12 zoning district.
2. With conditions, the proposed use will meet the requirements and provisions of the Tooele City Code.
3. With conditions, the proposed use will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.

4. Potential impacts of the use have been identified in this report. The recommended conditions are intended to mitigate those impacts as required by Tooele City Code Section 7-5-4.

MODEL MOTIONS

Sample Motion for Approval – “I move we APPROVE the request for Conditional Use Permit, application #2024-008 by the Victoria Burnham to allow the operation of a Home Occupation Day Care / Preschool for eight to sixteen children on the property addressed 529 Park Hill Drive, located in the R1-12 zoning district based on the findings of fact and subject to the conditions listed in the Staff Report dated June 7, 2024.”

1. List any additional findings of fact and/or conditions

Sample Motion for Denial – “I move we DENY the request for Conditional Use Permit, application #2024-008 by the Victoria Burnham to allow the operation of a Home Occupation Day Care / Preschool for eight to sixteen children on the property addressed 529 Park Hill Drive, located in the R1-12 zoning district based on the following findings of fact :”

1. List any findings of fact

EXHIBIT A: MAPPING PERTINENT TO THE REQUEST, EVERGREEN PRE-SCHOOL AND DAY CARE



Subject Property - Aerial Map



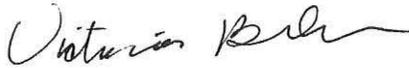
Subject Property - Zoning Map

EXHIBIT B: APPLICANT SUBMITTED INFORMATION

Home Occupation Permit Application /CUP
 Community Development Department
 90 North Main Street, Tooele, UT 84074
 (435) 843-2132 Fax (435) 843-2139
 www.tooelecity.org



Notice: The applicant must submit copies of the plans and documentation to be reviewed by the City in accordance with the terms of the Tooele City Code. All submitted Home Occupation Conditional Use Permit applications shall be reviewed in accordance with all applicable City ordinances and requirements, are subject to compliance reviews by various City departments, and may be returned to the applicant for revision if the plans are found to be inadequate or inconsistent with the requirements of the City Code. Application submission in no way guarantees placement of the application on any particular agenda of any City reviewing body. It is **strongly** advised that all checklist items be submitted well in advance of any anticipated deadlines.

Project Information						2024008	
Date of Submission: 4/22/2024		Current Zoning:		Parcel #(s): 12-042-0-0036			
Project Name: Evergreen Preschool & Childcare						Acres:	
Project Address: 529 Park Hill Dr Tooele, UT 84074						Units: 1	
Project Description: Permit to allow up to 16 children in my home daycare							
Current Use of Property: Used as primary residence and in-home daycare							
Property Owner(s): Monty Burnham				Applicant(s): Victoria Burnham			
Address: 529 Park Hill Dr				Address: 529 Park Hill Dr			
City: Tooele		State: UT	Zip: 84074	City: Tooele		State: UT	Zip: 84074
Phone:				Phone:			
Contact Person: Victoria Burnham				Address: 529 Park Hill Dr			
Phone: 660-424-0881				City: Tooele		State: UT	Zip: 84074
Cellular:		Fax:		Email: littletreasures4694@gmail.com			
Signature of Applicant: 							
						Date: 4/22/2024	

*The application you are submitting will become a public record pursuant to the provisions of the Utah State Government Records Access and Management Act (GRAMA). You are asked to furnish the information on this form for the purpose of identification and to expedite the processing of your request. This information will be used only so far as necessary for completing the transaction. If you decide not to supply the requested information, you should be aware that your application may take a longer time or may be impossible to complete. If you are an "at-risk government employee" as defined in *Utah Code Ann.* § 63-2-302.5, please inform the city employee accepting this information. Tooele City does not currently share your private, controlled or protected information with any other person or government entity.

** By submitting this application form to the City, the applicant acknowledges that the above list is not exclusive and under no circumstances waives any responsibility or obligation of the Applicant and or his Agents from full compliance with City Master Plans, Code, Rules and or Regulations.

