TOOELE CITY PLANNING COMMISSION MINUTES
June 12, 2019

Date: Wednesday, June 12, 2019
Place: Tooele City Hall Council Chambers
90 North Main Street, Tooele Utah

Commission Members Present:
Tony Graf
Shauna Bevan
Phil Montano
Matt Robinson
Ray Smart
Chris Sloan
Bucky Whitehouse
Melanie Hammer
Tyson Hamilton

City Employees Present:
Jim Bolser, Community Development Director
Andrew Aagard, City Planner
Roger Baker, City Attorney

Council Members Present:
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 Chairman Graf.

2. **Roll Call**
Tyson Hamilton, Present
Tony Graf, Present
Melanie Hammer, Present
Ray Smart, Present
Shauna Bevan, Present
Phil Montano, Present
Matt Robinson, Present
Chris Sloan, Present
Bucky Whitehouse, Present

3. **Public Hearing and Recommendation on a Conditional Use Permit request by Skull Valley Healthcare to allow "Outpatient Treatment Facility and Program" and "Residential Treatment Facilities and Program" uses to be located at 251 North First Street at the existing Harris Elementary School in the MR-8 Multi-Family Residential zoning district on approximately 9 acres.**

Presented by Andrew Aagard

Mr. Aagard stated that the application pertains to the former Harris elementary school. The property was recently rezoned to MR-8, Multi-Family Residential. The property is surrounded by R1-7 Residential on all sides with some multi-family nonconforming uses. The applicant is requesting a Conditional Use Permit to authorize the use of the structure as an outpatient treatment center and program as well as a residential facility and program. Both of these uses require a Conditional Use Permit within the MR-8 zone. The applicant has indicated that the facility will assist people struggling with substance abuse addiction and there will be 120 beds; 60 for women and 60 for men. The applicant has not indicated the number of professionals that will be at the facility at any given time. Currently the site has 145 delineated parking stalls, located north and east of the building. It is not clear if the clients of the facility will own or be able to operate motor vehicles. There should be adequate parking, but there is additional space on the side of the building to accommodate more parking. City staffs' understanding is that the building will be used as is with some remodeling within the building. The foot print of the building will remain the same. The applicant will need to obtain all applicable building permits that relate to remodeling or renovating the structure. This is a public hearing and public notice was issued and mailed. Staff has not received any feedback from those within the noticing radius. Staff is recommending approval of the proposed Conditional Use Permit with the basic housekeeping items listed within the Staff Report.

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

Chairman Graf opened the public hearing,

Mr. John Larson read a personal statement about being an alcoholic. He told stories about his family members who have issues with substance abuse. He further stated that he is in support of the facility. He is not afraid of those people. He stated that people have concerns about increased drug use, but he thinks it will increase police presence.

Mr. Ken Frailey stated that he lives near the school, in the fact his house has been owned by his family since 1906. He believes that this center is a terrible idea in a residential area in the middle of Tooele. He does not begrudge people finding treatment, but it should not be in the middle of a residential area. The land should be used for nicer homes to rehabilitate the area. He stated that he has heard the arguments about abandoning the school that has asbestos and lead paint, but that doesn't matter since someone is willing to buy the facility.

Mr. Randy Green stated that he lives near the school. He stated that he thinks the process for this facility has been on a fast track and there doesn't seem to be anyway to change it. Mr. Green read an article about a study about this type of center in residential areas. He stated that he would like to see a no see fence around the property. He thinks that would avoid a lot of problems. He further stated that there is a lot of asphalt on the property and most of the drainage goes to the northwest corner onto his property. He stated that people live right along the fence of the property and the fencing is chain-link. He stated that he thinks the facility is not right for the area and the school needs to be torn down.

Mr. Jaron Lagasse stated that he is only 16 years old but he thinks human race is for second chances. If people are not allowed second chances to better themselves, than what kind of people are we. If the residents are really more worried about money, than they are not humans at all. The residents need to let people better themselves and speak up for change.

Mr. Luke Hampton asked how a school that was subject to abandoned and demolished is now introduced as a suitable facility for people who are trying to better themselves. This will be in a residential neighborhood and must be approved with a Conditional Use Permit, rather than building an appropriate facility where people can get the treatment they need. He sees this as someone saving money or someone making money. He doesn't know which it is. All the people in the room believe in second chances, but people in the room want to make sure children are safe and property values do not decrease. He is worried about the Planning Commissions responsibility to the community. If the building isn't good enough for kids, then how is it good enough for people trying to better themselves. A school that was subject to be demolished and now is a suitable facility to better themselves.

Mr. Thomas Curtis stated that he lives on the other side of the field from the facility. He stated that he has talked to a lot of the neighbors and the main concern is the traffic in the field around the building. People walk across the field and hop the fences into the backyards of local residents living along the field. He agrees that there is a need for a treatment center in Tooele, but there needs to be a fence. He asked if there was a way to block off or have a fence for safety.

Ms. Samantha Vincent stated that she has worked in the mental health field and Tooele needs a treatment center. She stated that with this location, she had a couple of questions. She asked if the facility will be strictly voluntary or court mandated treatment. That makes a difference. The other question was if the facility would be able to handle emergency situations because in that area the streets are a little bit narrow.

Chairman Graf closed the public hearing.

Chairman Graf asked the applicant to make a statement.

Mr. David Gumucio made a statement for the applicant, as he is representing the applicant at the meeting. He stated there have been three different hearings. The general consensus of the community is that it needs this and wants it. There are those that are concerned about it being in their backyard. He stated that his client is sensitive to that and understands the concerns. His

client is working currently in residential communities in the Salt Lake area. He stated that his client is community mindful and the community will see a positive outcome for the City. There will be service provided by the facility and cultural impacts. There are plans for synergies with Tooele County School District to help better the lives of the participants. He stated that his understanding is that the facility is voluntary and people want to come to them. The treatment is done holistically, with improvements spiritually, educationally, and physically. This will give the participants a second opportunity.

Mr. Gumucio stated that he understands about property values since he is a real estate agent. He is seeing a footprint that is a perfect use for this type of facility and keeps and restores a historical building. He stated that his client understands that there will be significant improvements to the facility. They are willing to do that. It is important for the community to be positive and look at the other treatment centers to see that the facility operators are people of their word and of good intent. Right now, there is a lot of fear and anxiety but this business is willing to move forward. The school district is very cooperative and has done an extensive due diligence. He recommended to the Planning Commission that the business is doing this transaction according to the law and statue and want to be a member of the community in a positive way.

Chairman Graf asked the Commission if they had any questions.

Commissioner Bevan asked about the fencing, is the client willing to mitigate concerns of the neighbors with fencing? Mr. Gumucio stated that in the last hearing fencing was discussed and there was no concern about the fencing from the City Council level to meet the criteria of the Conditional Use Permit. Fencing is not a factor. The client has stated that they would look into that for repairs.

