



Planning Commission Meeting Minutes

March 13, 2024

47 S. Main Street, Council Chambers, 3rd Floor

7:00 p.m.

1. Zoom meeting link

A. Zoom Link

<https://us06web.zoom.us/j/83813788955>

2. Roll Call

Chairman Blair Hope called the meeting to order at 7:02 pm. Roll Call was taken showing Brad Bartholomew, Camille Knudson, Andy Stetz, Toni Scott, Curtis Beckstrom, Blair Hope. Ron Elton was excused. Jedediah Beckstead was absent.

Staff present was Trish DuClos, Planner/ Code Enforcement; Rachelle Custer, Community Development Director; Stephanie Eastburn, Project Administrator/Permit Tech.

3. Pledge of Allegiance

Curtis Beckstrom led the group in the Pledge of Allegiance.

4. Minutes

A. February 7, 2024

February 7, 2024 Planning Commission Meeting Minutes

Agenda Attachments

1. February 7, 2024 Planning Commission Meeting Minutes_Draft.pdf

Motion to approve the meeting minutes from February 7, 2024 by Toni Scott. 2nd by Brad Bartholomew. All in favor.

B. January 17, 2024

January 17, 2024 Planning Commission Meeting Minutes

Agenda Attachments

1. January 17, 2024 Planning Commission Meeting Minutes_Draft.pdf

Motion to approve the meeting minutes from January 17, 2024 by Toni Scott. 2nd by Andy Stetz. Curtis Beckstrom abstained. The motion passed with 5 votes in favor.

5. Subdivisions

A. Ivory Homes is requesting Preliminary Plat approval for the 38-Lot Sagewood Village Phase 13, Trish DuClos

PUBLIC HEARING AND MOTION: SUB 2024-008

Agenda Attachments

1. SUB 2024-008_Staff_Report_Final.pdf
2. SUB 2024-008_Public Notice_Hearing_10 days.pdf
3. SUB 2024-008 Planning_Commission_Agenda_Summary.pdf

Trish DuClos summarized the staff report. Skylar Tolbert is requesting preliminary plat approval for the proposed 38-Lot Sagewood Village (Phase 13) Subdivision. It has been approved by all reviewing agencies and the surveyor. The proposed subdivision also includes alpha lots A and B (not included as single family lots). Parcel A will be owned and maintained by the neighborhood HOA as a pocket park within the subdivision. Parcel B provides a connection to the perimeter trail system within the subdivision.

Curtis Beckstrom asked about the height requirement, it says N/A, how high could it go? Trish stated in residential zones the limit is 35 feet.

Curtis asked what is the street monument referred to on page 19? Trish stated that it's a surveyor's monument.

Curtis asked about Parcel A. Trish stated that Parcel A is dedicated to open space. It will probably be used for a retention pond. In the notes it says they will deed that to the HOA. The HOA will determine what it's used for. That area and Parcel B is part of the trail system.

Motion to open public hearing by Toni Scott. 2nd by Brad Bartholomew.

No public comment.

Motion to close public hearing by Camille Knudson. 2nd by Toni Scott.

Brad Bartholomew stated on the corner of Village Boulevard and SR-186, I was under the impression that was going to be a recreation center. Part of this development was that they were going to build a rec center. Trish stated in the development agreement, yes. Brad asked where are they on that? My understanding was that they had to build it last year, or they would be penalized. Trish stated it is between the Service Agency and the developer. Brad asked who has the authority to make sure they take care of that? Can they prevent them from moving on to the next phase? Trish stated I don't know if we can hold up their applications, because there is ground dedicated to it.

Rachelle Custer stated that if we are party to the development agreement, we have standing to make them make the requirements. If it is only between the Service Agency and the developer, we do not. Trish stated that she would look into the open space agreement to see if the county has a holding in it.

Andy Stetz asked if the county would know if the developer put a bond in place with the Stansbury Improvement District. Rachelle stated we would. Trish stated it would be recorded. Rachelle stated that they would have to do that before SPID would sign off. But SPID and the Service Agency are two different entities. The Service Agency will have to sign off before this can be recorded.

Motion to grant approval for preliminary plat for the proposed the 38 lot Sagewood Village, SUB 2024-008 by Toni Scott. 2nd by Camille Knudson.

Brad Bartholomew- Yes. Camille Knudson- Yes. Andy Stetz- Yes. Toni Scott- Yes. Curtis Beckstrom- Yes. Blair Hope- Yes. The motion passed unanimously.

