

TOOELE CITY PLANNING COMMISSION MINUTES
March 13, 2019

Date: Wednesday, March 13, 2019

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

Commission Members Present:

Tony Graf
Tyson Hamilton
Melanie Hammer
Chris Sloan
Shaunna Bevan
Phil Montano
Bucky Whitehouse

Commission Members Excused:

Matt Robinson

City Employees Present:

Jim Bolser, Community Development Director
Andrew Agard, City Planner
Roger Baker, City Attorney
Paul Hansen, City Engineer

Council Members:

Council Member McCall
Council Member Gochis

Minutes prepared by Kelly Odermott

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

1. Pledge of Allegiance

The Pledge of Allegiance was led by Commissioner Bevan.

2. Roll Call

Tyson Hamilton, Present
Tony Graf, Present
Melanie Hammer, Present
Chris Sloan, Present
Shaunna Bevan, Present
Phil Montano, Present
Bucky Whitehouse, Present

3. **Public Hearing and Decision on a Zoning Map Amendment from the RR-1 Residential zoning district to the MDR Medium Density Residential zoning district by Sylacauga Development, LLC for 16.4 Acres located at 600 and 650 West Utah Avenue.**

Presented by Andrew Aagard

Mr. Aagard stated this zoning map amendment request involves two properties. A map of the properties was shown on the screen. The properties are currently vacant land utilized exclusively for agricultural purposes. There are some existing homes located to the east on some properties that are also zoned for rural residential. The subject properties are zoned RR-1 Residential. All properties surrounding the parcels are zoned RR-1 Residential. The RR-1 zone is a rural residential zone requiring one-acre single family residential lots and permits agricultural uses such as farm animals, agricultural and horticultural business. Multi-family dwellings are not permitted in the RR-1 zone. The applicant wishes to change the zoning of the property to the MDR Medium Density residential zone. The MDR permits up to 8 dwellings per acres and permits duplexes and multifamily attached dwellings as well as single family zones. The MDR zone does not permit farm animals and other types of agricultural and horticultural uses. The applicant did submit a concept plan for the Planning Commission's reference to demonstrate the intentions with the property. However, the site plan is not up for review or approval. The City must consider if the highest and best use of the property regardless of the applicant is the MDR district and if rezoning this property to the MDR zone is a benefit to Tooele City as a whole. Mr. Aagard stated that the plan proposes single family lots on the north and east side of the property with five acres of the parcel being utilized for townhomes. That is this applicant's intentions, however they could sell the property, abandon their plans sell the property and another developer could develop the property fully as MDR.

Mr. Aagard stated that he ran some preliminary numbers for the Planning Commission and public information. After accounting for roads and public space dedication, the property could yield approximately 13 residential lots if developed with the current RR-1 residential zoning. If rezoned to MDR the property could yield approximately 104 units. It is not the applicants intent to develop the entire property to maximize the density as the concept plan indicated the five acres, but the city must consider the maximum zoning and entitlements if the applicant were to sell or abandon the property.

Mr. Aagard stated that there are some challenges to the property. There are no utilities to the property currently. There is no sewer line nearby and water is a challenge in this location. One of the big differences between the zone is the farm animals. The RR-1 zone allows agricultural animals. Essentially a multi-family development surrounded by homes with large animals.

Chairman Graf asked the Commission if they have any comments or questions.

Commissioner Hammer stated that it was mentioned that it would be difficult to get water to this location, and asked Mr. Aagard to clarify the remarks. Mr. Aagard stated that he believed that the closest water line is on Coleman street. The water line would need to be brought across a property to get to the development. There are not utilities readily available.

Chairman Graf asked if the developer would be responsible for upgrading the utilities only on the property or would be responsible for other capital improvements. Mr. Aagard stated that the developer would be responsible to install utilities on the property and then install the utilities offsite to facilitate any upgrades for impacts that their development would cause to the existing utilities. Chairman Graf asked in regard to the water from Coleman Street would the developer bare the costs of the upgrades to ensure the proper amount of water is brought to the development. Mr. Aagard stated correct.

Commissioner Hammer stated she was confused about getting water to a location, she has not seen this issue before in a meeting. Mr. Aagard stated that it is not a problem, it is just a challenge. Commissioner Sloan stated that this issue has not been presented recently to the Planning Commission. Mr. Aagard stated that these areas of rural residential are unique. They are in a part of the City that is largely undeveloped and it poses challenges.