Chairman Graf stated that he was in the last City Council meeting and there was a question about a gap in the fencing, would the client fill that gap with fencing? Mr. Gumucio stated that his understanding that at one time the entire acreage was fenced off and if there are need of repairs there is a contingency plan to make repairs. As for new fences or heightened fences that remains to be seen. One the current fence that is there, it will be reviewed and repairs made.

Commissioner Smart stated that at the prior meeting the client mentioned that property values did not go down, but the values went up. He asked if that was a study or where that came from. There is a big concern about property value, but there are many poorly maintained yards that would keep the property values low. Mr. Gumucio stated that he could not speak to Mr. Dixon's comment about property value going up, but if he said that, then it was in his experience with prior facilities. Mr. Gumucio stated that he expects that Mr. Dixon would know and he wouldn't make that statement unless it was true. Mr. Gumucio stated that he did not know or seen the data to support that statement.

Mr. Gumucio stated that having a vacant building in the center of the community does not increase property values. Having a going concern that has been updated and beautified would increase property value. Property that is abandoned has a tendency to pull values down and

property that is occupied or well kept, maintain or increase value. He stated he would not address the nature of how people decide to maintain their properties.

Commissioner Montano asked Mr. Baker, City Attorney if the fencing could be put in as a condition of the Conditional Use Permit. Mr. Baker stated that it depends. Before a condition can be imposed on a Conditional Use Permit, there first needs to be a finding for a potential adverse impact to the neighboring properties that would be mitigated by imposing the condition. Fencing can be imposed but it would be important to recognize the adverse impact the fencing would mitigate.

Commissioner Bevan stated that she thinks fencing is a good idea for the main reason that there is already a lot of foot traffic through the property and a good sturdy privacy fence would stop the traffic through the property. Commissioner Montano stated that he agrees with that and they could fence three sides of the property. In looking at the map there are three residential sides of the property, west, north, and south sides. That would leave the front open.

Commissioner Sloan asked how much of the foot traffic now, is because it is a vacant facility. If the facility is in operation would the number of individuals crossing the field change with a working facility. Is it something that needs mitigation? Commissioner Bevan stated that it would be a deterrent, regardless of who owns the property. It has been mentioned that there was drug use back there. Commissioner Robinson stated that he understands the concern, but the finding needs to go to the Conditional Use, not that it is a big piece of property. It has nothing to do with people walking across the property and have walked across it for 20 years, but because of the Conditional Use of the facility there it needs to have a fence.

Chairman Graf stated that it is important to answer the questions from the public. In regards to voluntary or court ordered, will the residents attending the facility be in one or both of these categories. Mr. Bolser stated that he believed that Mr. Dixon testified before the City Council that it is in fact both. Chairman Graf asked about the storm water, is that something that can be mitigated. Mr. Bolser stated that the applicant would have to demonstrate proper utilization of storm water facilities through any site planning process. That is a requirement of any applicant.

Commissioner Robinson stated that the road problems that were brought up will be addressed in the application and planning phases of the project. Mr. Bolser stated that what has been looked at for traffic volumes and infrastructure with preliminary data of usage, are anticipated to be less impactful than when the school was in use.

Chairman Graf stated that in prior meetings there has been discussion about horses and he didn't believe the zoning would allow for that. Mr. Bolser affirmed that, that was correct.

Commissioner Montano stated that he is bothered that there is no guarantee that what is being said will take place. He stated that he is somewhat troubled by the project. The Planning Commission has had a lot of things promised and they don't happen which impacts the community.

Commissioner Sloan stated that part of the Conditional Use Permit is not followed than it can be revoked. Mr. Baker stated that a Conditional Use Permit can be revoked after due process. There needs to be evidence, applicant addressing the issue and replying to the Planning Commission before revoking the Conditional Use Permit.

Commissioner Montano shared a story of his visit of a similar facility in Holliday.

Commissioner Hamilton motioned to approve the Conditional Use Permit Request by Skull Valley Health Care to permit Outpatient Treatment Facilities and Program and Residential Treatment Facilities and program at the existing Harris Elementary School at 251 N First Street, application number P19-321, based on the findings and subject to the conditions listed in the Staff report dated June 3, 2019.

Commissioner Hamilton stated that he wanted to explain his vote. In looking at Central Elementary being remodeled, it is a beautiful building now and we can see this building do the same.

Commissioner Sloan seconded but added an amendment that the fencing be repaired and maintained. Commissioner Hamilton added the amendment to his motion.

Commissioner Robinson stated that the finding is that there are a lot of people going into this facility and in order to keep those on the property in and those out of the property out, a fence is needed.

Commissioner Hamilton motioned to approve the Conditional Use Permit Request by Skull Valley Health Care to permit Outpatient Treatment Facilities and Program and Residential Treatment Facilities and program at the existing Harris Elementary School at 251 N First Street, application number P19-321, based on the findings and subject to the conditions listed in the Staff Report dated June 3, 2019 and the added condition that fencing onsite be repaired and maintained. Commissioner Sloan seconded the motion. The vote as follows: Commissioner Hamilton, "Aye," Commissioner Smart, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Montano, "Aye," Chairman Graf, "Aye." The motion passes.

The Planning Commission took a 5-minute break.

4. **Public Hearing and recommendation on a Zoning Map Amendment request from the R1-7 Residential Sensitive Area Overlay Zoning District to the MR-25 Multi-Family Residential Zoning District by Skyline Vista Properties LLC for 14.3 acres located at approximately 168 Skyline Drive.**

Presented by Andrew Aagard

Mr. Aagard stated the property is located at the foot of Little Mountain on Skyline Drive and south of the City Cemetery. The property is currently zoned R1-7 Residential and does have a Sensitive Area Overlay. To the north properties are zoned R1-7 and mixed-use general,

properties to the south is open space. The applicant is requesting that the property be zoned MR-25 Multi-Family Residential. This would facilitate a townhome and apartment development. There are significant differences between the two zones. Those differences pertain mainly to density and housing types. The R1-7 Residential zone creates a maximum density of 5 units per acre and only permits single- and two-family dwellings. MR-25 Multi-Family Residential zone has a maximum density of 25 units per acre and prohibits single family and two-family dwellings but permits multi-family dwellings. The applicant is requesting removal of the Sensitive Area Overlay which was placed on the property due to its proximity to Little Mountain with slope, drainage, and rock fall potential. The Sensitive Overlay does place greater restrictions on development relating to lot size, slopes, and grading limitations. In order to develop this property with the concept plan provided to the Commissioners, the Sensitive Overlay would need to be removed. Mr. Aagard turned some time over to Mr. Bolser who has some additional information in regards to the project.