For Office Use Only				2240346	
Fee: \$150.00 (213)		Received By: 	Date Received: 4/25/24	Receipt #: 644823	

Evergreen Preschool & Daycare
529 Park Hill Dr, Tooele UT 84074

Conditional Use Permit, requested additional information

Planning Commission Board,

Thank you for considering my request already. There was some questions and concerns over the plans that have been submitted for a conditional use permit for an in home daycare. I would like to address those hopefully to your satisfaction.

One of the concerns was over the amount of traffic funneled down through Park Hill Drive. I have lived here for over a year now and I can attest that the amount of traffic down our street is very minimal, I'm sure that city planning may intend for the use of the street to have more but thought I could share my own experience living on this street. Attached I have a plan for parents to enter a street over and proceed down the street to park directly in front of my home. We have a large section of the street that consists of our property that can accommodate up to 4 parked cars in front of our home address. Our parents have currently been able to access the use of our driveway for drop off and pick up of children also. Our drop off and pick up schedules are also staggered naturally by the parents. We have children who are dropped off at 7 a.m., 8:30 a.m., and 10 a.m. Part of the count of cars that will be dropping off also consist of families who have multiple kids in care. As of now we have an age range of 1 year old to 4 years old. We also institute policies in our daycare that children can not leave the front door unless a parent is with them. Our pick up times have also naturally been staggered with our earliest pick up being at 3 p.m. and then staggering between 4 p.m. and 5:30 p.m.

Another concern was over having additional employees and their parking. I will have one additional employee working with me and their parking availability will be marked on the attached map as well. We have a large/long driveway and also the ability to accommodate parking on a gravel driveway around the back of the house. This leaves plenty of room for myself and an employee to park and the ability for parents to access our driveway during drop off and pick up times.