Commissioner Bevan wanted to make some comments. She stated that she lives on Utah Avenue, but is further West than this property, but she can see some problems with this development. In the past few meetings the Planning Commission has been talking about the need for more housing and the housing shortage. She stated that she thinks that it is important to maintain a rural atmosphere in the Community. This is something that Tooele is known for. Commissioner Bevan stated this particular property is surrounded by the RR-1 zoning designation. She stated that she knows other individuals who have been in RR-1 zones and subdivisions have been built right up to their properties. She stated that the developers think that this will be a lovely place to develop, there are lovely views, but then there could be farming equipment that is running all hours of the night because most of the farmers farm after their day jobs, there are lots of animal noises, chickens, and cows, manure smells. Those are things that people from subdivision areas don't realize that might be a problem until they are next door. These issues don't create a very harmonious neighborhood when there are people who are farming and subdivisions. She stated that she can see that this will be a real detriment and she thinks that some rural should be maintained in the City limits.

Chairman Graf asked if there were any further comments or questions.

Mr. Bolser stated that for clarification, there are water lines in Utah Avenue, but there are no sewer lines in Utah Avenue. Even if there were, this property would be below grade from the lines at Utah Avenue.

Chairman Graf opened the public hearing.

Mr. Brad Lancaster with the development proposing he application stated he wanted to answer the comment from Commissioner Bevan. He stated that the developers do respect what Tooele City is. While they understand the rural feel and can respect that, they also understand that if there are going to be places for future generations to live, then somebody needs to provide them. The purpose of this development is to provide affordable housing. That is the intent and desire. At current market rates Tooele is becoming unaffordable quickly. The average mortgage in Tooele County is only for the top 80 % of income earners. If this developer does not provide housing that is affordable, no one will. The developer understands that anytime there is growth

there will be concerns, there will be challenges. Mr. Lancaster stated that the developer feels strongly that Tooele is the place that can handle those challenges. The developer understands the concerns of the residents in the area. In the concept plan there is a buffer between the current RR-1 and the proposed development. The development won't move into higher density of dwellings until the development heads further west on the property. There are not many opportunities that would give this many affordable housing opportunities.

Commissioner Sloan asked what kind of product will go in the development. Mr. Lancaster stated that the product will be similar to Richmond America Homes off of 200 West. The homes will be cottage style single family dwellings on a smaller lot of 7,000 to 8,000 square foot lot, rambler, ranch or two-story concept of 1,400 to 2,000 square feet with two car garages.

Chairman Graf asked about the farm animals, equipment, and smells, how would the developer address that? Mr. Lancaster stated that those are a concern, but how are they currently addressed with nearby residents. He further stated that there is a MDR zone just to the north of this parcel. The developer is in the process of finishing West Point Meadows and those are townhome condominiums. The townhomes are affordable and right next to the old water treatment plant. Commissioner Bevan stated yes, but those parcels have buffer fields instead of being next to the back yards of properties with agricultural zoning. The line of homes on Coleman Street, there are poultry, emus and other agricultural animals. Mr. Lancaster stated there is a plan of privacy fencing that would add a buffer to the project. The developer is not asking residents to get rid of animals. Mr. Lancaster stated that the developer believed that there can be things done with the buffer to mitigate the concerns.

Mr. Steve Wilcock stated he lives on Coleman Street. He and his wife bought their property 18 years ago because of the rural feel of the property. It's nice and homie. He stated that he hates to see a development that will have over 400 people in it beside his property. He stated he doesn't think there is enough water. The water pressure on Coleman is not very good. As far as Coleman Street, it is crowded. There will be more cars coming from the development and cause more problems, especially with the elementary school traffic. He read a definition that fits this development. "This is the process of singling out a small parcel of land for use classification totally different than the surrounding area to the benefit of the owner of such property and to the detriment of other owners." He stated that the definition he read is the definition for spot zoning and he thinks this development meets the criteria for spot zoning. He further stated that he spent 13 years on the Planning Commission for the City of Grantsville. And they didn't do spot zoning. He stated he is against the development.

Ms. Lynne Walker who lives on West Utah avenue addressed the board. She stated that her concerns are much of what Commissioner Bevan had stated because she has farm animals and equipment. She stated that this change would cause lots of problems. She stated that her main concern is the elementary school. Her kids are bussed because it is not safe to walk to school a block away. In the past four weeks, Ms. Walker claimed that her child had almost been hit four times due to the traffic on Utah Avenue. Cars did not pay attention to the bus signals and the bus driver had to stop her child from crossing the street until a car passed, not abiding the bus stop signs. That is a major issue. She stated that there are no sidewalks from the corner to the development to Northlake Elementary School which is about a block away. The elementary

school is overcrowded and adding more families is not reasonable. Especially with the further building of MDR they all feed into the elementary school. Ms. Walker stated that the water pressure during the summer is not good. Settlement Canyon Water shuts off the water every summer limiting uses for agricultural and water animals. She stated that she really did not think the development was a positive thing. She asked what will happen to all those on septic tanks who are on Utah Avenue.