Mr. Bolser stated that the City Council approved in May of 2019 a policy statement that specified that while the City is undertaking some additional study regarding infrastructure and utilities throughout the City, the City Council will not be accepting or approving further applications for Zoning Map Amendments to Multi-Family zones for Multi-Family uses until the study is complete or up to 12 months. This does not affect the Planning Commission review and procedure, but it is a consideration at the time of recommendation.

Commissioner Sloan asked Mr. Bosler if the applicant is aware of the policy. Mr. Bolser stated that he is. At the time that the policy was put in place, Mr. Bolser was asked by the City Council how many active applications were affected. There were five. The Council asked Mr. Bolser to contact the applicants and seek their input on if they would like to withdraw the application with a refund of fees or continue on with the application process. Four applicants have responded back, three asking for a refund and this applicant requesting to push forward. One application is still outstanding.

Chairman Graf asked the Planning Commission if there were questions and comments, there were none.

Chairman Graf opened the public hearing.

Mr. David Bleazard stated he has lived on Skyline for 42 years. This is not the first time that the residents living on Skyline between Upland Drive and 200 East have been confronted by this issue of Multi-Family Residential on the south side of Skyline. It makes no more sense now than it did in the past. In fact, it makes less sense. The increase in traffic over the years since the last time this was denied is very evident to those living on this street. Very few drivers follow the speed limit as they drive this stretch and Tooele City Police make little effort to confront it and fix it. Pulling into and out of driveways is risky at times and is getting worse. When the additional vehicles which would be added with units on the south side of Skyline it would become very dangerous. The bottleneck at the intersection of 200 East and Skyline is not going to get bigger, it is going to get worse. Based on Mr. Bleazards conversations with Tooele City Planning office he discovered that the proposed change would allow 25 units per acre. This means that the units will go up with no place to park. The proposal is for 350 potential units on that little piece

of acreage. That would allow no place to park, no front or back yards and he can't imagine if all those cars will result. Right now, if you take a tape measure and measure out the completed street with housing, there would need to be bulldozing of Little Mountain. Bulldozing Little Mountain will cause erosion and it will be one big mess. He stated that there were four different snowfalls this year that were 12 inches or more, which would make it difficult for snow removal. Mr. Bleazard stated that if the mountain is dug into, there will be the need for massive retaining walls. He stated that the moisture will move the mountain down. Storm drains come down the mountain and 200 East that are affected. He stated that another big impact is on wildlife. Mr. Bleazard stated that he can't count how many deer's he has seen killed on that road. He shared a story about how deer have died in his yard. He stated digging out Little Mountain makes no sense.

Mr. Derald Anderson stated that he owns the little sliver of property to the top east of the project. He stated that he wanted to apologize for the lack of information on the project. He stated that the project will be a benefit to the community and no homes will not be built on the two acres of the eastern edge of the property. That property will be a park, with parking stalls and walking trails. That will put no additional homes across from the existing homes. All of the apartments and townhomes will be directly across from the cemetery with the apartments being on the extreme western side of the project. The apartments will be across from the hotel, going east would be townhomes and then the park across from the existing homes. There needs to be the zoning change to do what they want with the project. The concerns with 2nd East and traffic on Skyline doesn't exist because the population of the project will be right next to Main Street. He stated that backing out of driveways there is an issue with the bottleneck of undeveloped land. By doing this project Skyline will be much safer. Mr. Anderson stated that the Sensitive Overlay was stated as needing to be removed, but that is not true. He stated that by doing the proposed project, this project allows them to work within the Sensitive Land Overlay. Mr. Anderson stated that everything across the street is zoned MU-G, Mixed Use General. He further stated the concern about wildlife will put the density on the western side and the wildlife will still have the mountain. He further stated that there have been geotechnical surveys and there will be no need to dig into the slope of Little Mountain.

Mr. Bolser stated that the Sensitive Overlay removal will have to happen for the project to happen.

Mr. Malcom Walden stated that he lives about a block from the area. He stated that during that time he has seen Tooele change. He stated that this is an abysmal idea. He stated that this is a quality of life issue and he enjoys the view when looking at Little Mountain. Having a wall of buildings and the hundreds of people that will come with it, will destroy the quality of life in that part of Tooele. He stated that he hates the thought of the solitude of walking along the cemetery being replaced by the people living on that property. The impact on the lives of those who live there, should be considered. He thanked the Commission and hoped they would give consideration of the terrible impact to those who live there.

Ms. Winona McGoregal stated that there will need to be a new street light and street upgrades. The traffic is bad and residents cannot get out. She stated that where she lives, she can't see the traffic coming towards her home. It will be ridiculous with that many residents coming in.

Ms. Colleen Bennion stated that she lives the fifth home up Skyline. She stated that she cannot see to get out of her driveway. She stated building has been done at the top of Skyline because of the vacant land. She stated that building across from where she is with a park, would bring kids and parents. There is another park up the street, which is nice. While she has lived there, there have been three fires on Little Mountain. Ms. Bennion shared a story of a tire rolling off the mountain. She stated that she has had wildlife dead in her driveway and shared a story of deer death in her backyard. She shared a story about a truck rolling down Little Mountain. She stated that the people will use Skyline Drive to get to Main Street. She is not in favor of the rezone. She shared a story about another rezone application ten years prior.

Ms. Cindy Hollar stated that Ms. Bennion is her mother. She asked about the planning of the property and if the whole area would be zoned the new zone. Mr. Bolser stated that the entirety of the property is under the application and would change. Ms. Hollar asked if anyone would need to comeback if the zoning is changed. Mr. Bolser stated that if it was a single family home, they would have to come back for subdivision process, a multi-family would have to go through approval of the Planning Commission, and a single family home would not have to go through Planning Commission review.

Mr. Kevin Carney stated that he lives on Skyline Drive. He stated that he is an environmental scientist for the State of Utah, but he is at the meeting as a concerned citizen and not representing the state. He stated that he shares a lot of the same concerns. He is worried about the construction and hazards in the area from the construction, excavation into the mountain and the stability of the structure. He stated that he found a map from the US Geological Survey Map that showed a fault line through Little Mountain. The map has been put into public record. He stated that there should be some definite studies done to determine the safety of the project. He is concerned about the wildlife. The traffic is a concern and he has had several motorcycle accidents on his property. He made comments about water usage and he doesn't know where the water is going to come from. The runoff water is also a problem. Mr. Carney stated that the apartments will only be west of 200 East, but why would the property above 200 East need to be rezoned. Later on, if it is zoned for this use, then there could be building on that piece of property.

Me. Lance Halcomb stated that he was born in the residence where he lives now on 2nd East. He wanted to speak to quality of life. He stated that there is beauty and peace in Tooele. He shared his history of living around the country and seeing the parks to give peace for residents. Tooele is one of the most beautiful places. To look out on a wall of houses breaks that peace and he cannot put a monetary value on what the peace brings. He stated that if he had his way Tooele would buy the property for open space. He stated that many people have climbed Little Mountain.

