

**TOOELE CITY PLANNING COMMISSION MINUTES
February 28, 2018**

Date: Wednesday, February 28, 2018
Time: 7:00 p.m.
Place: Tooele City Hall Council Chambers
90 North Main Street, Tooele Utah

Commission Members Present:

Brad Clark
Shauna Bevan
Chris Sloan
Tyson Hamilton
Bucky Whitehouse

Commission Members Excused:

Matt Robinson
Tony Graf
Phil Montano
Melanie Hammer

City Employees Present:

Rachelle Custer, City Planning & Zoning Administrator
Roger Baker, City Attorney

Council Members Present:

Council Member Gochis
Council Member McCall

Minutes prepared by Amanda Graf

1. Pledge of Allegiance

The Pledge of Allegiance was led by Rachelle Custer

2. Roll Call

Tyson Hamilton, Present
Bucky Whitehouse, Present
Shauna Bevan, Present
Chris Sloan, Present
Brad Clark, Present

Since Chairman Robinson was absent, Vice Chairman Sloan acted as the Chair for the meeting.

3. Public Hearing and Motion on Conditional Use Permit for a vehicle impound yard to be located at 1875 G Ave

Presented by Rachelle Custer

This application is a request for approval of a Conditional Use Permit for approximately one-acre of lot 3C shown on the screen at the meeting that is located at 1875 G Avenue. The property is currently zoned Industrial and is located at the Peterson Industrial Depot. The applicant is requesting that a conditional use permit be approved to allow for an auto impound yard at this location. Moore's Auto and Towing are currently operating a towing impound lot at the Depot, however Peterson has sold that lot so Moore's is relocating. Because the conditional use permit runs with the land, not the business owner, they are required to get a conditional use permit for this location. The applicant is aware that an auto impound yard requires a screened fence; Peterson's will be installing the fence prior to the applicant moving.

Mr. Baker asked Ms. Custer if there are any anticipated detrimental effects on the adjacent businesses.

Ms. Custer explained that an auto impound yard is a public or private storage yard for the temporary storage of military or auto equipment. The code specifically states that screened fencing and other various berms are required as specified in the Code.

For conditional use permits Ms. Custer goes through the site analysis to determine if there are any detrimental effects that the business may have on neighboring properties; if she determines there may be negative effects she contacts the business owner to work through those concerns.

She did not see any detrimental effects for this property; it is a 62-acre wide open property that is surrounded by other businesses with like uses. The neighboring properties within a 200-foot radius were notified of the request and public hearing.

If anyone has concern about any conditional use permit request then it's up to the Planning Commission to come up with any reasonable conditions that may mitigate the adverse impacts of the business and include those in the permit. If there aren't any conditions to mitigate adverse effects then the Planning Commission can deny the Conditional Use Permit.

In the analysis of this particular site there wasn't anything needed except for the screening.

Mr. Baker asked Ms. Custer if the landscaping ordinance was applicable to this site; Ms. Custer said that ordinance doesn't apply to auto impound yards. Ms. Custer explained that there was a business at one time who paid 1% to the Parks Department in lieu of the landscaping because they didn't have an accessible water source for the landscaping.

Chairman Sloan asked the Commission if they had any questions or concerns; there weren't any.

Chairman Sloan invited anyone else from the public to come forward; there weren't any comments. Chairman Sloan closed the public hearing.

Commissioner Clark moved to approve the Conditional Use Permit request by Peterson Industrial Depot for an auto impound yard to be located at 1875 G Avenue, application number P17-762, based on the findings and subject to the conditions listed in the Staff Report dated February 28, 2018.

Commissioner Bevan seconded the motion. The vote was as follows: Commissioner Hamilton, "Aye," Commissioner Whitehouse, "Aye," Commissioner Bevan, "Aye," Commissioner Clark, "Aye," Chairman Sloan, "Aye." The motion passed.

4. Recommendation on Legacy Apartments Preliminary plan, a one-lot subdivision located at approximately 850 N 100 East

Presented by Rachelle Custer

Ms. Custer discussed agenda item numbers four and five at the same time since they both applied to the same subdivision.

This application is a request for approval of a preliminary and final plat for the Legacy Apartments subdivision. It is an approximately 9.15 acre subdivision that will consist of an 8.3 acre lot consisting of eleven 12-plex unit and .23 acre detention basin. The plat also dedicates the public right-of-way for the new road that the developer is required to install. The purpose of this subdivision is to take two lots and combine them into one and dedicate the right-of-way.