- B. Corp of the Presiding Bishop/Chad Spencer are requesting final plat approval of Mayla P. Warr Amendment Plat. The plat amendment consolidates lots 103 and 104 of the Maplewood Subdivision into Lot 1 of the Mayla P. Warr PUD subdivision. It vacates easement along the old lot lines., Trish DuClos**

PUBLIC HEARING AND MOTION: SUB 2023-054

Agenda Attachments

1. SUB_2023-054_Staff_Report_Final.pdf
2. SUB 2023-054_Planning_Commission_Agenda_Summary.pdf
3. SUB 2023-054_Public Notice_Hearing_10 days.pdf

Trish summarized the staff report. Corp of the Presiding Bishop/Chad Spencer are requesting final plat approval for an amended subdivision. The plat amendment consolidates lots 103 and 104 of the Maplewood Subdivision into Lot 1 of the Mayla P. Warr PUD subdivision. It vacates easements along the old lot lines. The LDS church wants to build a meeting house here. If they go through with the church, it will come through with a Conditional Use Permit.

Motion to open public hearing by Toni Scott. 2nd by Andy Stetz.

No public comment.

Motion to close public hearing by Blair Hope. 2nd by Toni Scott.

Camille Knudson asked if there is already a church in the area. Trish stated it's a seminary. Camille asked if they will allow parking for the school at the church. Trish stated they didn't say.

Motion to grant approval for SUB 2023-054 by Toni Scott. 2nd by Curtis Beckstrom.

Brad Bartholomew- Yes. Camille Knudson- Yes. Andy Stetz- Yes. Toni Scott- Yes. Curtis Beckstrom- Yes. Blair Hope- Yes. The motion passed unanimously.

6. Conditional Use Permits

A. Verizon Wireless is requesting a conditional use permit to place ground equipment and antennas on an existing tower., Trish DuClos

PUBLIC HEARING AND MOTION: CUP 2024-001

Agenda Attachments

1. CUP 2024-001_Staff_report_final.pdf
2. CUP 2024-001_Planning_Commission_Agenda_Summary_2023-089.pdf
3. CUP 2024-001_Public Notice_Hearing_10 days.pdf

Trish Duclos summarized the staff report. Verizon Wireless is requesting a conditional use permit to place ground equipment and antennas on an existing tower. The subject property is located just West of the Tooele County border. It is South of Lofgren. The property is owned by SITLA, the tower is owned by Parallel Towers II LLC, the proposed ground equipment and new antennas are owned by Verizon. This tower is already built. We have a code that every new tower has to go through a Conditional Use Permit. Since the tower is already built and there's not a CUP with it and the applicant is wanting to change the footprint of the tower, we're going through the process now. It is a colocation tower. There are a lot of antennas on there. This is for Verizon. They will add ground equipment and antennas on the top.

Toni asked how much they are expanding. Trish stated it is all fenced in for safety and code and showed the expansion on the staff report.

Curtis Beckstrom asked if there is any expected revenue from these towers to the county.

Rachelle stated only if it were on county property. Camille asked if SITLA, the property owner, has approved it. Trish stated yes, the property owner has to sign, and the tower owner has to sign stating they can put the antennas on it. They've already signed.

Blair Hope asked about the age of the tower and whether they had a building permit when they built it. Trish stated that she doesn't believe it is any older than 10 years. They had a building permit when they built it, but the CUP was missed at that time.

Motion to open public hearing by Brad Bartholomew. 2nd by Andy Stetz.

No public comment.

Motion to close public hearing by Blair Hope. 2nd by Toni Scott.

Motion to approve CUP 2024-001 by Andy Stetz. 2nd by Toni Scott.

Brad Bartholomew- Yes. Camille Knudson- Yes. Andy Stetz- Yes. Toni Scott- Yes. Curtis Beckstrom- Yes. Blair Hope- Yes. The motion passed unanimously.

B. Logan Kesse is requesting a conditional use permit for a Medical Cannabis Facility, Trish DuClos

PUBLIC HEARING AND MOTION: CUP 2024-031

Agenda Attachments

1. CUP 2024-031 Planning Commission Agenda_Summary.pdf
2. CUP 2024-031 Public Notice_Hearing.pdf
3. CUP 2024-031_Staff_report_final.pdf

Trish summarized the staff report. Logan Kesse with Wholesome is requesting a conditional use permit for a medical cannabis farm. The property will consist of about 6 acres of an outdoor grow area, with a small building for operations. There will not be any sales at this location. The property is 24.9 acres and the grow-area is about 6 acres and will be completely fenced. Planning staff hasn't received any neighborhood response. Most of the feedback was handled during the rezone and subdivision process. Staff has approved the commercial site plan with the condition that the solid visual barrier fence is reviewed through Planning Commission. The building itself will be handled through the building permit process. It's all been approved by the Health Department and Fire.

