

TOOELE CITY PLANNING COMMISSION MINUTES
July 14, 2010

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

Commission Members Present:

Ken Spence, Chair
Steve Dale
Melanie Hammer
Bob Gowans
Gary Searle
Matt Robinson

Commission Members Excused:

Phil Montano
John Curwen
Fran Garcia

City Employees Present:

Rachelle Custer, City Planner
Paul Hansen, City Engineer
Cary Campbell, Public Works Director
Doug Balay, Assistant City Attorney
Councilman Shawn Milne

Minutes prepared by Elisa Jenkins

Chairman Spence called the meeting to order at 7:00 p.m.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Commissioner Robinson.

2. Public Hearing and Motion on a conditional use application for a private school to be constructed at 15 S 7th Street by the Salt Lake City Catholic Diocese.

Presented by Rachelle Custer

Ms. Custer explained that St. Marguerites is currently operating a private school from the church and the rectory. They are requesting to construct a school facility on the South end of the lot where it is currently grass. This building will hold the children that are now attending classes in the existing building with the exception of a couple of classes that will remain in the basement of the church. The building is not intended to increase the number of students currently attending. School and church facilities are conditional

in a residential zone. Staff recommends approval of the conditional use permit. Ms. Custer showed the Planning Commission a color board that the building will be made of.

Chairman Spence asked if the color board indicates the outside of the new building?

Ms. Custer said “yes”.

Chairman Spence asked if additional parking is required because they are increasing square footage?

Ms. Custer stated “no”. The City did a parking study and because the school is open at different times than the church; there is sufficient parking.

Chairman Spence stated that this is a public hearing if anyone would like to come forward and address this issue.

Matthew Hintze, the applicant, addressed the Commission. He indicated that St. Marguerites is excited about this project and getting the kids into a new building. He asked if the Commissioners had any questions.

Chairman Spence asked if the colors will match the current building?

Mr. Hintze indicated that it will not match. They have chosen a gray neutral color for the school. He also noted that the school does not have a strong street presence it will sit on the back of the lot.

Doris Soyland, 68 South 7th Street, addressed the Commission. Ms. Soyland is concerned about the congestion in this area. There are three schools in this area: St. Marguerites, East Elementary, and Oquirrh Hills. There is a lot of traffic and there are a lot of cars that park on 7th Street. She noted that the kindergarten classes exit on 7th Street. She is very concerned about the safety of the children.

Chairman Spence feels that there is adequate parking for this new school which should help the cars parking on 7th Street. They are expanding what is currently there already.

Mr. Campbell noted the students that are currently attending the school will move into this new building.

Commissioner Searle stated that now people will come through the parking lot to pick up their kids instead of picking them up off of 7th Street. This could help with the congestion.

Ms. Custer noted that the kindergarten classes will be moved into the new building.

Chairman Spence noted that there was a stop sign on 1st South and 7th Street and it was moved to accommodate the children crossing to East Elementary. He would like to see more stop sign to help with children's safety.

Chairman Spence moved to close the public hearing. Commissioner Searle seconded the motion. All members present voted "Aye". The public hearing closed at 7:14 p.m.

Commissioner Searle moved to approve the conditional use permit for a private school to be constructed at 15 South 7th Street. Commissioner Gowans seconded the motion. All members present voted "Aye".

3. **Motion on parking requirements for WB Manufacturing to be located at 195 South Millburn Drive.**

Presented by Rachelle Custer

Ms. Custer explained that Tooele City Commercial Park CC&R's require one parking stall for ever 600 sq ft of building for manufacturing/warehousing. There is an exception that can be made by the design review committee, which is Randy Sant. Ms. Custer has spoken to Randy Sant upon the request of the applicant and he is alright with the applicant falling under the Tooele City parking requirements. WB Manufacturing intends to have 10 to 12 employees and they do not have regular customers that visit this site. The applicant felt that 33 parking stalls were excessive for their needs. The applicant is requesting that they have 20 parking stalls. Staff recommends approval of 20 parking stalls. She noted that City Code states that manufacturing must have one parking stall per employee and adequate parking stalls as recommended by the Planning Commission.

Commissioner Hammer asked if WB Manufacturing anticipates expanding in the future and would have more employees?

Ms. Custer stated that there is possible expansion. At the time they expand they would have to expand the parking lot. That would be part of the site plan approval.