Mr. Jim Hanzelk and he lives in Stansbury Park, but his daughter lives along Skyline. He shared a story about the geology of Riverdale area of Ogden. A lot of the topography features he learned about in his story are on Little Mountain. He stated that this developer has had issues in Stansbury. He stated that he would not remove the Sensitive Overlay and it has been stated it has to be removed. He encouraged the Planning Commission to get every contract with this

developer in writing. He further stated that he would not remove the Sensitive area based on the geography of the area that he has seen. There is a reason the Sensitive Overlay is there.

Ms. Samantha Vincent stated that she bought her grandfather's home. She stated there are apartment buildings being built behind Macey's and now they are blocking the view. She would hate to see the beauty replaced by buildings.

Chairman Graf closed the public hearing.

Commissioner Montano stated that he is struggling on what to do with the City Council policy of not approving multi-family residential projects. He thinks that the issue should be tabled until the policy is withdrawn and then make a decision.

Mr. Steve McCleery is the applicant and developer and wanted to make a statement. He apologized the for any hard feelings by the residents. He stated that he got involved with the Gordons who own the property, while working with them about a commercial building in downtown. During that process with the commercial building, he has gotten to know the owners of the Main Street corridor as well as the Mayor and City Council Members. He is trying to control the situation and still be a massive impact of the individuals around him. He didn't remove the application fee because he felt like he needed to do this and does not care about the money. The two acres to the side would not need to be rezoned, because these acres were to limit the impact to the neighbors. There has been a lot of geo work, fault studies, slope analysis studies, rockfall studies, and EarthTech did all those studies. There has been evaluation of where to put things safely and mitigate Mother Nature. He stated that 99% of the development in the city is going to the north side of town and devaluing the south side of town. Mr. McCleery wanted to be impactful to the downtown area. He stated that he has played within the safety. He stated that he does not intend to remove the Sensitive Overlay. The plan does not affect the mountain itself. The traffic will be controlled so it will not go into the residential area. The park will really be a trailhead with parking. He has been working on this for two years and has had a work session with the City staff. He stated that he knew it would be tough with the community, and he wants the community's input. The same reason this land keeps coming back to multi-family is the most harm to Mother Nature would be single-family homes on the property and no one can afford it. Mr. Cleary stated that there is a mountain backing the project and they have pushed the project west on the property to get it away from the views. He wants a project that will be impactful to the downtown area and he is trying to mitigate the harm to the residents. Mr. McCleary stated that no driveways will go onto Skyline. He is doing the best he can and he has done a lot of work to get there.

Commissioner Robinson asked if the application would require changing the Sensitive Overlay? Mr. Bolser stated that it would.

Commissioner Sloan asked that there was an intent not have no driveways on Skyline, so where are ingress and egress for the property. Mr. McCleery stated that there is a rainbow design to the south of the property with the road. A concept map is was shown on the screen. Mr. McCleery stated that they are below the slope analysis and slope topography.

Chairman Graf thanked the constituents and turned it back to the Commission.

Commissioner Robinson motioned to forward a negative recommendation to the City Co7uncil for the Skyline Vista Zoning Map Amendment Request t Skyline Vista Properties, Skyline Dr Property & Gordon's Inc, to reassign the subject properties to the MR-25 Multi-Family Residential zoning district, application number P19-343, based on the findings and subject to the conditions listed in the Staff Report dated June 4, 2019. Commissioner Smart seconded the motion. The vote as follows: Commissioner Hamilton, "Aye," Commissioner Smart, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Montano, "Aye," Chairman Graf, "Aye." The motion passes.

Commissioner Robinson stated that he voted for the negative recommendation due to the City Council policy in place for infrastructure reviews and the need to keep the Sensitive Overlay as outlined in the Staff Report.

Commissioner Sloan stated that he wanted to explain his vote. He travels that road probably a dozen times a day. The design has been put forth to mitigate the impact to driveways, but the simple fact to the sheer number of families and vehicles with the current infrastructure of Skyline and Main Street is still a problem. Skyline and Main Street is a horrible intersection. The number of dwellings being added would not help the current situation.

Chairman Graf stated that the developer needs a decision from the Planning Commission. He stated that one of his biggest concerns is the removal of the Sensitive Overlay and what can come down that mountain over time.

5. **Public Hearing and Recommendation on a Zoning Map Amendment request from the R1-7 Residential Zoning District to the MR-16 Multi-Family Residential Zoning District by Zenith Tooele, LLC, for 32.26 acres located at approximately 600 West 1200 North,**

Presented by Andrew Aagard

Mr. Aagard stated that the current zoning of the property is R1-7 Residential. The properties to the north, east, and west bare the same zoning with some commercial to the south adjacent to 1000 North. The applicant is proposing to rezone to MR-16 Multi-Family Residential. A concept plan was included in the packet. The main differences between the existing zoning and the requested zoning is density and housing types. R1-7 Residential permits up to five units per acre and permits single family and two-family dwellings. MR-16 Multi-Family Residential permits 16 units per acre and only three-family, four-family, and multi-family units. If the property is developed in the R1-7 Residential zone, after accounting for roads and public infrastructure, the approximate unit count be 130 units. If developed in the MR-16 Multi-Family Residential the approximate unit count could reach 400 units. This is a public hearing and notices were sent out. There have been no public comment received at the City.

Mr. Bolser stated that the City Council has issued a policy about multi-family Zoning Map Amendments as it was explained in the prior item. There is one caveat applicable for this application. There is a caveat in the Council policy that specifies that if a property is subject to a

contractual obligation that the City has to consider a Zoning Map Amendment, those will not be affected by the policy that was issued. This property is a part of a contractual obligation and the policy for multi-family residential Zoning Map Amendments is not in effect for this application.

Mr. Aagard stated that the applicant has a presentation for the Planning Commission that they would like to present.

Mr. Chuck Akerlow who represents Zenith Development stepped forward to address the Planning Commission. He stated that they are the owners of the property. He stated he hoped that the application had been reviewed by the Planning Commission. He further read from the Tooele City Settlement Agreement with Overlake Development and corresponding City Council Ordinance 2015-04 and the Tooele City Moderate Income Housing Plan.

Commissioner Smart asked to be excused due to a commitment at home. He was replaced by Commissioner Hammer for voting; her arrival at the meeting had been delayed. Commissioner Whitehouse also was excused due to an emergency call.

Mr. Akerlow turned the meeting over to Gerry Tully for the presentation. Mr. Tully is the planner for the property. He presented a power point presentation to show the concept plan and design plans for the property which includes, single family residential, apartments, townhomes, single family cottage homes and a possible 55-plus development. There would also be commercial to the south if the developers purchase a plat of land. The community would have a park, walking trails, gazebo, courtyards and common areas. A copy of the presentation was kept for public record.