Mr. Mike Leonell stated he was born and raised on the West side of Tooele City. He referred to several streets, 1st West, 2nd West, McKellar, Coleman, and Vine Street to describe the area of Tooele City that is currently zoned as rural residential. He stated that he is struggling with this development and it impacts the community that was not notified of the hearing. He stated that the Coleman street is difficult to travel and kids walk up and down the street due to the elementary schools. Mr. Leonell made some comments related to his feelings about how developers work for money and do not consider the community. He stated that he is the largest land owner in the area near the development and that the Planning Commission had a tough job decision to make. Tooele City needs to grow and will be forced to grow, but he didn't think this is the right time. He further stated that sewer will be very difficult to put in due to the location of the sewer lines and the development. He mentioned that with the development there will be need for a four way stop or light at McKellar and Coleman Street. Mr. Leonell stated that this development will be surrounded by RR-1 properties and there will be cow manure smells and tractors running which will disturb the development residents. He further stated that he is against the development and he thinks that all residents that are in the area should have been notified of the hearing because they are affected by the development.

Commissioner Hammer asked Mr. Leonell where his property was and if he could point it out on the map on the screen. He pointed his property out on the map. He stated he owns 25 acres, his brother 8 acres and father 11 acres.

Ms. Lainey Reigal Realtor stated many of the problems that we see as Realtors are individuals who see a parcel of ground with a little bit of land and assume that it is okay to have a goat or horse. In the past there were grandfathered property rules to allow animals and there was a certificate for properties that housed animals. However, that doesn't mean the properties were in RR-1 and specifically specified for animals. The book and binder is no longer used to prove there were animals on the property. Now the neighbors can get upset if there are flies, or too many horse on a parcel of ground that isn't RR-1 and it goes away. The concern is not being against development, but Tooele City residents will not get back an RR-1 zoning if it is rezoned. Acreage in the middle of Tooele will not be rezoned back to RR-1 for animals. Ms. Reigal stated that this is the most logical place for people to have animals in Tooele City.

Mr. Zach Saling stated he lives on Coleman and moved there to have animals. He stated that things that worry him are schools and no sidewalks. The sewer worries him and it has backed up in the past in his home on Coleman. It backed up because it rained and there was too much water. He is worried about property values and how that will affect his property. Mr. Saling stated that the property to the north that was sold and developed had several different developers and the development going in currently was not what was originally proposed. It worries him that the land for this development will be sold and the whole thing will be

townhomes with the MDR zoning. He stated he doesn't support the development and he wants to have the rural feeling where he lives. He shared a story of friend who has had issues with rezoning and petitions of people who don't want to deal with the rezoning and animals. The neighbors would like to keep it RR-1. He stated that when he built his home he asked for a variance to build his home because it was zoned RR-1 and a half acre lot. He had to meet the RR-1 standards where he lived. He further stated that he hoped and prayed that this will stay rural.

Mrs. Tiffany Lancaster stated she is the real estate agent who is facilitating this property that is under contract for this development. She stated that she has been dealing with the sellers and representing the buyers. She wanted to state that she is a real estate agent in the Tooele County. She stated that there is a real problem with housing in the County. Affordable housing is an issue and she completely understands the concerns with converting the RR-1, but there is an even bigger concern of available properties. There is not a whole lot of land out there for developments such as this. She stated that a lot of the homes on the East side of the property are the sellers and she has met with them. There have been lots of meetings with them and getting input from them on how to make this work for everyone. These developers are not going to come in and make a buck they are looking to do something to be a win, win for everyone. She stated that there is the Hometown Court and that property doesn't seem to be an issue that they are surrounded by RR-1. Basically, she wanted to say that the developers are open to feedback and working with the community. This is a need that is present and she with the developers have talked about issues with the school and possibility of the need for a stop light and need for sidewalks. There will need to be some solutions. She wanted to say that she went through the proper channels to give notice to property owners. She obtained the lists from the City and had the notices delivered. Members of the public stated that the only property owners who received notice were the Coleman residents. Mrs. Lancaster stated that that was completely unintentional. She stated that they didn't want anyone to think that they are trying to work against the community, but to feel a need in the community and make it so the kids can stay here.

Ms. Angela Hill stated that she lives just west of the subject property. She stated that she has farm animals and her parents live in Hometown Court. She stated that if this property being changed to MDR a fence between the people on Coleman Street and this property will not keep out the smells and the flies. It will bring more police reports about people complaining. She stated she feels it should stay RR-1. She also stated that she feels if it is changed it will keep moving to the west and maybe possibly to the south.