Skyline Dr

Pottingham Dr

Park Hill Dr

Path of Travel



Logowear
Embroidery shop

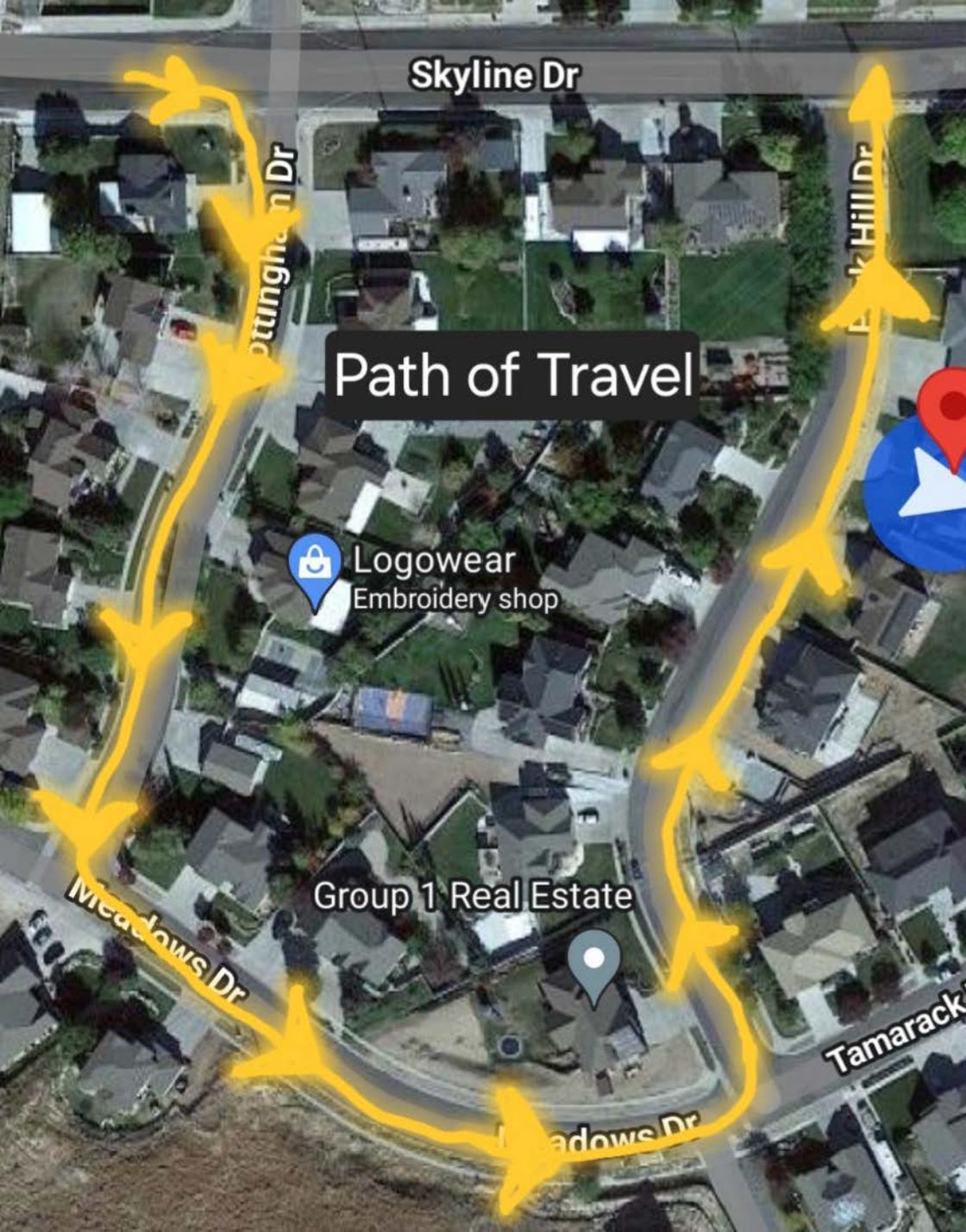
Group 1 Real Estate



Meadows Dr

Meadows Dr

Tamarack



Skylines Dr

Park Hill Dr

Parent Car Parking

Employee Parking



Hill Dr



Utah Department of
Health & Human Services
Licensing & Background Checks

LICENSE FOR FAMILY CHILD CARE

Name of Facility:

Burnham, Victoria

Address:

529 Park Hill Dr, Tooele, UT 84074

Licensee:

Victoria Burnham

Total Approved Capacity:

16

*This number includes the provider's own children under the age of four.
Local ordinances may further limit your maximum allowed capacity.*

Date Issued:

01/30/2024

License No:

F24-109921

Date of Expiration:

01/31/2025


Simon Bolivar
Office of Licensing
Director

***Our Vision: Quality health and safety services for
people in Utah!***



This document must be posted in a conspicuous place, and is not transferable to any other owner, director, or location.

MAXIMUM CAPACITY WORKSHEET

APPLICANT'S NAME: **Burnham, Victoria (F24-109921)**

Indoor Maximum Capacity: To determine the maximum capacity, calculate the square footage of all rooms/areas of the home that the applicant identifies as those that will be used for child care.

To do this:

First divide each room and/or area into squares and/or rectangles sections.

Then measure the length and width of each square and/or rectangle.

When taking these measurements use a tape measure and stretch it across the floor.

Then, for each square and/or rectangle section, multiply the length by the width and add those numbers together. This is the square footage for that room/area.

Add together the square footage of each room or area and divide by 35. (Carry each calculation out to three decimal points.) Do not roundup to the next number."

Use the following conversions when recording measurements:

1 inch = .083 feet	2 inches = .166 feet	3 inches = .250 feet
4 inches = .333 feet	5 inches = .416 feet	6 inches = .500 feet
7 inches = .583 feet	8 inches = .666 feet	9 inches = .750 feet
10 inches = .833 feet	11 inches = .916 feet	

INDOOR MEASUREMENTS

ROOM / AREA	LENGTH	WIDTH	SQUARE FOOTAGE TOTALS
Main Living Room	25.916	16.250	421.135
Kitchen/Dining Area	15.500	20.166	312.573
	0	0	0
			0
			0
			0
			0
			0
			0
			0
			0
TOTAL SQUARE FOOTAGE INDOOR	733.708	INDOOR CAPACITY	20.963085714285715

Outdoor Maximum Capacity

Use the same procedure for the indoor capacity, but divide by 40 instead of 35.

