

Tooele City Planning Commission
Business Meeting Minutes

Date: Wednesday, November 13, 2024

Time: 7:00 pm

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

Commission Members Present:

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

City Council Members Present:

Ed Hansen
Maresa Manzione

City Employees Present:

Andrew Aagard, Community Development Director
Michelle Pitt, City Recorder
Shilo Baker, Mayor's Assistant
Chris Neilson, I.T. Director
Zach, I.T. Intern

Minutes prepared by Michelle Pitt

1. Pledge of Allegiance

The Pledge of Allegiance was led by Chairman Hamilton.

2. Roll Call

Tyson Hamilton, Present
Weston Jensen, Present
Kelley Anderson, Present
Matt Robinson, Present
Jon Proctor, Present
Melanie Hammer, Present
Alison Dunn, Excused
Chris Sloan, Excused

3. Public Hearing and Recommendation on a Land Use Map Amendment Request by Wagstaff Investments to Change the Land Use Designation for Approximately 2.1 Acres Located at the NE Corner of Franks Drive and 1000 North from Regional Commercial to Community Commercial

Mr. Aagard presented that this land use amendment is on the northeast corner of 600 W and 1000 North. The zoning was recently changed to Regional Commercial. The applicant wishes to amend the zoning designation to Community Commercial. The reason behind the request is the applicant has encountered some difficulty because Regional Commercial zone requires a 30-foot landscape buffer, instead of a 15-foot. The Regional Commercial zone is oriented to large scale commercial uses. This request is for a two acre parcel for a gas station. Mr. Aagard explained that the land use map needs to be amended before the zoning can be amended.

The public hearing was opened. No one came forward from the public, so the public hearing was closed.

The applicant, Brent Neel, thanked Mr. Aagard for his help with this project. He remarked that the setback requirements were tricky for them.

Commissioner Robinson motioned to forward a positive recommendation to the City Council for the Land Use Map Amendment request by Wagstaff Investments to change the land use designation for approximately 2.1 acres located at the NE corner of Franks Drive and 1000 North from Regional Commercial to Community Commercial based on the findings and subject to the conditions stated in the Staff Report dated November 3, 2024.

Commissioner Anderson seconded the motion. The vote was as follows: Commissioner Proctor, "Aye," Chairman Hamilton, "Aye," Commissioner Hammer, "Aye," Commissioner Robinson, "Aye," Commissioner Jensen, "Aye," and Commissioner Anderson, "Aye." The motion passed.

4. Public Hearing and Recommendation on a Zoning Map Amendment Request by Wagstaff Investments to Re-assign the Zoning for Approximately 2.1 Acres Located at the NE Corner of Franks Drive and 1000 North from RC Regional Commercial to GC General Commercial

Mr. Aagard presented that the use of this property is the same as the previous matter, recently zoned as Regional Commercial. This item is dealing with the scale of the commercial activity. The applicant is asking for a rezone to General Commercial.

The public hearing was opened. No one came forward from the public, so the public hearing was closed.

Commissioner Jensen motioned to approve the zoning map amendment request by Wagstaff Investments to re-assign the zoning for approximately 2.1 acres located at the NE corner of Franks Drive and 1000 North from RC Regional Commercial to GC General Commercial

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

5. Public Hearing and Recommendation on a Zoning Map Amendment Request by Amy Johnson to Re-assign the Zoning for Approximately 4.9 Acres Located at Approximately 105 East 1000 North from RR-1 Residential to MU-G Mixed Use General

Mr. Aagard explained that this property recently went through a land use amendment. It is located north of 1000 North and east of SR36. There are a few homes there and the new fire station is located near. The current zoning is RR-1 and the applicants are asking for mixed use general. The mixed use general zone is the city’s most liberal zoning. It allows just about everything, with a wide range of residential and/or commercial, with up to 16 units per acre. It permits mixed uses within a building, such as a commercial use on the ground floor with residential uses on the upper floor. The applicant is proposing a development that would involve the construction of townhomes with a business on the ground floor and residential on the upper floor. It doesn’t require the owner to live in the upper floor.

Mr. Aagard further explained that by rezoning to the mixed use general, anything could go on this property. The owner could sell the property and then the City could be looking at other alternatives.

Commissioner Hammer asked if there were other zoning alternatives. Mr. Aagard provided some alternatives such as looking at amending the mixed use zone and add criteria for this zone, do an overlay for this zone, do a development agreement for this development, or the Planning commission could table or continue this item with a specific goal or date.