Mr. Myron Nix stated that he lives on Coleman Street. He has lived there for 81 years. He wanted to share several things he has seen over the years. His house has been completely flooded by the sewer, the traffic in the area has become unreasonable. He has watched the east end of Coleman built into housing. He stated that he has watched stupid; with the school being built on the corner of Utah Avenue and Coleman Street and no sidewalks. With the traffic to the school, Coleman Street is not wide enough for the school traffic. He has watched the old City dump. He watched the trailer court and ball park get put in. He stated that he moved to his home because he was a rancher and farmer and he is really disappointed at some of the decisions the City has made. He stated it is hard to get down Coleman now and traffic will make

it worse. He asked about a lawsuit about sewer and water services. Chairman Graf stated that he could ask the attorney about that. He stated from his perspective that there have been some stupid decisions that affect him and he doesn't want to see it again.

Ms. Wendy Garcia stated that she lives on Coleman Street. Her backyard is right on the edge of the proposed development. She stated that she liked going out in her backyard and looking at the view. She likes her privacy and she likes the smells. She doesn't mind one acre lots and half acre lots. She stated that when developments start stacking them housing on top of each other, there will be a lot of problems. She stated that she likes her animals and her neighbors' animals and she doesn't want that to change.

Ms. Margie Gonzalez stated she and her fiancé live across from Northlake Elementary. She stated that it is hard to get to their house during the time of drop off and pick up at the elementary school. She states the proposed property runs right behind their property. It is going to impact them a lot. She agreed that this is spot zoning like the other gentleman said. Ms. Gonzalez stated that her fiancé had recently purchased his parents' home, which they live in and there will be a large impact to them with the development. They currently do not have animals, but they like the fact they can have animals if they choose. The impact for them is we bought it from his parents. She further stated that her house did receive the public notice, but they had friends in the area that did not receive the notice and they are not happy about the development. She stated that we bought the property to have a one-acre lot and for no one to complain what they did with their land.

Mr. Leoell from the audience asked what happens now. He asked if it is voted and where it goes after this meeting. Is this common? He loves Tooele and always has. It disappoints him to see this happen. What happens now? Commissioner Bevan stated the application will go to City Council. Mr. Leonell stated it disappoints him when he sees people who are unhappy living in Tooele. He further asked about the formal process and protocols.

Mr. Baker stated that the uses of land in Tooele City are governed by policy set by the City Council. Those two main policies are the General Plan of the City including a land use plan element and the zoning ordinances of the City. Those are policy decisions made by the City Council after getting recommendations. Any property owner in the City can ask the City Council to rezone their property. That is State law and City law. That is a property right enjoyed by any property owner, but whether the property is rezoned has to deal with the City's General Plan. Anytime someone applies for a rezone, State law requires the staff to bring it to Planning Commission. Planning Commission has a public hearing and property owners, developers, neighbors, all have an equal voice. No one's voice is any more legitimate than anyone else's. Planning Commission takes that information and decide what to recommend to City Council. That decision is what Planning Commission think is in the best interest in the community for this area. The vote tonight will not be the final decision. It will not change the zoning. It will tell the City Council what Planning Commission thinks is appropriate for the area. The City Council will go through a similar exercise of going through a public hearing and considering all the public comment given tonight, the Planning Commission recommendation, and all the public comment given in a second public hearing given at the City Council meeting. Then City Council will make the final decision. In fact State law requires City Council to make a decision on the zoning

application. That is where the process will end. As far as notice, state law requires staff to give notice to the newspaper, state notice website, and to property owners within a certain distance. The distance rule does not change whether it is farm land, commercial, or HDR.

Chairman Graf asked if there was any further public comment.

Kim Turley, stated she grew up on Coleman Street. Her mom and dad had two one acre lots on Coleman, which her parents and grandparents lived in. She grew up on Coleman with animals. They had cows, horse, sheep, and poultry. Currently her parents have emus and a llama. She stated that she understands the need for housing in Tooele. She lives in a small apartment, but her daughter and son in law have moved in while trying to find a place to live in Tooele. She stated she understands the needs for places to live, but putting it right here is not the place to be. She asked if the housing will be low income. She stated that low income housing will bring in crime. This is not for this spot right there.

Mr. Lancaster stated that he wanted to clarify the sewer. He stated that there has been a negotiated potential agreement with a land owner for a potential access to sewer and other utility requirements. There would be a maximum of 103 home owners.

Chairman Graf closed the public hearing.

Mr. Bolser stated he wanted to make one item of clarification that was brought up during the public comment. There was a comment made about the notification and the comment stated that the City provided the list of neighboring property owners for notification. The applicants are required to obtain the lists from the County Recorder's Office. The County has responsibility to maintain the lists of property owners and provide the lists from the County, not the City.

Chairman Graf asked if there were further comments from the Commission members.