You only need to measure until you determine there is enough square footage for the requested capacity.

OUTDOOR MEASUREMENTS

OUTDOOR AREA	LENGTH	WIDTH	SQUARE FOOTAGE TOTALS
There were more areas that were not measured	40.916	20.666	845.570056
			0
TOTAL SQUARE FOOTAGE OUTDOOR	845.570056	OUTDOOR CAPACITY	21.1392514

This is less than the indoor maximum capacity determined above

Victoria Burnham

Evergreen Preschool & Childcare

Victoria Burnham

529 Park Hill Dr

Tooele, UT 84074

C: 660-424-0881

Evergreen Preschool & Childcare is applying for a home occupation permit to allow up to 16 children into our in-home daycare located at 529 Park Hill Dr, Tooele, Ut 84074. We operate from the hours of 7 a.m. to 5:30 p.m. Monday through Friday and are closed on national holidays and weekends.



Skyline Dr

Skyline Dr

Park Hill Dr

Park Hill Dr



Home



Tooele Trophy & Plaque
Trophy shop

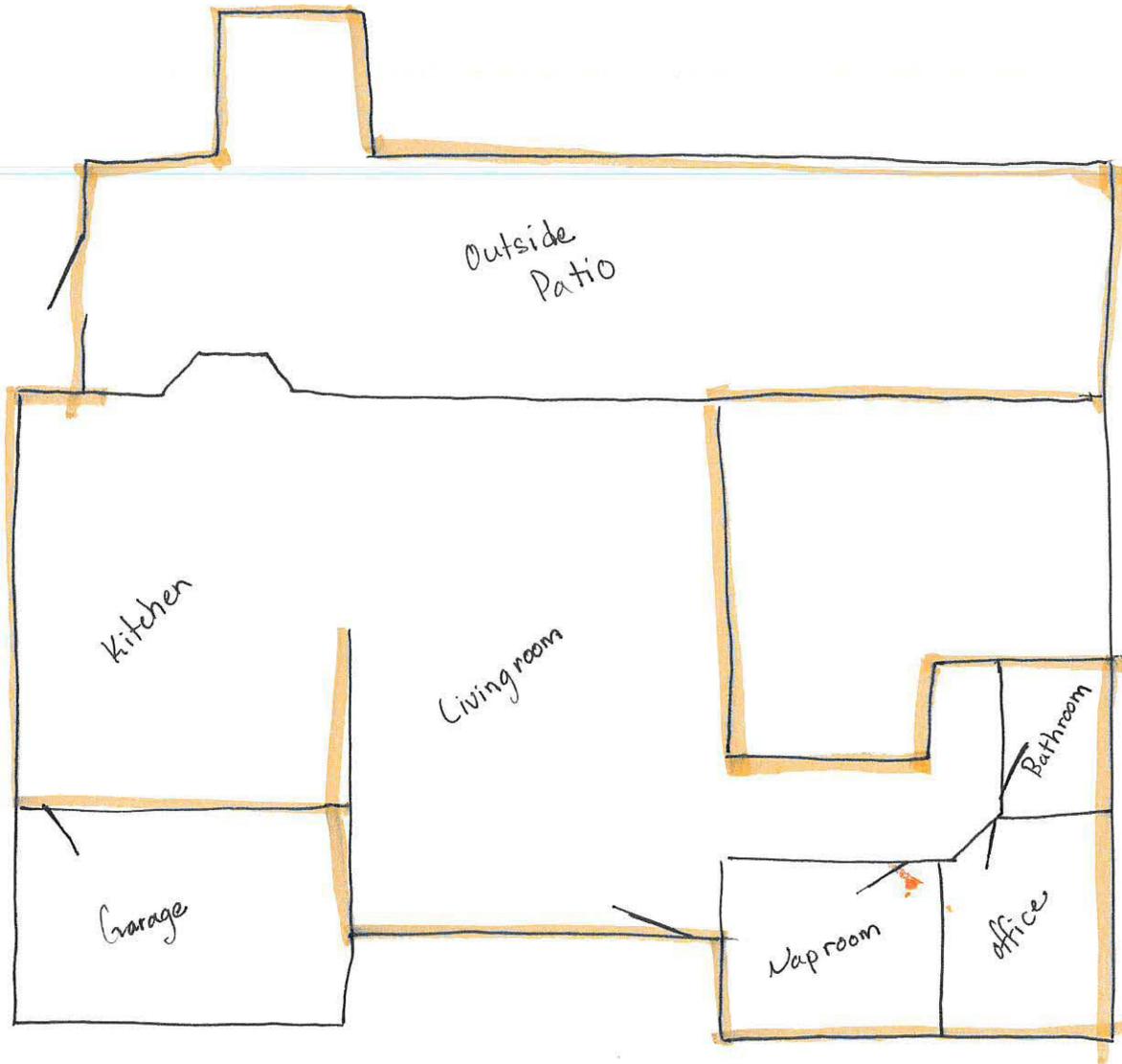


Estate

Park Hill

ck Dr





Policy: Public Comments

In its discretion, the City Council may notice a Public Comment Period on its meeting agendas. During these meetings, the City Council Chambers shall be a Limited Public Forum, subject to this Policy. When a Public Comment Period is noticed, the time, place, and manner regulations of this Policy shall apply. The City Council's failure to strictly enforce each regulation shall not limit the Council's ability to require substantial compliance from speakers. This Policy shall apply to City Council meeting Public Hearings.

Verbal Comments

- Speakers will identify themselves verbally and in writing by first and last name.
- Speakers will identify their local geographical area of residence (e.g. Tooele City). The Chair may restrict comments to Tooele City residents, businesses, and other stakeholders.
- Speakers will address comments directly to the City Council (not to the Mayor, City staff, development applicants, presenters, members of the public, or others).