Mr. Tully asked for a positive recommendation and any feedback to be given to them so they can improve the project.

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

Commissioner Hamilton stated that he appreciated the proactive nature of the applicant. He appreciated the information to make an informed decision.

Chairman Graf opened the public hearing.

Ms. Samantha Vincent stated that the development looks beautiful. She asked about traffic and how that will be addressed? She loves Tooele, but driving back and forth is an issue.

Commissioner Sloan stated that there are things being done. Mid Valley Highway will be under construction by the end of the calendar year. There is work on a Lake Point extension. Several things are in the works, but they take money. Tooele County needs roof tops and more residents to spend more money for the projects.

Chairman Graf closed the public hearing

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

Commissioner Sloan motioned to forward a positive recommendation to the City Council for the for the Lexington Greens Zoning map Amendment Request by Zenith Tooele, LLC to reassign the subject property to the MR-16 Multi-Family Residential zoning district, application number P19-379, based on the findings and subject to the conditions listed in the Staff Report dated June 3, 2019. Commissioner Robinson seconded the motion. The vote as follows: Commissioner Hamilton, "Aye," Commissioner Hammer, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Montano, "Aye," Chairman Graf, "Aye." The motion passes.

Commissioner Sloan stated that he loved the project and thanked the applicant for bring it to Tooele.

6. **Public Hearing and Decision on a Conditional Use Permit to allow the use of "Auto Impound Yard" for Stauffer's Towing, located at approximately 150 Feldspar Street in the I Industrial zoning district on approximately 1.95 acres.**

Presented by Andrew Aagard

Mr. Aagard stated that the application is for a property located in the industrial park on an existing industrial property. The property is zoned I Industrial as are all of the surrounding properties. The applicant operates a vehicle towing business and needs a place to store impounded vehicles. Impound yards are allowed in the Industrial zone but need a Conditional Use Permit. A photo of the property was shown on the screen. It is an existing business that already has trailers and heavy equipment onsite. The applicant will be leasing a space within the fenced property to store the impounded vehicles. Notices were issued according to state requirements and no comments have been registered concerning this application. Staff is satisfied that this is an appropriate place for an auto impound yard and is recommending approval with the basic housekeeping conditions listed in the Staff Report.

Chairman Graf asked the Commission if they had any questions of comments, there were no comments.

Chairman Graf opened the public hearing, there were no comments. Chairman Graf closed the public hearing.

Mr. Stephen Marrs stated that he is the applicant and the reason that they would like a yard in Tooele is because several of their drivers live in the City. They do accidents regularly in Tooele and have to take the vehicles back into Salt Lake County for storage. This will allow the accidents to stay in the City.

Commissioner Hammer asked about the fencing. The Staff Report states that there is chain-link and barbed wire, will there be any slats or site obscuring fencing. Mr. Marrs stated that they are leasing the property in the very back of the yard. The cars would not be visible from the street.

Commissioner Hamilton motioned to approve the Conditional Use Permit Request by Stephen Marrs of Stauffer's Towing for the purpose of permitting "Auto Impound Yard" at 150 Feldspar Street, application number P19-380, based on the findings and subject to the conditions listed in the Staff Report dated June 3, 2019 with an additional recommendation that all vehicles towed to the property, stay within the fenced area. Commissioner Hammer seconded the motion. The vote as follows: Commissioner Hamilton, "Aye," Commissioner Hammer, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Montano, "Aye," Chairman Graf, "Aye." The motion passes.

7. **Decision of a Site Plan Design Review for the Canyon Village Rust Condominium development proposed by Mountain Vista Development, Inc, located at approximately 1800 North 380 East on approximately 1.38 acres.**

Presented by Andrew Aagard

Mr. Aagard stated that the site has been before the Planning Commission in prior weeks. This is the site plan approval to determine if it meets standards as designed by the City's site plan ordinance. The properties are just north of the Copper Canyon Elementary School. The properties are zoned MR-16 Multi-Family Residential. As are the surrounding properties, excluding some properties to the north that are commercial zoning. The site plan includes 24 condominium units with some common area. Common area will be maintained by a development HOA. The landscape plan demonstrates tree location, shrub location and common area as per the Multi-Family Design Standards ordinance. The design does comply with the ordinance. The front, back and side elevations were shown on the screen. The front exteriors consist of stones and veneer stucco and hardy plank siding. The rear of the units contains a stone wainscot, pop outs for unit delineation, color variation for each unit and decorative dormer windows. The side elevation includes wainscot, stucco and cross gables. Staff has worked closely with the applicant to make changes from the original proposal as well as the site plan to bring them into compliance with the design standard ordinance. Site plan and building exteriors now comply and staff is recommending approval.

Commissioner Robinson motioned to approve the Site Plan Design Review Request by Mountain Vista Development, Inc. for the Canyon Village Rust Condominiums proposed at approximately 1800 North 380 East, application number P19-367, based on the findings and conditions listed in the Staff Report dated June 3, 2019. Commissioner Hamilton seconded the motion. The vote as follows: Commissioner Hamilton, "Aye," Commissioner Hammer, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Montano, "Aye," Chairman Graf, "Aye." The motion passes.

8. **Recommendation on a Minor Subdivision request for the Utah Industrial Depot Minor Subdivision No. 37 Amended by Peterson Industrial Property, located at approximately the southeast corner of Feldspar Street ad K Avenue in the I Industrial zoning district for the purpose of creating three industrial lots.**

Presented by Andrew Aagard

Mr. Aagard showed an aerial photograph on the screen. The property is zoned I Industrial, as are all of the surrounding properties. The minor subdivision proposes to split the existing 14.8 parcel into three industrial lots ranging in size from 5 acres to 1.9 acres. All three lots meet or exceed the minimum lot requirements of lot size, lot width, and frontages within the industrial zone. All streets within the area are private roads and remove any need for road dedication. Staff is recommending approval with four standard conditions in the Staff Report.

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

Commissioner Hamilton moved to forward a positive recommendation to the City Council for the Utah Industrial Depot Minor Subdivision No. 37, Amended, Minor Subdivision Request by Brock Peterson, representing Industrial Property, application number P19-129, based on the findings and subject to the conditions listed in the Staff Report dated June 4, 2019. Commissioner Sloan seconded the motion. The vote as follows: Commissioner Hamilton, "Aye," Commissioner Hammer, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Montano, "Aye," Chairman Graf, "Aye." The motion passed.