Commissioner Montano stated he appreciated the comments from Mr. Baker explaining the process. He further stated that when people talk about water and sewer, the City engineer hears all of those projects that go through. The City engineer's office does modeling and make sure there is the right amount of water, the right amount of water. The sewer lines are done correctly. He stated that people question it all the time and he thinks that the City Engineers office does a good job. He stated that he was born in Tooele and has seen growth. He as a Commissioner must make decisions to help with affordable housing. The Commission can talk about sidewalks and all of these things. Somewhere we have to make these decisions. Tooele will not stay the way it is. He stated that when he attended high school there were 700 students in Tooele High School and they never dreamed there would be other high schools, but they are here. The Commission needs to make responsible decisions.

Chairman Graf stated that he took a job in a small town in Nevada. His wife and him purchase an acre lot which was rural. They loved the lot, until the first morning he was woken up by a donkey. That was a surprise. He stated he can relate to the need for more affordable housing. He stated that as a Commission it must be considered. He stated the comments are important and there are always two sides of the story. He thanked the public for their comments.

Commissioner Sloan wanted to address a couple of things. He stated that this is not high density development. The reality is that it is legally considered a medium density. He stated that depending on where an individual comes from is how they determine their view of density. This is not stacking one on top of another. These lots are 7000 square foot lots which are pretty much the base zoning for Tooele City. Commissioner Sloan stated secondly that as these issues have come forth over the last year, he hears consistently over the podium that we know growth needs to happen, but put it somewhere else. He has yet to hear growth needs to happen and put it here. Everyone points at someone else's yard and states that it is a great place. Commissioner Sloan echoed the comments by Commissioner Montano, Tooele will not stay the same. Commissioner Sloan further stated that he wanted to take issue with something else he has heard repeatedly and he is tired of hearing what those people will do to a City. Until someone gets up at the microphone and has evidence that this sort of product is cause to higher crime rates, he doesn't want hear that this product will increase crime rates. He stated that he has six children. Of those six, five are still in Tooele. He stated that he agrees that kids and grandkids do need a place to come. He stated he loves Tooele. He stated that he is not sure if this is the right place for the development, but at some point, we as residents of Tooele City need to come up with solutions. During the legislative session it has been made very clear that affordable housing must be addressed. Commissioner Sloan stated that if you bought homes on Coleman that happened because someone subdivided. At some point those were larger lots. Let's make one thing clear, the City does not create the City, developers do. Developers want to create a community and we need to get our arms around that.

Commissioner Bevan motioned to forward a negative recommendation to the City Council for the Murdock Meadows Zoning Map Amendment request by Brad Lancaster, representing Syacauga Development, LLC to reassign the subject properties to the MDR Medium Density Residential zoning district, application P19-79 based on the findings that the Commission needs to preserve some of the RR-1 areas in the community to maintain the integrity of City General Plan. Commissioner Hammer seconded the motion. The vote as follows: Commissioner Hamilton, "Aye," Commissioner Hammer, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Whitehouse, "Aye," Commissioner Montano, "Nay," Chairman Graf, "Aye." The motion passes.

Commissioner Hamilton, Sloan, and Whitehouse stated that they voted for a negative recommendation because while it is a great product and needed, but they did not believe this is the right place for the product. Chairman Graf stated he voted for a negative recommendation because it does not conform with the zoning surrounding the property and echoes the comments that this type of housing is needed.

Mr. Bolser added for the public that the decision that was just made, is just a recommendation to the City Council. There will be a City Council public hearing to discuss this application. All are welcome to discuss the application with the City Council in the hearing. There will not be a notice mailed to property owners for that public hearing. The public that are in attendance will want to watch the City's website and local newspaper for notification. Residents can also sign up for email notification from the City's website on upcoming agendas. The date of the City Council public hearing has not been determined. An audience member asked how the notice will

appear in the newspaper. Mr. Bolser stated that it will look similar, but reference an Ordinance number. The agendas listed on the website will look very similar. The City does not have control of the form of the notice in the newspaper, only a requirement to provide the notice to them.

4. **Recommendation on a Subdivision Final Plat for the Skyline Ridge, Phase 1 application by Todd Castagno located at 1430 East Skyline Drive in the R1-14 Residential zoning district for the purposes of creating 25 single-family residential lots.**

Presented by Andrew Aagard

Mr. Aagard stated the approximate 12-acre parcel is located at the eastern end of Skyline Drive and west of the Middle Canyon Access Road. A map of the property was shown on screen. The property is currently zoned R1-14 residential. The zone requires 14,000 or larger square footage lots. Properties to the west are zoned R1-12 and properties to the north are R1-7. Property located to the South is located outside of Tooele City boundaries and is in unincorporated Tooele County. Phase 1 of Skyline Ridge proposes 25 new single-family lots. The subdivision will connect to Skyline drive at the southwest and 270 south at the northwest. A stub will be provided for future connection for property to the north. Two additional stubs will remain to the east for future phase connection. Each lots within the development meets or exceeds the minimum lot requirements for lot size, width, and frontages for the R1-14 zone. There is a storm water retention basin located in the northwest corner and identified as parcel A. That will be desilicated to Tooele City. The basin will be landscaped and include trees, ground cover, and an inground irrigation system. Tooele City Planning, Engineering, and Public Works divisions have reviewed the final plat and confirmed that the proposed plat meets the standards and ordinances for development and are recommending approval with the conditions listed in the Staff Report.