- Comments will be limited to 3 minutes per speaker. A timer may be displayed. After 3 minutes, the microphone may be cut off, and a timer may sound.
- The Chair may designate a total reasonable length of time for comment. If no time limitation is designated, the length of time for comment shall be limited to thirty (30) minutes per Public Comment Period and per Public Hearing, unless indicated otherwise by the Chair.
- The Public Comment Period and Public Hearings are not free-for-all open-mic opportunities. Speakers will limit their comments to topics within the City Council's jurisdictional authority. In the case of a Public Hearing, speakers will limit their comments to the topics for which the Public Hearing was noticed.
- Speakers will not engage in disrespectful, disruptive, attacking, threatening, or violent behavior.
- Speakers will not make obscene comments or gestures.
- Clapping, booing, hissing, cheering, and other similar disruptive behavior is prohibited.
- No verbal comments may be made remotely via electronic means except as a reasonable ADA accommodation, upon request.

Written Comments. Speakers may submit written comments to the City Recorder. Comments shall be delivered no later than the day prior to the meeting. The City Recorder will deliver the comments to the City Council. The Chair will indicate during the public comment period the receipt of written comments and at least the substance of their content.

Signs. Signs of any size or type displayed by the public are prohibited in the City Council chambers. Signs may be displayed in the City Hall rotunda so long as they do not disrupt the meeting or interfere with patron attendance, in the City Council's discretion, if the comments comply with the verbal comment regulations, above.

The City Council retains discretion in the administration of this Policy, and may alter or add to these regulations for meeting decorum and efficiency. The City Council may utilize all legal means to enforce this Policy. The Council Chair is primarily responsible for the enforcement of this Policy.