Commissioner Anderson said that he attended the last City Council meeting and that they expressed concern about access points. He wondered when the City should start requiring a backdoor exit to a development. He added that the City Council also expressed concerned about the mixed use general zoning. He wondered how to get this approved for the applicant as quickly as possible. Mr. Aagard that it would take some time to make changes and that it’s not a quick process. He suggested that the Planning Commission make recommendations with conditions and then move it on to the City Council.

Commissioner Jensen asked the Council Members that were present what their issues were when they discussed it. Council Member Hansen answered that a lot of the Council didn’t like the mixed use general. They discussed whether to change the zone and make it specific to this area, or to come up with some other agreement.

Council Member Manzione added that the Council Members were in favor of the development but concerned with the traffic. Also, the mixed use general leaves it wide open and the Council didn't want to do that. The Council discussed whether staff could come up with a better type of zone that better fit their needs. Council Member Manzione added that the Council felt it was a good spot for what they are planning to build.

Commissioner Jensen asked if an overlay would require a development agreement. Mr. Aagard said that it wouldn't. Commissioner Hammer asked who would write a development agreement. Mr. Aagard said that a development agreement is an agreement between the developer and the City. The developer would create the agreement and city attorney would review it. It would spell out specific criteria for the development. The disadvantage is that the City has had problems with development agreements in the past which cost the City a lot of money. Commissioner Hammer asked which would be faster, a development agreement or an overlay. Mr. Aagard answered that either one would take some time.

Commissioner Anderson asked who would write the overlay. Mr. Aagard said that the applicant would write the conditions they would like to see in the overlay. This matter would then come back to the Planning Commission and then to the Council to see if they agree. Mr. Aagard added that the overlay was a legislative matter. The Planning Commission and City Council would have control over it even if another developer came along with a different project.

The public hearing was opened. No one came forward from the public, so the public hearing was closed.

The applicant, Steve Garrett on behalf of Desert Rose, said that when they looked at the property, this development was the most viable thing to put there. He said that they wouldn't put anything else there than what was proposed. He would prefer to have a development agreement rather than its own zoning. The development agreement could define limits and that the scope couldn't change. Commissioner Anderson asked the applicant if he was okay if the development agreement took some time. Mr. Garrett said that he understood that it would take time.

Commissioner Jensen said he didn't like 16 units per acre on this property. Commissioner Robinson said it was a great concept, but felt it was necessary to protect the City. He added that if the applicant was amenable to a development agreement, the Planning Commission should investigate it further. He suggested that this item be tabled until a development agreement was worked out and then brought back to the Planning Commission. Mr. Aagard said that the applicant has done this type of development with development agreements with other communities.

Commissioner Anderson motioned to forward a positive recommendation to City Council to approve the zoning map amendment request by Amy Johnson to re-assign the zoning for approximately 4.9 acres located at approximately 105 East 1000 North from RR-1

Residential to MU-G Mixed Use General, with the condition that there is an overlay done for the property. Motion died.

Commissioner Robinson motioned to table this item until a development agreement is in the works with City Staff. Commissioner Proctor seconded the motion. The vote was as follows: Commissioner Proctor, "Aye," Chairman Hamilton, "Aye," Commissioner Hammer, "Aye," Commissioner Robinson, "Aye," Commissioner Jensen, "Nay," and Commissioner Anderson, "Nay." The motion passed.

6. City Council Reports

Council Member Manzione reported that the City Council discussed the Desert Rose development at their last meeting. The City Council appreciates the Planning Commission's discussion and input. A new annexation petition for Mountainview was discussed in the work meeting for 40 acres off Smelter Road. The Council updated some old ordinances and paid for a playground at Settler's Park and installation of generators for wells.

7. Review and Decision – Minutes of the Planning Commission Meeting Held October 23, 2024

There were no changes to the minutes.

Commissioner Proctor motioned to approve the October 23, 2024 minutes. Commissioner Anderson seconded the motion. The vote was as follows: Commissioner Proctor, "Aye," Chairman Hamilton, "Aye," Commissioner Hammer, "Aye," Commissioner Robinson, "Aye," Commissioner Jensen, "Aye," and Commissioner Anderson, "Aye." The motion passed.

8. Adjourn

Commissioner Hammer adjourned the meeting at 7:36 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 8 day of January, 2025



Matt Robinson, Tooele City Planning Commission Chair