

**Tooele City Planning Commission
Business Meeting Minutes**

Date: Wednesday, May 12, 2021

Time: 7:00 p.m.

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

Council Members Present:

Tyson Hamilton
Dave McCall
Melanie Hammer
Shaunna Bevan
Matt Robinson
Paul Smith
Chris Sloan
Nathan Thomas
Weston Jensen

City Employees Present:

Andrew Aagard, City Planner
Jim Bolser, Community Development Director
Paul Hansen, City Engineer

Minutes prepared by Katherin Yei

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

1. Pledge of Allegiance

The Pledge of Allegiance was led by Chairman Hamilton.

2. Roll Call

Tyson Hamilton, Present
Dave McCall, Present
Melanie Hammer, Present
Shaunna Bevan, Present
Matt Robinson, Present
Chris Sloan, Present
Nathan Thomas, Present

3. Public Hearing and Recommendation on the Luxury Landing Townhomes Land Use Map Amendment Request by Kenneth Olson Representing MD&L, LC, to Reassign the Land Use

Designation for Approximately 7.4 Acres Located at 602 and 603 West Three O’Clock Drive from MDR Medium Density Residential to HDR High Density Residential.

Presented by Andrew Aagard

Mr. Aagard stated another application for the same two properties was reviewed in January. He stated the properties to the north and west are zoned R1-7 residential and the properties to the southeast are RR-1 residential. He stated there are commercial properties that are utilized as state, county, school district and city roads maintained. He stated the current land use designation of the properties are Medium Density Residential, MDR. The MDR encourages the R1-7, R1-8, and R1-10, single-family homes which promote 4 or 5 units per acre.

Mr. Aagard stated all of the surrounding properties re-designated as MDR. He stated the applicant is requesting the land use map for this property to be changed to high density residential. He stated the HDR designation encourages the MR-8, MR-16, and MR-25, multi-family residential districts which permit a density range of 8 units up to 25 units per acre, and are strictly multi-family units, which can include townhomes, duplexes, condominiums, etc.

He asked the Planning Commission to keep in mind the request is not a zoning map amendment and the change in the land use map will not change the zoning map unless the applicant applies for a change in the zoning. He stated a change in the zoning map can only occur if the land use map matches. He stated the applicant has provided a concept site plan. The applicant is not proposing high-rise apartment buildings but instead proposing town-house that home 10 units per acre.

Mr. Aagard emphasized that the plan is not looking for approval but being displayed for reference purposes only, applicant could sell project their plans once the map has been amended. He reminds the Planning Commission to not to get caught up in the concept plan or details, but focus on the multi-family use of the property. He stated that with this amendment being a public hearing, they did receive numerous comments, which have been forwarded to planning commission.

Commissioner Sloan asked Mr. Aagard if he recalled the concept map from previous applicant and how the density compares to the current applicant. Mr. Aagard stated the previous applicant did not submit a concept plan, but a previous application did submit a map showing apartment buildings, looking for the 25.

Commissioner Thomas asked if the 2.6 acres of open land were part of the requirement for the development. Mr. Aagard stated Tooele City code requires 25% of the area for multi-family developments be landscaped open space.

Chairman Hamilton opened the public hearing.

Kori Park, citizen, stated SR-36 is a dangerous road that does not need more traffic until the road has been widened. She stated residents cannot turn out during certain times of the day. She stated she is happy to see the City is doing improvements for water. She stated the roads and stores are over burden and if the City allows high density, the area will get worse.

Commissioner Sloan stated that the high-density changes will be another meeting if recommendation moves forward.

Kevin Park, citizen, understands it is a different step, his concerns are water and the dangerous road. He stated that SR-36 is a UDOT road, that may not be able to make changes to. He stated the City should get the infer structure, water, etc. in place first, then look at changes for high density zoning. Rebecca Smith, lives on the back of property in question, stated how it affects her and the water usage. She stated she has tried to contact the Commission on the matter through Facebook, email, and phone with no response. She stated the four-foot easement behind her property is an access point and asks what is going to happen to it.