Chair: _____

Date: _____

**Tooele City Planning Commission
Business Meeting Minutes**

Date: Wednesday, May 22, 2024

Time: 7:00 p.m.

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

Commission Members Present:

Tyson Hamilton
Melanie Hammer
Chris Sloan
Weston Jensen
Matt Robinson
Jon Proctor
Kelley Anderson

Commission Members Excused:

Alison Dunn

City Council Members Present:

Maresa Manzione

City Council Members Excused:

Ed Hansen

City Employees Present:

Andrew Aagard, City Development Director
Jared Hall, City Planner
Paul Hansen, City Engineer
Roger Baker, City Attorney

Minutes prepared by Katherin Yei

Chairman Hamilton called the meeting to order at 7:05 p.m.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Chairman Hamilton.

2. Roll Call

Tyson Hamilton, Present
Melanie Hammer, Present
Chris Sloan, Present
Weston Jensen, Present
Matt Robinson, Present

Jon Proctor, Present
Kelley Anderson, Present
Alison Dunn, Excused

3. Public Hearing and Decision – Consideration of a request for Conditional Use Approval by Evergreen Preschool & Childcare to allow an in-home child daycare business for up to 16 children at 529 Park Hill Drive in the R1-7 zoning district.

Presented by Jared Hall, City Planner

Mr. Hall presented a Conditional Use Permit by Evergreen Preschool & Childcare to allow up to 16 children. The property is zoned R1-7. They did provide the state certifications that they can meet. Traffic does become more of concern with a larger number of kids coming and going. They will need to work with staff to work out a traffic plan.

The public hearing was opened.

Carole Ripley shared concerns about the traffic in the neighborhood and that home in particular. Dave Ripley shared concerns of having a business in the neighborhood.

The public hearing was closed.

Mr. Baker addressed how Conditional Use Permits are approved or issues are mitigated.

The Planning Commission shared concerns about traffic, parking, and additional employees for the number of children.

Commissioner Robinson motioned to table this item until the applicant can provide a traffic study, drop off and pick up schedule, and staffing. Commissioner Anderson seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Sloan, “Aye”, Chairman Hamilton, “Aye”, Commissioner Jensen, “Aye”, Commissioner Anderson, “Aye”, Commissioner Robinson, “Aye” and Commissioner Proctor, “Aye”. The motion passed.

4. Public Hearing and Decision – Consideration of a request for Conditional Use Approval by the Tooele City Fire Department to allow the construction of an 80-foot communications tower located at 145 E. 1000 North in the LI, Light Industrial zoning district.

Presented by Jared Hall, City Planner

Mr. Hall presented a Conditional Use Permit for an 80-foot communications tower for the new fire department building. It is in the LI zone. 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 Jensen motioned to approve the Conditional Use Approval by the Tooele City Fire Department to allow the construction of an 80-foot communications tower located at 145 E. 1000 North in the LI, Light Industrial zoning district based on the findings and facts listed in the staff report. Commissioner Proctor seconded the motion. The vote was as

follows: Commissioner Hammer, “Aye”, Commissioner Sloan, “Aye”, Chairman Hamilton, “Aye”, Commissioner Jensen, “Aye”, Commissioner Anderson, “Aye”, Commissioner Robinson, “Aye” and Commissioner Proctor, “Aye”. The motion passed.

5. Public Hearing and Recommendation – Consideration of a request by Perry Homes Inc. to amend the Land Use Map designation of a 16.78-acre portion of property located at approximately 55 West and 3100 North from Medium Density Residential and Regional Commercial to High Density Residential.

Presented by Jared Hall, City Planner

Mr. Hall presented a Land Use Map amendment for Perry Homes Inc. located near 55 West and 3100 North. The applicant would like to reassign a portion of the property to high-density residential. This change does support the larger plan. The applicant did submit a concept plan.

Mr. Aagard addressed the Commission. The City does have a modern income housing element. They must identify how the City will help. A few of the strategies are to rezone properties to higher density and rezone properties closer to major transportation corridors. This application is beneficial to fulfill these modern income housing requirements.