Trish stated the fence has been the hangup because our code is more restrictive than the state's. The state's code says the cannabis cannot be seen from ground level. Their other areas in and out of the state are all chain link with these slats with the wide wings that hang over each other. At some angle you can kind of see through. So it doesn't quite fit the county's code of solid barrier fence. The applicant was willing to put up mesh around to help with those angles. I went out the other day to verify that. In my opinion, it is a visual barrier. The hangup is the "solid" barrier. There is not a definition of solid barrier fence. The state allows it with just the chain link and wide wings. I think with adding the mesh on there, it can pass. If at any time, the fence isn't working, they are willing to do what they need to do, adding another layer of mesh, going to vinyl, etc. In my opinion I don't think vinyl is going to be any more secure, not with the wind. Vinyl is easy to break. It's hard to put barbed wire on the top, which is another requirement. They're also required to have lights and security cameras.

Blair stated I remember agreeing with Commissioner Bartholomew that the chain link with the slats was perfect. I'm not sure where "solid" came from. I think making them to go to cement fence is ridiculous. Wire, chain link, wings or not, if someone wants to look, they're going to look. If our code is blurry, let's refer to the state code.

Curtis asked how far this is from residential. Blair stated it's far. Trish stated the closest resident is here. They have put the entrance far enough away for how the code is written. They've exceeded the requirement. Curtis asked about the risks to the residents.

Taylor Heyland, Wholesome Co., applicant: There is state code that require distance, the requirements are in place. Factoring in those factors. The short answer is no. The long answer is the state has considered those things, and we meet those requirements.

Curtis asked if it's anticipated that other companies would want to put facilities close by. Toni Scott stated there already is. There is Utah Track (and Welding). We can't punish one landowner.

Taylor Heyland stated if the question is about cannabis companies there is a limit to how many licenses you can have in the state, so the answer is no. We are limited to 8 licenses in the state.

Motion to open public hearing by Toni Scott. 2nd by Brad Bartholomew. All in favor.

Sherrie Ivey, Grantsville: We have a business on Higley that is a quarter of a million dollar business. I am for a cannabis plant/warehouse. I am extremely concerned about how it looks down the road. I have people coming from all over the United States. They want to come down and have the country look. I would like to see the building in earth tones, so it blends in with the scenery. I would also like to see a large berm. They've got 26 acres; they've got room. And that it has shrubbery and trees that can grow so I'm not coming down the road looking at this big white building. Everything's farm country down there. We already have the inland coming in. We've got to make sure Higley Lane is not used for massive amounts of traffic. I would like to see you guys make that happen. I received a CUP and we are getting bigger and bigger for bringing tourism to Tooele. Please take that into consideration. We fought houses because we

didn't want the traffic. We want to keep it so we're not looking at steel or a fence that looks like a commercial building. We are Ivey Acres Farm. We are a non-profit. It's a petting zoo and farm animals. We provide the nativities around here and petting zoo for [many places around Utah]. We have [many animals]. I want to see that this fits in.

Toni Scott stated Higley Lane will be widened so as far as traffic... Rachelle stated just in front of their property. Sherrie Ivey stated I'm okay with that. Think about a tourist, would you want to come in to a place that looks like something you'd see in a city? A big, white warehouse? Motion to close public hearing by Toni Scott. 2nd by Blair Hope. All in favor.

Toni Scott stated there are other businesses there, it isn't all residential. It is kind of a mixed use, and this seems to fit in with it.

Camille stated I have toured one of their facilities. I think Wholesome Co is great and I think they are willing to work with the community to fit in. In working with other medical cannabis organizations, they do like to fit in with the community because they don't like to stand out. They will very rarely come in and have a big white building, or a big warehouse because they want it to be secure, but they also want to be part of the community. The applicants are all nodding their heads.

Trish stated for clarification, there will be no public coming to this site. It will be only employees.

Motion to approve CUP 2024-031 as presented with the fencing requirement with the mesh by Camille Knudson. 2nd by Toni Scott.

Brad Bartholomew- Yes. Camille Knudson- Yes. Andy Stetz- Yes. Toni Scott- Yes. Curtis Beckstrom- Yes. Blair Hope- Yes. The motion passed unanimously.

7. Adjournment

Motion to adjourn by Toni Scott. 2nd by Blair Hope.

Time of adjournment was 7:48 pm

8. Notice of Special Accommodations:

- A. Pursuant to the Americans with Disability Act, individuals needing special accommodations during this meeting should notify Janet White, Tooele County Community Development, at 435-843-3160 prior to the meeting.