Chairman Spence asked if this changed ownership how the parking would be affected?

Ms. Custer stated that they would look at what use would come in and how many parking stalls would be required for that use. They may have to accommodate for additional parking.

Commissioner Searle recommended that a condition be placed that at the time of expansion; approval of parking requirements is required by City Staff.

Commissioner Searle moved to approve, per Randy Sant and Tooele City staff that the parking requirements for WB Manufacturing located at 195 S Millburn Drive be granted 20 parking stalls instead of 33, with the condition that when there is future expansion at this site that the City review and recommend the new parking

requirements. Commissioner Gowans seconded the motion. All members present voted “Aye”.

4. **Review and Approval of Planning Commission minutes for meeting held June 23, 2010.**

Commissioner Dale moved to approve the Planning Commission minutes for the meeting held June 23, 2010 as presented. Commissioner Searle seconded the motion. All members present voted “Aye”.

Discussion

Commissioner Hammer noted that the Conditional Use Permit that the Planning Commission denied for the conex to be placed at the old food bank at the last meeting was over ridden and asked if Ms. Custer could explain what happened.

Ms. Custer explained that it was determined that a conditional use permit was not required because it is accessory storage, not outside storage so the conex was permitted.

Commissioner Hammer asked how that differs from a business asking the Planning Commission to approve a conex.

Ms. Custer stated that if it is accessory to the primary use of the site it is permitted. If it is not accessory for example, Wal-Mart it is considered outside storage and is conditional. The primary use on this site is storage. It was brought to the Planning Commission as outside storage and it was determined that it was accessory storage.

Commissioner Searle asked why that determination was not made before the vote of the Planning Commission.

Commissioner Gowans recalled that the use of a conex has been declined at construction sites.

Ms. Custer stated that the City allows temporary storage structures on construction sites.

Commissioner Gowans stated that the determination should have been made before it ended up in front of the Planning Commission with a conditional use permit.

Ms. Custer stated that she was the one that determined to bring it to the Planning Commission as outside storage. Then they looked at the code that says that accessory structures are permitted uses.

Commissioner Searle said that it was brought up at the last meeting that there was no room at the golf course storage to store a conex. He was golfing and noticed that there was a lot of room to the east of the golf maintenance shed. He felt deceived. They were told at the last meeting that there was no room.

Mr. Campbell asked what the Commission was asking; he was not at the last meeting.

Commissioner Searle noted that Commissioner Curwen suggested that the conex be placed at the golf maintenance shed at the last meeting and the Commission was told that there was no room.

Mr. Campbell asked where the Commission was talking about.

Ms. Custer stated on 7th Street just south of fire station #2, is where the Commission would have liked to see the Conex placed. It was placed behind the old food bank on Maple Street.

Commissioner Gowans asked what the difference was between accessory building and outside storage.

Ms. Custer said that her interpretation was that outside storage is outdoor sales and display, for example Wal-Mart's garden center, which is conditional use. Outdoor storage would be much like what you would see in the Tooele City Commercial Park, for example Allred's who stores wire in his back lot. Ms. Custer considered the conex as outside storage instead of an accessory structure when it falls under an accessory structure which is permitted because the storage is housed inside the conex not outside.

Commissioner Gowans clarified that the conex is the accessory structure and the storage is inside which is what makes it an accessory structure. He asked what the difference is between this and Wal-Mart storing a conex and calling them an accessory structure?

Ms. Custer stated that the primary use on Wal-Mart's site is not storage it is retail sales. It has to be accessory to the primary use.

Commissioner Dale indicated that the primary use at this site is storage.

Ms. Custer stated "yes". The old food bank building is used for storage.

Commissioner Gowans stated that the old food bank is used for storage even though they operate out of it all day?

Ms. Custer stated that their equipment and operations runs out of the shop behind fire station #2. The old food bank is used for storage.

Commissioner Searle indicated that if the Planning Commission had approved this at the last meeting with conditions such as screening this would not have been looked at, now it will be an eyesore.

Commissioner Gowans had someone ask him if this area will be cleaned up.

Commissioner Searle stated that this area should be cleaned up. Community service could be directed to the City to help clean up.

Commissioner Seale moved to adjourn the meeting. Commissioner Gowans seconded the motion. All members present voted “Aye”. The meeting adjourned at 7:30 p.m.

Approved this 11th day of August 2010

Chairman Spence