9. **Recommendation on a Final Plat Subdivision request for Overlake Estates 1L Phase 2 by Perry Development LLC, located at approximately 620 West 2000 North on the R1-7 Residential zoning district for the purpose of creating 31 single-family residential lots.**

Presented by Andrew Aagard

Mr. Aagard stated that this is phase 2 of the Overlake 1L Subdivision. The property extends the 1L subdivision to the west. The property is zoned R1-7 Residential, as are all of the surrounding properties. The phase 2 facilitates the creation of 31 residential lots. Each lot meets or exceeds lot requirements for lot size, lot width, and lot frontages. There is double fronting lots along 2000 North and the landscaping plan was provided. The area will be maintained by the development HOA. Staff is recommending approval of the final plat with the conditions listed in the Staff Report.

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

Commissioner Sloan moved to forward with a positive recommendation to the City Council for the Overlake 1L Phase 2 Final Plat Subdivision Request by Dan Reeve, representing Perry Development LLC for the purpose of creating 31 new single-family residential lots, application number P19-97, based on the findings and subject to the conditions listed in the Staff Report dated May 14, 2019 Commissioner Bevan seconded the motion. The vote as follows: Commissioner Hamilton, "Aye," Commissioner Hammer, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Montano, "Aye," Chairman Graf, "Aye." The motion passed.

10. **Review and Approval of Planning Commission minutes for meeting held May 22, 2019.**

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

Commissioner Sloan moved to approve minutes from the meeting held on May 22, 2019. Chairman Bevan seconded the motion. The vote as follows: Commissioner Hamilton, "Aye," Commissioner Hammer, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Montano "aye," Chairman Graf, "Aye." The motion passed.

11. **Adjourn**

Commissioner Hammer move to adjourn the meeting. The meeting adjourned at 9:47p.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 26th day of June, 2019