The public hearing was opened.

Don Ballard shared the support of Perry Homes. He did share concerns of the corridor agreement for access points on SR-36.

The public hearing was closed.

Matt Swain representing Perry Homes addressed the Commission. They have designed the project to incorporate many aspects. This is the first step in the project. This project is self-contained project, owned and management by Perry Homes. They will be building the surroundings roads.

Mr. Hansen addressed the Planning Commission. The corridor agreement will be preserved.

Commissioner proctor motioned to forward a positive recommendation of a request by Perry Homes Inc. to amend the Land Use Map designation of a 16.78-acre portion of property located at approximately 55 West and 3100 North from Medium Density Residential and Regional Commercial to High Density Residential based on the findings listed in the staff report. Commissioner Hammer seconded the motion. The vote was as follows: The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Sloan, “Aye”, Chairman Hamilton, “Aye”, Commissioner Jensen, “Aye”, Commissioner Anderson, “Aye”, Commissioner Robinson, “Aye” and Commissioner Proctor, “Aye”. The motion passed.

6. Public Hearing and Recommendation – Consideration of a request by Perry Homes Inc. to amend the Zoning Map designation of a 16.78-acre portion of property located at

approximately 55 West and 3100 North from GC, General Commercial to MR-20, Multi-Family Residential

Presented by Jared Hall, City Planner

Mr. Hall presented a zoning map amendment for Perry Homes. The property is zoned GC, General Commercial zone. The applicant is asking for MR-20, Multi-Family Residential for about 16 acres. This would allow 20 units per acre.

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

Commissioner Sloan motioned to forward a positive recommendation on the Consideration of a request by Perry Homes Inc. to amend the Zoning Map designation of a 16.78-acre portion of property located at approximately 55 West and 3100 North from GC, General Commercial to MR-20, Multi-Family Residential 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 Sloan, “Aye”, Chairman Hamilton, “Aye”, Commissioner Jensen, “Aye”, Commissioner Anderson, “Aye”, Commissioner Robinson, “Aye” and Commissioner Proctor, “Aye”. The motion passed.

7. Review and Recommendation – Consideration of the Douglas Orthopedic Final Condominium Plat, a five-unit commercial condominium subdivision of the property located at 2321 N. 400 East in the GC, General Commercial zoning district.

Presented by Jared Hall, City Planner

Mr. Hall presented a Condominium Plat for Douglas Orthopedic at 400 East. This takes the building and separates it into 5 parts. These are privately owned units, with the other areas are open shared access. Staff is recommending approval with the conditions mentioned.

The Planning Commission asked the following:

Can the commission list a condition to designate the parking on the west side as emergency and fire access?

Mr. Hansen addressed the Commission. The site plan will require them to red curb it.

Commissioner Hammer motioned to forward a positive recommendation on he Consideration of the Douglas Orthopedic Final Condominium Plat, a five-unit commercial condominium subdivision of the property located at 2321 N. 400 East in the GC, General Commercial zoning district based on the findings and subject to the conditions listed in the staff report. Commissioner Anderson seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Sloan, “Aye”, Chairman Hamilton, “Aye”, Commissioner Jensen, “Aye”, Commissioner Anderson, “Aye”, Commissioner Robinson, “Aye” and Commissioner Proctor, “Aye”. The motion passed.

8. City Council Reports

Council Member Manzione shared the following information from the City Council Meeting:

The Council discussed the budget and will approval it in June. They adopted the active transportation plan. The Council discussed setting rules for the public comment including having time limits and no signs within the Council chambers. They approved the ordinance for uncovered architecture.

9. Review and Approval – Planning Commission Minutes

There are no changes to the minutes.

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

10. Adjourn

Chairman Hamilton adjourned the meeting at 8:00 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 ____ day of June, 2024

Tyson Hamilton, Tooele City Planning Commission Chair