Thomas Stevenson states it is fun to get together but it is like going to a used dealership for a Toyota and putting an application in for a BMW. He stated the applicant knows the area is single-family. He stated the infrastructure won't show up until approved and need the infer structure. He stated that there has to be a fatality before he road changes. He stated he strongly opposes the amendment.

Sonja Richardson stated her concerns are same from last time. She stated there is not turning lane for the road. She stated her daughter-in-law got in an accident turning into the road. She stated there is only one way in or out on 3O'clock drive. She stated with the apartment traffic it is already hard getting in or out. She stated she is a grandmother and would not want her kids playing outside, even if a wall is added, because of how dangerous the road is. She stated her last concern is the need for water.

Jay Linder stated he live on the corner of 3O'clock and there is congestion. He stated the streets are falling apart, but we need more money to fix things. He stated that letting theses apartments come in could help, might be a tax break, but the traffic is ridiculous. He stated he walked around the neighborhood with notices of this possible change. He asks that the Commission consider the community.

Kalani Mascherino stated she lives on 2 O'clock drive and the map does not show there is one lot left, the gobs of houses and cars, and the traffic on 3 O'clock drive. She stated she was trying to take her daughter to gymnastic and had to wait for Tooele Army Depot traffic to pass because she couldn't turn out. She stated the City cannot handle the traffic and needs a buffer.

Janice Allred stated she lives on the east side of the road where she has had to sit in her driveway for twenty minutes before she was able to get out. She stated understands the City Council wants to take a closer look at the master water plan, but the drinking water tanks were almost out last summer, she asked why the Commission would forward this to the City Council when it will be turned down again.

Kenneth Olson, applicant, stated the same concerns have been brought up on past projects. He stated the narrow piece of land is great to go from single family homes to town homes. He stated there will be fifteen to twenty-five townhomes per acre, which would be on the low end of high density. He stated the townhome would bring vibrancy to neighborhood. He stated the project in Taylorsville they completed was worth just as much as the homes, brought newness and people to the community. He stated they have water shares for properties, curb, gutter and sidewalks will be put in. He stated that they will stay two-stories and it will be a nice fit for neighborhood.

Sindy Maxfield stated her normal way to get out is through 3 O’Clock, by adding 70 more cars, the City is adding more traffic. She stated though there are plans for water, wells are going dry. She stated that they shouldn’t have to wait for a fatality for changes to happen.

Dusty Argile, applicant, stated he grew up in Bluffdale and could not have imagined that Herriman would be what it is today. He stated it would be hard to make single-family homes work in that small area and townhomes are clean. He stated it wouldn’t be as drastic as everyone feels and it would be a good change.

Amy Emerson stated developers believe if it is maintained it would be nice, but the area is not being maintained. She states there is a water and traffic issue. She states it is challenging to get on SR-36, there is no turn lane from 3O’clock, and increases risk for children. She states high density development would increase crime rates, decrease value and safety homes. She challenges Planning Commission to take the road during peak travel times during the week or holidays.

Trevor Holt, local developer, stated he is looking at building other townhomes within the city and was interested in knowing the publics view. He stated the standard of those streets is not something that developers can fix. He stated with an HOA, they can require zero-scaping; with a single-family lot, they are not able to require it. He commends the neighbors on bringing forward their concerns. He stated the townhomes could meet the requirements and needs of the city.

Chairman Hamilton closes public hearing and asks the commission for questions or comments. Commissioner McCall stated he has the same concerns as citizens regarding the traffic and the speed on SR-36. He stated his concerns are for citizens with traffic. He stated with more kids wanting to stay in the area, they need homes and water for development.

Commissioner Thomas stated with current plan use, no matter what happens, there will be more cars. He stated there is potential the city uses less water if zero-scaped correctly. He stated they don’t understand full impact yet to move forward.

Commissioner Sloan stated there will always be a notice for land use changes. He stated that there is a misconception the City recruits, but the applications are from landowners and developers who have the right to submit an application. He stated that all of the property that the citizens live on, at one point, had to be re-zoned or the land use was changed. He stated that there is no study that the property values will go down with multi-family housing moving in, like there is not study that home values will go up around the Temple. He stated that he loves this project and townhomes. He stated he would like his kids to stay here and we need housing that is attainable. He stated that he is listening to the citizens, and if they took out SR-36 out of the equation, he would be for this project.