Tony Graf, Chairman, Tooele City Planning Commission

Zone Change Request
Tooele City Planning Committee Meeting

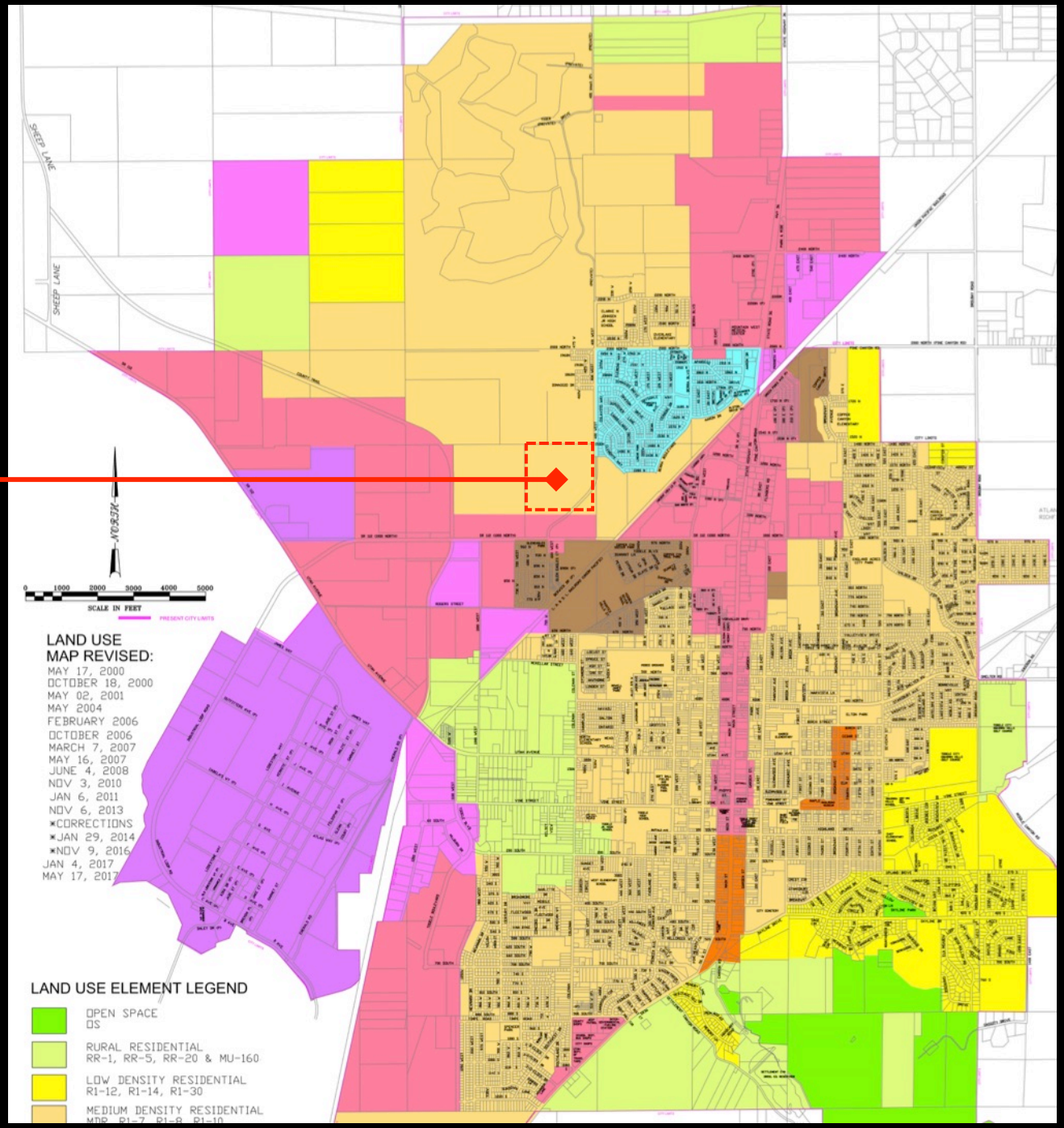


Lexington Greens

June12, 2019

General Plan

Lexington Greens

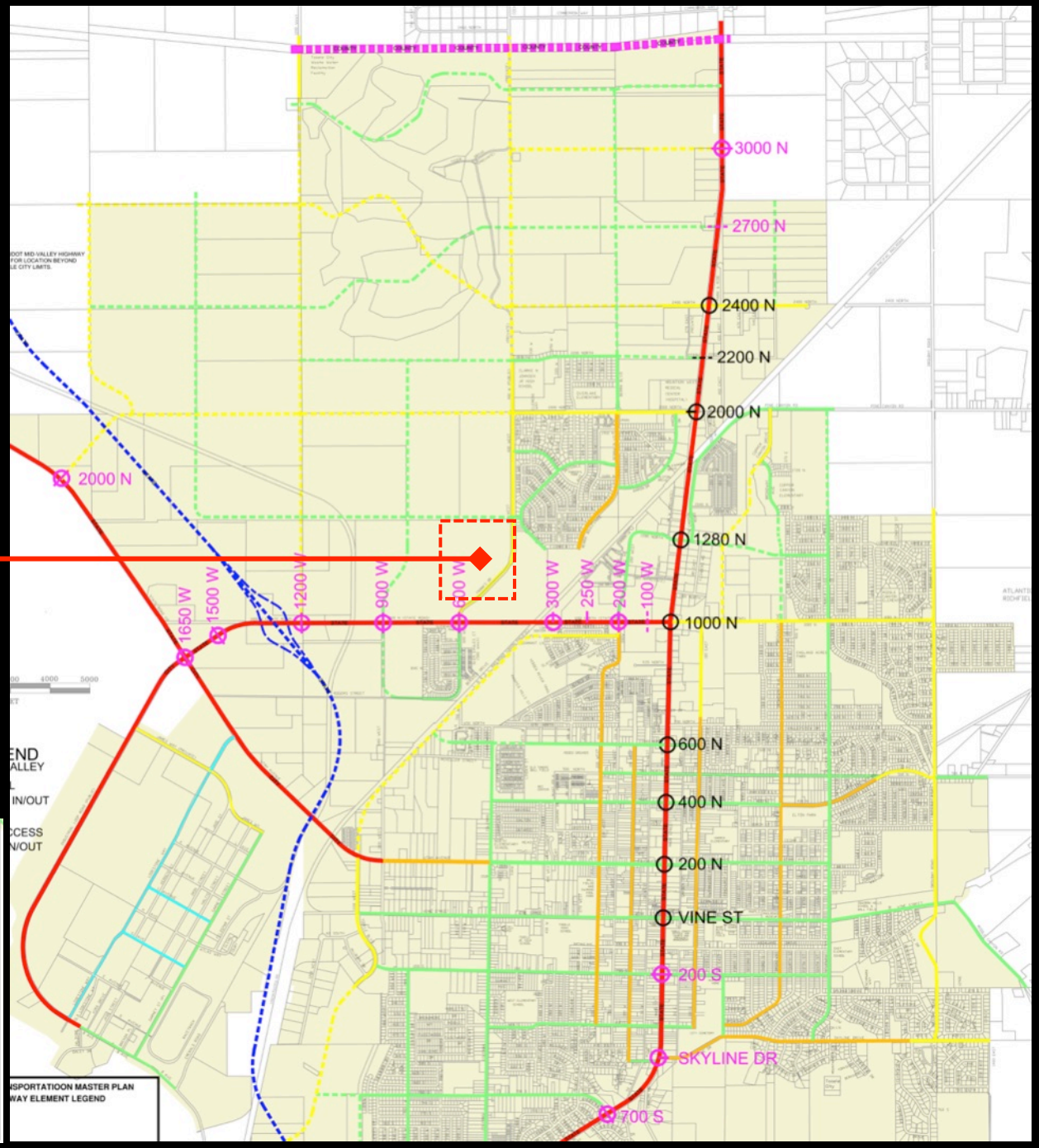




Transportation Plan

Lexington Greens





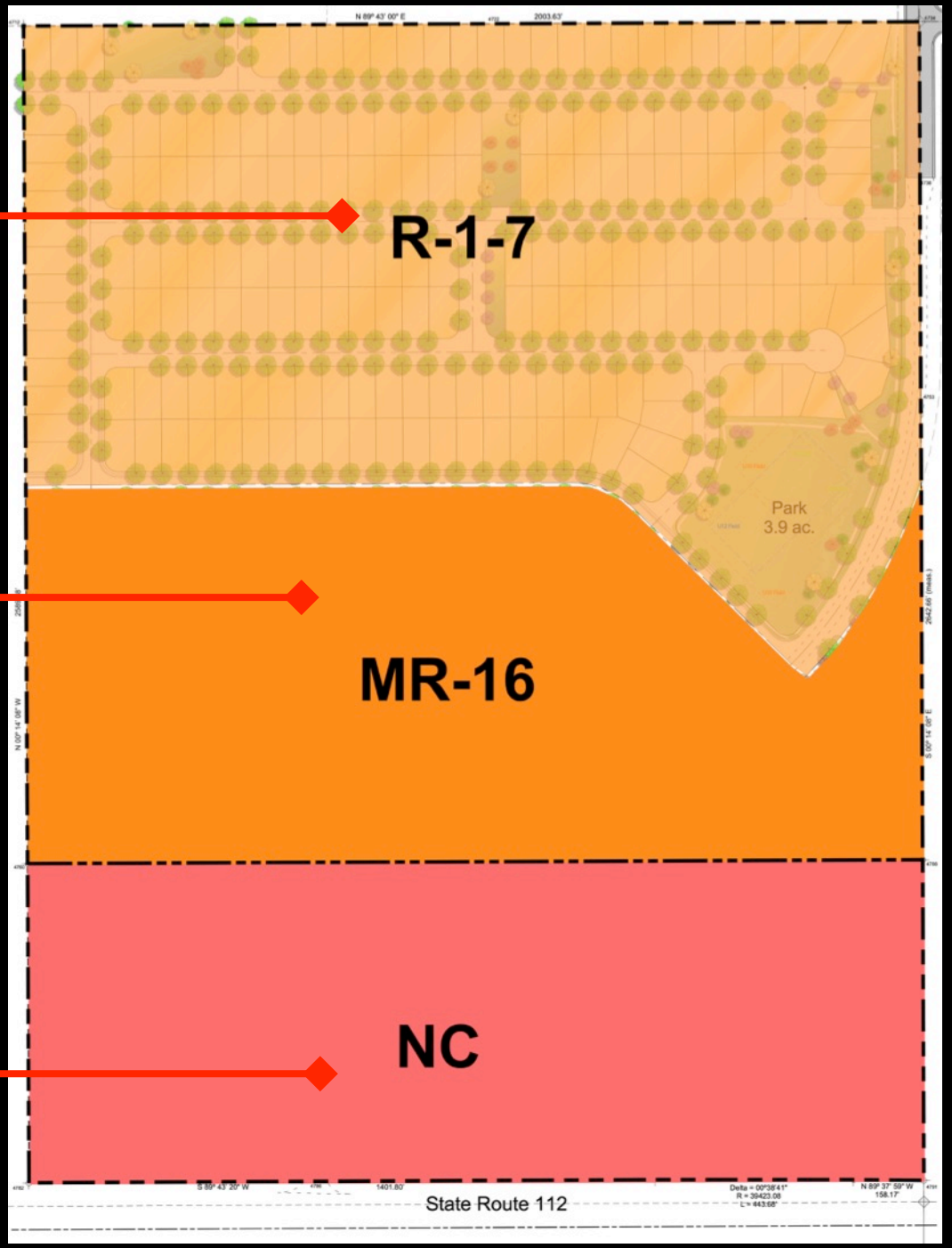
Proposed Zoning

Single Family Lots
Previously Approved
192 Lots – 54.1 Acres
3.5 Homes per Acre

Multi-Family Residential
354 Unit - 32.3 Acres
10.9 Homes per Acre

Overall Project Density
6.32 Homes Per Acre

Commercial Development
32.8 Acres



Zoning Considerations :

1. Plan is Consistent with Prior City Actions
2. Housing Types Are Expanded To Meet A Variety of Market Demands
3. Total Units Proposed Represent A Gross Density Of 6.32 Units per Acre
4. Apartments Are Limited In Scope
5. Future Site Development Will Be Governed By Existing City Codes and Ordinances

Residential Zoning Districts Purpose:

The purpose of the **MR-16** Multi-Family Residential district is to provide an environment and opportunities for high density residential uses, including primarily attached residential units, apartments, condominiums and townhouses with limited attached single-family dwellings.