Chairman Graf asked the Commission if there were any questions and comments.

Commissioner Sloan asked about a discussion that happened months ago about traffic and access off the property, possibly the extension of Droubay Road from Skyline Drive to Vine Street. Has any further action been taken on that? Mr. Paul Hansen stated that the Tooele City Council did have a discussion about the extension of Droubay Road. Droubay Road is currently part of the City's transportation element of the City's master plan. The concern has been how to get off the bluff and down to Vine Street due to the elevation difference of over 60 feet. The City Council paid a traffic engineering firm to look at the traffic demand and model. The report came back that the connection would not be warranted until the City annexed additional properties or increased the density of currently zoned areas. Per Mr. Hansen staff will bring to the Planning Commission a proposal to modify the Transportation Element.

Commissioner Hammer asked if Commissioner Sloan was asking about Droubay extending to Vine.

Commissioner Sloan stated that he lives off Skyline and he was surprised by the numbers of trips recorded for the street.

Commissioner Whitehouse moved to forward a positive recommendation to the City Council for the Skyline Ridge Phase 1 Final Plat Subdivision Request by Todd Castagno, representing Wise management, LLC for purpose of creating 25 single family residential lots, application number P18-762, based on the findings and subject to the conditions listed in the Staff Report dated March 6, 2019. Commissioner Hammer seconded the motion. The vote as follows: Commissioner Hamilton, "Aye," Commissioner Hammer, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Whitehouse, "Aye," Commissioner Montano, "Aye," Chairman Graf, "Aye." The motion passed.

5. Decision on a Site Plan Design Review for the Tooele City Police Station proposed by Tooele City, located at 70 North Garden Street on approximately 2.3 acres.

Presented by Andrew Aagard

Mr. Aagard stated the police station will be located just east of City Hall. The property is zoned general commercial as are the properties to the north, south, and west. The properties to the east are R1-7 Residential. Title 7-11-6 of Tooele City Code grants the Planning Commission authority to determine if proposed architecture and site planning development plans are consistent with the general policies and objectives of Title 7 of Tooele City Code. The site plan occupies all of the property between 100 East and Garden Street. Providing the facility with double frontages and plenty of access. The site has essentially four accesses, one at each corner of the property. The northwest access, accesses the parking lot and dumpster enclosures. The southwest accesses from Garden Street and is the main public access to the parking lot and building entrance. The southeast access provides access to the secured nonpublic parking area. The northeast access provides access to three parking stalls. In total there are 106 parking spaces, with 57 public spaces and 49 secured parking spaces. Parking requirements for public uses such as this are determined by the Development Director based on similar uses in the area. Parking for this new police station greatly exceeds the parking at the current police station. There will be a six-foot solid masonry fence that will create a secured parking area for police vehicles and equipment. This secure area will be accessible through a mechanical gate. Contained within this area is a storage building. The storage building has a zero setback and is permitted when adjacent to commercial zones. 18.3 percent of the site is landscaping and that is more than the 10% required for commercial zones. Total landscaped area is 18,043 square feet. All landscaped areas are proposed to be drought tolerant, waterwise landscaping with cobble mulch and numerous trees. Cobble mulch will have decorative boulders. There are 29 trees proposed on the site with the densest trees at the northeast site. An inground drip irrigation system will provide water to the landscaping. The building is a single-story building with the exterior consisting of red brick and smooth honed block product of a grey tone. An elevation of the building was shown on screen. The building exterior proposes various elevations of red brick of similar color and style of City Hall and areas of larger grey honed block masonry and glass. These areas provide variation to height and are capped by the roof line. These elevations are accurate, but there are some site changes that are not updated. There will be some stairs to the main entrance and the mechanical door. Tooele City's commercial zones do not have architectural requirements for new development. The staff is comfortable as it is

proposed as it does meet or exceeds architecture on adjacent buildings. The site plan as proposed does meet all site plan requirements for parking, site setbacks, landscaping, and so forth. Staff is recommending approval with basic housekeeping conditions listed in the Staff Report.