Chairman Hamilton asked for other questions or comments from the Commission.

Commissioner Sloan motioned to forward a negative recommendation to the City Council for the Luxury Landing Townhomes Land Use Map Amendment. Commissioner McCall seconded the motion. The vote was as follows: Commissioner McCall, “Aye”, Commissioner Robinson, “Aye”, Commissioner Bevan, “Aye”, Commissioner Hammer, “Aye”, Commissioner

Smith, “Aye”, Commissioner Sloan, “Aye”, Commissioner Thomas, “Naye”, and Chairman Hamilton, “Aye”.

4. Public Hearing and Recommendation on the Tooele Boulevard Land Use Map Amendment Request by Jared Stewart Representing the Tooele City Redevelopment Agency to Reassign the Land Use Designation for Approximately 1.5 Acres Located at Approximately 346 South Tooele Boulevard from RC Regional Commercial to LI Light Industrial.

Presented by Andrew Aagard

Mr. Aagard stated the parcel west of Tooele Boulevard is undeveloped land. He stated the land to the west is utilized as light industrial, LI, and the east is utilized as educational research facilities. He stated the parcel in question is currently zoned as research and development, RD. He stated the applicant wants to reassign the parcel to light industrial. He states that it encourages and incorporates the light industrial district in the industrial service zoning district. He stated both of the zones are oriented towards light or manufacturing uses in some heavier commercial that do not generate dust, noise, etc.

Mr. Aagard stated with this recommendation being a public hearing, notices were sent out to land owners within 200 feet of said property. He stated Utah State University reached out via email with their concerns of the industrial uses that would occur on the property. He stated, in his staff report that he was unsure of USU plan to expand on their campus. He stated by receiving the email from USU representative, their plan is to expand in the future. He stated he had not received any other notices. Chairman Hamilton opened the public hearing.

Jared Stewart, representing redevelopment agency, stated he would like to share some context to site. He stated the intent of the 1.5 acres is to sell, in turn would probably need to be re-zoned. He stated the current applicant would like to use the parcel as a contractor staging area and showroom. He stated the RDA owns other land with the intent to sell and be re-zoned.

Brandon Naye, applicant, stated he would like to purchase the land from Tooele City for his construction business. He stated the areas would be used as a show room and place to park construction vehicles. He stated with the current zoning, it does not allow outside parking of construction vehicles. He stated there would be minimum traffic and would bring the construction vehicles off of the developments. He stated it would be fenced and a safe place with less damage to his property.

Chairman Hamilton closes public hearing. He asked Mr. Bolser for emails that may have been sent. Mr. Bolser stated there were not any to report beyond what Mr. Aagard has presented.

Commissioner Sloan stated there was a previous request for this parcel to be a tow yard. He stated it was becoming tiresome to continue to hear and revisit the same request for re-zoning and asked what changes could be made so they do not have to revisit it again.

Mr. Aagard stated he understood the frustration but the City can only re-zone properties owned by the City. He stated the individual can continue to ask for properties to be re-zoned.

Commissioner Robinson stated his agreement with Commissioner Sloan. He stated he does not want to create an island by selling and rezoning the parcel. He stated the City needs to do better with the poor planning and future agendas.

Commissioner McCall stated the parcel was zoned the way it is, because it used to be called the educational corridor.

Mr. Stewart stated they are looking at multiple parcels. He asked if the parcel boundaries were adjustment, would it change the land use.

Mr. Bolser stated that the map is not tied to parcel boundaries. He stated the zoning would not change to match the map should parcel lines change. He stated that spot zoning used to be illegal, but is not anymore. He stated spot zoning can be an effective tool if used in a proper manner to control what you are doing to neighboring land usage. He stated the purpose of the land was to sell piece by piece and the City is unable to predict or accommodate every possible use, type, or change.

Commissioner Thomas stated he likes the idea of having a business in area. He stated by moving to a commercial or light industrial zone, it has a potential to help businesses grow and be good for Tooele. Chairman Hamilton asked for further questions and concerns.