Mr. Baker asked if there were 123 units; Ms. Custer clarified that there will be 132 units. Chairman Sloan clarified that they are two-story buildings; Ms. Custer confirmed that they will be two-story buildings. Commissioner Bevan asked if the apartments will be similar to the apartments down the street; Ms. Custer stated they will look different from those units.

Mr. Baker asked if this is the first apartment project that will have to abide by the new multi-family design standards; Ms. Custer stated that it is the second project to abide by those standards. Mr. Baker explained that there is a part of the City Code that specifies design standards for apartment and condominium projects. It addresses architectural elements of the buildings, landscaping, site layout, dumpster locations, etc. to make sure it is a well-designed site.

Chairman Sloan asked if the landscaping requirements as pertained in the Code requires significantly more water than it would have if that part of the Code was not in place. Ms. Custer explained that trees and shrubs require less water than sod. In addition to plant requirements, the Code includes requirements for tot lots, benches, etc., that helps mitigate water usage for landscaping.

Chairman Sloan asked the Commission if they had any questions or concerns; there weren't any.

Commissioner Bevan moved to forward a positive recommendation to the City Council for the Legacy Apartments Subdivision Preliminary Plan, for the purpose of creating one multi-family residential lot at approximately 850 N 100 E, application number P18-94, based on the findings and subject to the conditions listed in the Staff Report dated February 28, 2018. Commissioner Whitehouse seconded the motion. The vote was as follows: Commissioner Hamilton, "Aye," Commissioner Whitehouse,

“Aye,” Commissioner Bevan, “Aye,” Commissioner Clark, “Aye,” Chairman Sloan, “Aye.” The motion passed.

5. **Recommendation on Legacy Apartments final plat, a one-lot subdivision located at approximately 850 N 100 East.**

Chairman Sloan asked the Commission if they had any questions or concerns; there weren't any.

Commissioner Bevan moved to forward a positive recommendation to the City Council for the Legacy Apartments Subdivision Final Plat Request, application number P18-94, based on the findings and subject to the conditions listed in the Staff Report dated February 28, 2018. Commissioner Whitehouse seconded the motion. The vote was as follows: Commissioner Hamilton, “Aye,” Commissioner Whitehouse, “Aye,” Commissioner Bevan, “Aye,” Commissioner Clark, “Aye,” Chairman Sloan, “Aye.” The motion passed.

6. **Recommendation on Copper Canyon Phase 4 final plat, a 25-lot single family residential subdivision to be located at approximately 300 West Sapphire Road.**

Presented by Rachelle Custer

This application is a request for approval of a Final Plat for approximately 5.43 acres located at 300 W Sapphire Road. The property is currently zoned R 1-7 in a PUD. A planned unit development allows the developer to reduce lot size, setbacks, and lot frontage in exchange for open space; however, they cannot increase density. They are allowed lots down to 6,000 square feet in size in exchange for park and trails in the development that they are required to install and maintain. The applicant is requesting that a Final Plat be approved to allow for the development of the currently vacant property to be developed into 25 residential single family lots. The preliminary plat for phases three, four, and five; was approved by the Tooele City Council on July 16, 2014.

Chairman Sloan asked the Commission if they had any questions or concerns; there weren't any.

Commissioner Whitehouse moved to forward a positive recommendation to the City Council for the Copper Canyon Phase 4 Final Plat request by Phoenix of Copper Canyon for the final plat request, application number P17-641, based on the findings and subject to the conditions listed in the Staff Report dated February 28, 2018. Commissioner Clark seconded the motion. The vote was as follows: Commissioner Hamilton, “Aye,” Commissioner Whitehouse, “Aye,” Commissioner Bevan, “Aye,” Commissioner Clark, “Aye,” Chairman Sloan, “Aye.” The motion passed.

7. **Review and Approval of the Planning Commission minutes for the meeting held January 10, 2018.**

Chairman Sloan asked the Commission if they had any questions or concerns; there weren't any.

Commissioner Hamilton stated that he would abstain from voting since he wasn't in attendance at that meeting. Mr. Baker advised that if the minutes appear to be in order then any commissioner can vote on approval of the minutes, regardless if they were in attendance at that meeting.

Commissioner Bevan moved to approve the minutes from the meeting held January 10, 2018.

Commissioner Clark seconded the motion. The vote was as follows: Commissioner Hamilton, "Aye," Commissioner Whitehouse, "Aye," Commissioner Bevan, "Aye," Commissioner Clark, "Aye," Chairman Sloan, "Aye." The motion passed.

8. Adjourn

Commissioner Bevan moved to adjourn the meeting. The meeting adjourned at 6:51 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 March, 2018

Chris Sloan, Vice Chairman, Tooele City Planning Commission