Chairman Graf asked about the masonry type A, is that a cinder block. Mr. Aagard stated that it is a smooth honed block.

Mr. Hansen wanted to clarify that the site plan shows two garbage dumpsters within a large enclosure. That garbage enclosure is currently shown as double bin structure, but may be reduced to a smaller size.

Mr. Bolser added that there are three parking stalls on the northeast corner of the site plan. That is not an area where parking stalls were just added. This is a functional area. This is the sally port entrance to the building, so the officers who have a detainee in their vehicle can proceed behind a closed door for securing the detainee. The door on the right hand side of the building is the access for the general public to pick up evidence. There is an intricate system so there is no public access to the secure part of the building. It has two very important functions to the site.

Chairman Graf asked if the glass door is where evidence is picked up. Mr. Bolser stated the brown door is the evidenced door and the other door is the sally port door.

Commissioner Bevan asked about lighting and if the light will affect the residential homes near the building. Mr. Bolser stated that the site is designed to not be intrusive to property owners. The lights on the site are located and designed so the light will stay on the site and not go past its boundaries.

Chairman Graf asked the Commission if there were any further comments or questions.

Commissioner Bevan moved to approve the Site Plan Design Review Request by Paul Hansen, representing Tooele City for the Tooele City Police Station, application number P19-133, based on the findings and subject to the conditions listed in the Staff Report dated March 7, 2019. Commissioner Hamilton seconded the motion. The vote as follows: Commissioner Hamilton, "Aye," Commissioner Hammer, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Whitehouse, "Aye," Commissioner Montano, "Aye," Chairman Graf, "Aye." The motion passes.

6. Public Hearing and Recommendation regarding a text amendment by Tooele City to various chapters of Title 7 of the Tooele City Code regarding multi-family residential zoning districts, their allowable land uses, applicable design standards, and supplemental regulations.

Presented by Jim Bolser

Mr. Bolser stated that this Ordinance was discussed two weeks ago. Mr. Bolser gave a brief reiteration of the purpose of the Ordinance. Currently the City has two multi-family residential

zones. The intent of this effort started with a discussion on whether the City is providing a variety of options with various densities to accommodate all of the potential housing need in the community. The Council had the same discussion that the Planning Commission had in the Council meeting a week ago with very similar discussion points. The item to vote on this evening is to follow up with any additional discussion and to forward a recommendation to the City Council for further voting. The second part of the discussion during the meeting is to apply the code amended zoning districts to the map as the Planning Commission sees fit.

Commissioner Hammer asked about Title 7-11a-17, there is a section that has been taken out about creating an association, so who will maintain the landscaping and fencing? Mr. Bolser stated that it was taken out of this section because it is redundant. It is placed elsewhere in the code so it's not needed here.

Chairman Graf asked the Commission if there were any other comments or questions.

Commissioner Bevan stated that it was a lot of work.

Mr. Bolser stated that in the original discussion with Planning Commission and the City Council there were six chapters that had edits. In the Ordinance presented this evening there are three additional chapters that had references that needed to be corrected to match the changes in the primary chapters of the proposal.

Mr. Bolser stated that the Commission has an opportunity to look at the map and make some decisions about the map prior to the public hearing. He stated that he had three points related to the map. First anything that is currently MDR, will automatically shift to MR-8, anything zoned HDR will automatically shift to the MR-16, the consideration this evening is if there are any areas in the community that the Commission thinks are appropriate for MR-25 that recommendation can be made to Council and the staff has determined there are three areas, they would like to discuss with the Commission. Mr. Bolser showed the map of zoning on the screen. There are three areas for possible identification of multi-family zoning;

- The first one is two properties that are on 100 East. There are existing apartments in this area that have been zoned general commercial for a long time and legally non-conforming because of that. The other property is HDR and there is an apartment complex that is currently under construction. That project very intentionally left an area of the property blank in anticipation of changes in the zoning sizes that would potentially get them an additional building. These two pieces of property would be suggested for consideration of the MR-25.
- The second property is just to the north off of 1000 North. It is a piece of property that is zoned RR-5. There is light industrial to the west, existing general commercial zone which is under application for a care facility to the south and R1-8 to the east and north. This is an area that is undeveloped and stuck between more intense land uses and could be potential for multi-family as a buffer.
- Not too long ago the Council and Planning Commission considered an area that is zoned HDR and is a pending project that is under consideration currently. The north side is an existing use, Henwood trailer park and the south is an existing apartment complex that

is zoned R1-7 and makes it legal non-conforming. To the north the trailer court is also zoned R1-7. With the rezoning to HDR, it might be worthwhile to extend the zoning to all areas that would be more representative of the actual land use.