Commissioner Sloan motioned to forward a positive recommendation to the City Council Tooele Boulevard Land Use Map Amendment. Commissioner Bevon seconded the motion. The vote was as follows: Commissioner McCall, “Aye”, Commissioner Robinson, “Aye”, Commissioner Bevan, “Aye”, Commissioner Hammer, “Naye”, Commissioner Smith, “Aye”, Commissioner Sloan, “Aye”, Commissioner Thomas, “Aye”, and Chairman Hamilton, “Aye”.

5. Public Hearing and Recommendation on the Tooele Boulevard Zoning Map Amendment Request by Jared Stewart Representing the Tooele City Redevelopment Agency to Reassign the Zoning for Approximately 1.5 Acres Located at Approximately 346 South Tooele Boulevard from RD Research and Development to LI Light Industrial.

Presented by Andrew Aagard

Mr. Aagard states this is a follow up application to previous discussion. He stated the zoning does include RD with the purpose to combine and is not for large scale industrial areas. He stated the parcel is remnant of zoning from the educational corridor. He stated that as mentioned in previous discussion, he was unsure if USU would be expanding before they sent communication; with their plan to expand, they do not have a timeline. He stated re-zoning the property to light industrial, there would be no impact to adjacent properties.

Mr. Aagard stated since the recommendation was a public hearing, USU sent in comments via email. Chairman Hamilton opened the public hearing.

Kalani Mascherino, local realtor, worked with applicant on previous project and will make his area match the existing.

Mr. Park states his support, love to go into showroom, ability to walk in no matter what it is.

Chairman Hamilton closes public hearing.

Commissioner Robinson motioned to forward a positive recommendation to the City Council for the Tooele Boulevard Zoning Map Amendment. Commissioner McCall seconded the motion. The vote was as follows: Commissioner McCall, “Aye”, Commissioner Robinson, “Nay”, Commissioner Bevan, “Aye”, Commissioner Hammer, “Nay”, Commissioner Smith, “Aye”, Commissioner Sloan, “Aye” Commissioner Thomas, “Aye” and Chairman Hamilton, “Aye”.

6. City Council Reports

Presented by City Council Member Maresa Manzione

Council Member Manzione stated she was excused from the last City Council meeting. She stated the land use designation change from MDR to HDR on 2540 n and approximately 400 east was tabled for further discussion with the applicant working closely with the City to clarify usage. She stated the Accessory Dwelling Units was approved. She stated the Council looked at the 2021 master water plan, but tabled it for further discussion. The City Council also approved a tentative budget for the year, approved subdivision request for Prosperity at Overlake that passed with a 3:2 vote, and approved the minor subdivision for Ricks subdivision.

7. Review and Approval of Planning Commission Minutes for Meetings Held on April 14, 2021 and April 28, 2021.

Chairman Hamilton stated the dates were updated on the Minutes, with no other changes.

Chairman Hamilton motioned to approve April 14, 2021 minutes. Commissioner Thomas seconded the motion. The vote was as follows: Commissioner McCall, “Aye”, Commissioner Robinson, “Aye”, Commissioner Bevan, “Aye”, Commissioner Hammer, “Aye”, Commissioner Smith, “Aye”, Commissioner Sloan, “Aye”, Commissioner Thomas, “Aye” and Chairman Hamilton, “Aye”.

Chairman Hamilton motioned to approve April 28, 2021 Minutes. Commissioner Robinson seconded the motion. The vote was as follows: Commissioner McCall, “Aye”, Commissioner Robinson, “Aye”, Commissioner Bevan, “Aye”, Commissioner Hammer, “Aye”, Commissioner Smith, “Aye”, Commissioner Sloan, “Aye”, Commissioner Thomas, “Aye” and Chairman Hamilton, “Aye”.

8. Planning Commission Training on Subdivision Design and Review.

Presented by Jim Bolser

Mr. Bolser stated the training was on Subdivision Review and design. He reviewed adopting ordinance regarding subdivision review, the preliminary plan formal process and approval, the final plat application, and signed Mylars. Mr. Bolser gave the Planning Commission an exercise to help them understand art verses science.

9. Adjourn

Chairman Hamilton adjourned the meeting at 9:20 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 May, 2021

Tyson Hamilton, Tooele City Planning Commission Chair