Commissioner Hammer asked about the area where the third area for consideration was mentioned, around the area is R1-7, why would a multi-family zone fit there. Mr. Bolser stated that there are already apartments in that location. He further explained that the property listed third and the property on 100 East were put into consideration because there are currently legally non-conforming apartments which would fit into the multi-family zoning.

Commissioner Bevan asked about what the RR-5 zone stands for. Mr. Bolser stated that it stands for rural residential on five acres lots. Commissioner Hammer asked what the planned community was to the south of the property off 1000 North. Mr. Bolser stated that it is the 55 and older active community that was approved recently. This is an opportunity for the Planning Commission to make a decision on what they would like to see in on the map instead of waiting for applicants to apply for zoning on these pieces of property or the Planning Commission could leave it as it is.

Commissioner Sloan asked about the thoughts on the property on 1000 North and what are the thoughts from staff about zoning for the property. Mr. Bolser stated that his personal thoughts were either MR-16 or MR-8, for a couple of reasons. The land use to the east is more intense than the RR-5 and secondly that property is below grade. Utilities for the property are in 1000 North and there would be some construction restraints.

Commissioner Graf asked if there were any final comments from the Council.

Mr. Baker stated that he didn't believe the Commissioner need to make an absolute recommendation for only on district for the entire parcel off of 1000 North. The parcel could be split between densities. Mr. Bolser made some drawings on screen to discuss the location of the flood channel and identifying areas of the property that could be split to higher densities.

Chairman Graf opened the public hearing.

Mr. Derald Anderson stated that he wanted to comment on the piece of property off of 1000 North. He stated that he knows a little bit about it. The creek bed makes it hard to develop. If the zoning is R1-7 it would be difficult to develop and a higher density would be needed to develop the property. Commissioner Bevan asked why a higher density was needed? Mr. Anderson stated that the main reason is cost and dealing with the flood zone and then also getting sewer out of the property with it being below grade. Another thing he wanted to mention was that he loved the rewrites of the Ordinance. He stated that in looking at the properties consider where the zones are placed to not break up zones.

Chairman Graf closed the public hearing.

Mr. Bolser stated that the staff is recommending a portion of the property off of 100 East be zoned to the MR-25 zoning.

Commissioner Hammer asked a question relating to what the legislature has been suggesting in relation to affordable housing and how does the general use plan meet the possible requirements into law. Mr. Bolser stated from what he has seen based on the land use bills that are in front of the legislature currently the City of Tooele is set up well. The primary one that the question probably address is the affordable housing legislation proposed. In the month of December, the City adopted a new affordable housing plan. That plan demonstrated two things that the City is on par and the bill that is before the legislature specified that e State would withhold certain funding sources if the City did not comply with three strategies on a list of 20 plus strategies.

Commissioner Sloan stated that with his knowledge the City is pretty set up. The bill has died during the legislation for the current legislation session.

Chairman Graf asked if there were any further comments, there were none.

Commissioner Sloan motioned to forward a positive recommendation to the City Council for the Multi-Family Uses and Zoning Districts City Code Text Amendment Request by Tooele City Corporation, application number P18-450, based on the following findings and conditions;

- **Changing the zoning for property located in the RR-5 section on 1000 North to MR-8 for all property to the eastern boundary east of the general commercial property zone. Property on the west side of the general commercial boundary line be zoned as MR-25.**
- **The property on 100 East be changed to MR-25**
- **Property off of 500 North be continued to the MR-16**

That should put the map into conformity with general plan issues and the philosophy of the City going forward and maintain and enhance the character of the surrounding areas.

Commissioner Hammer seconded the motion. The vote as follows: Commissioner Hamilton, "Aye," Commissioner Hammer, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Whitehouse, "Aye," Commissioner Montano, "Aye," Chairman Graf, "Aye." The motion passes.

7. Review and Approval of Planning Commission minutes for meeting held February 27, 2019.

Commissioner Hammer asked a clarification question on a question that was asked in the prior meeting minutes about parking lots on page 7 and if that need to be addressed, since Mr. Bolser did answer the question in person. Mr. Bolser stated that the question did not need to be addressed in the minutes, but the answer to the question is that provision is an existing provision but it is related to properties developed as a parking lot, not parking lots associated with building.

Chairman Graf asked the Commission if they had any questions or comments, there were none.

Commissioner Hammer moved to approve minutes from the meeting held on February 27, 2019. Chairman Hamilton seconded the motion. The vote as follows: Commissioner Hamilton,

"Aye," Commissioner Hammer, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Whitehouse, "Aye," Commissioner Montano "aye," Chairman Graf, "Aye." The motion passed.

8. **Adjourn**

Commissioner Hamilton move to adjourn the meeting. The meeting adjourned at 9:16 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 27th day of March, 2019



Tony Graf, Chairman, Tooele City Planning Commission