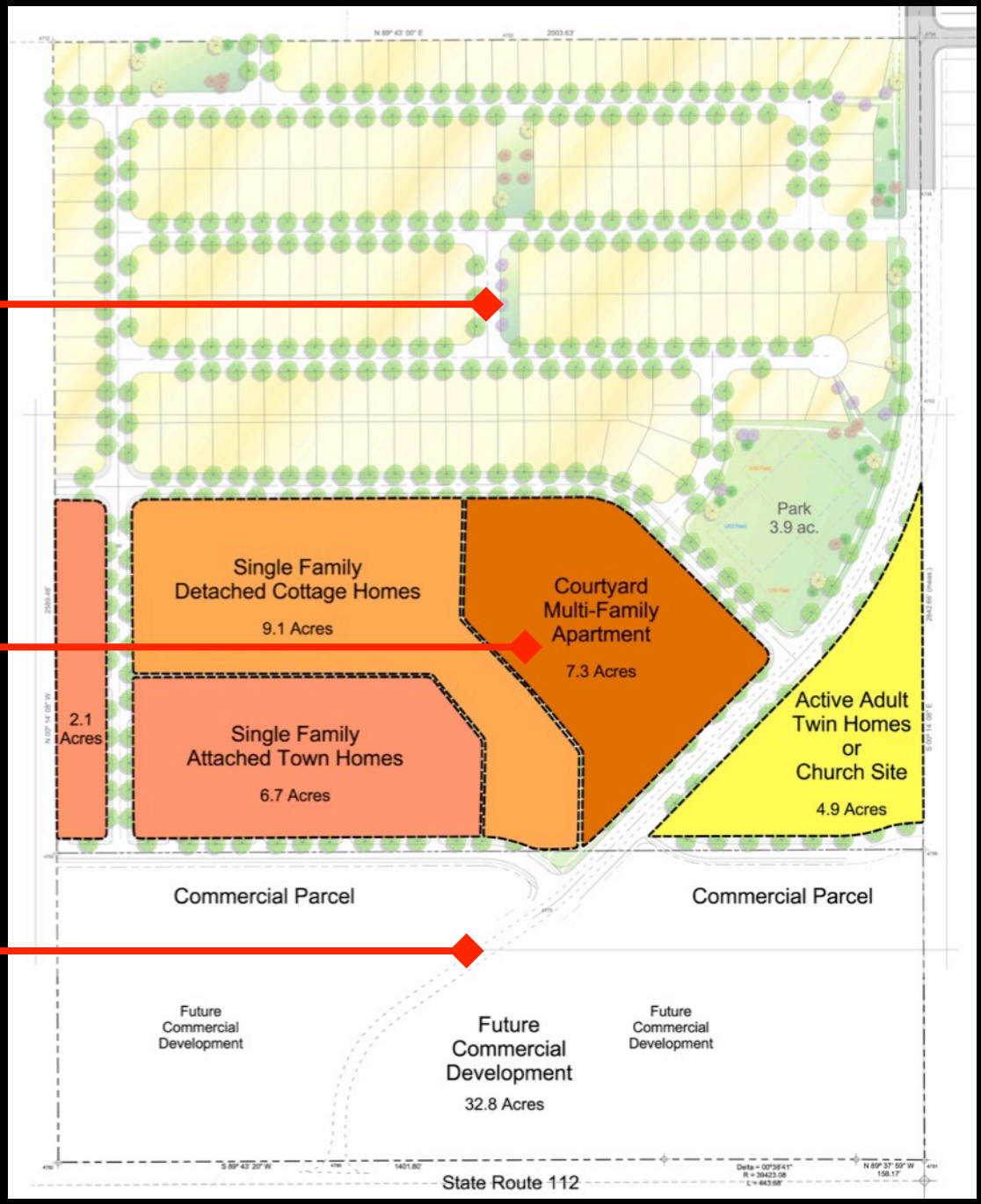
This zoning district is intended to serve as a transitional district between principally single-family residential zoning districts and higher density multi-family zoning districts.

Master Plan

Single Family Lots
Previously Approved
192 Lots – 49.1 Acres

Medium Density Residential
32.3 Acres

Commercial Development
32.8 Acres



Vehicular Circulation Plan



Illustrated Site Plan



Illustrated Site Plan



Cottage Lot Homes







Courtyard Homes









Attached Townhomes









Multi-Family Apartments









Amenities











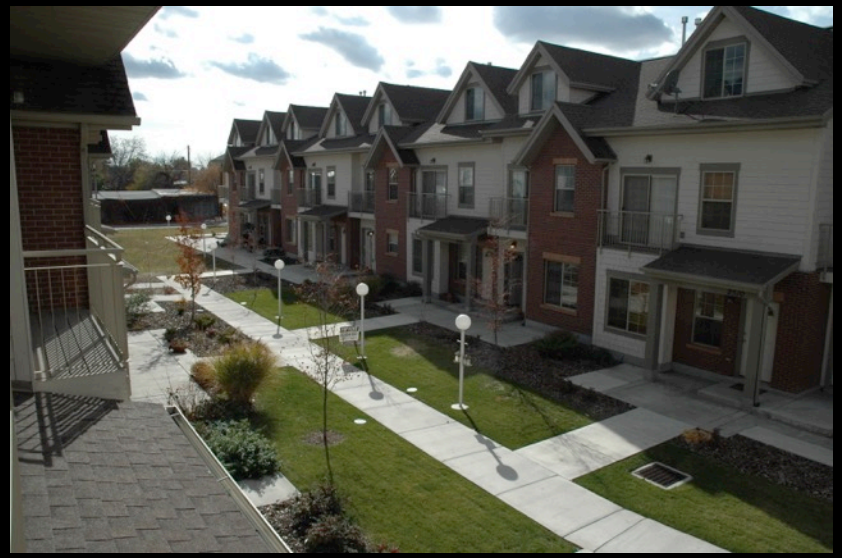
Pedestrian Circulation Plan





Community Park

Pathways









Pocket Parks and Play Areas







Parks, and Play Fields



Unique Recreation Opportunities



Action Requested:

1. Approval Rezoning Application

2. Provide Feedback On The Plan

Thank You!

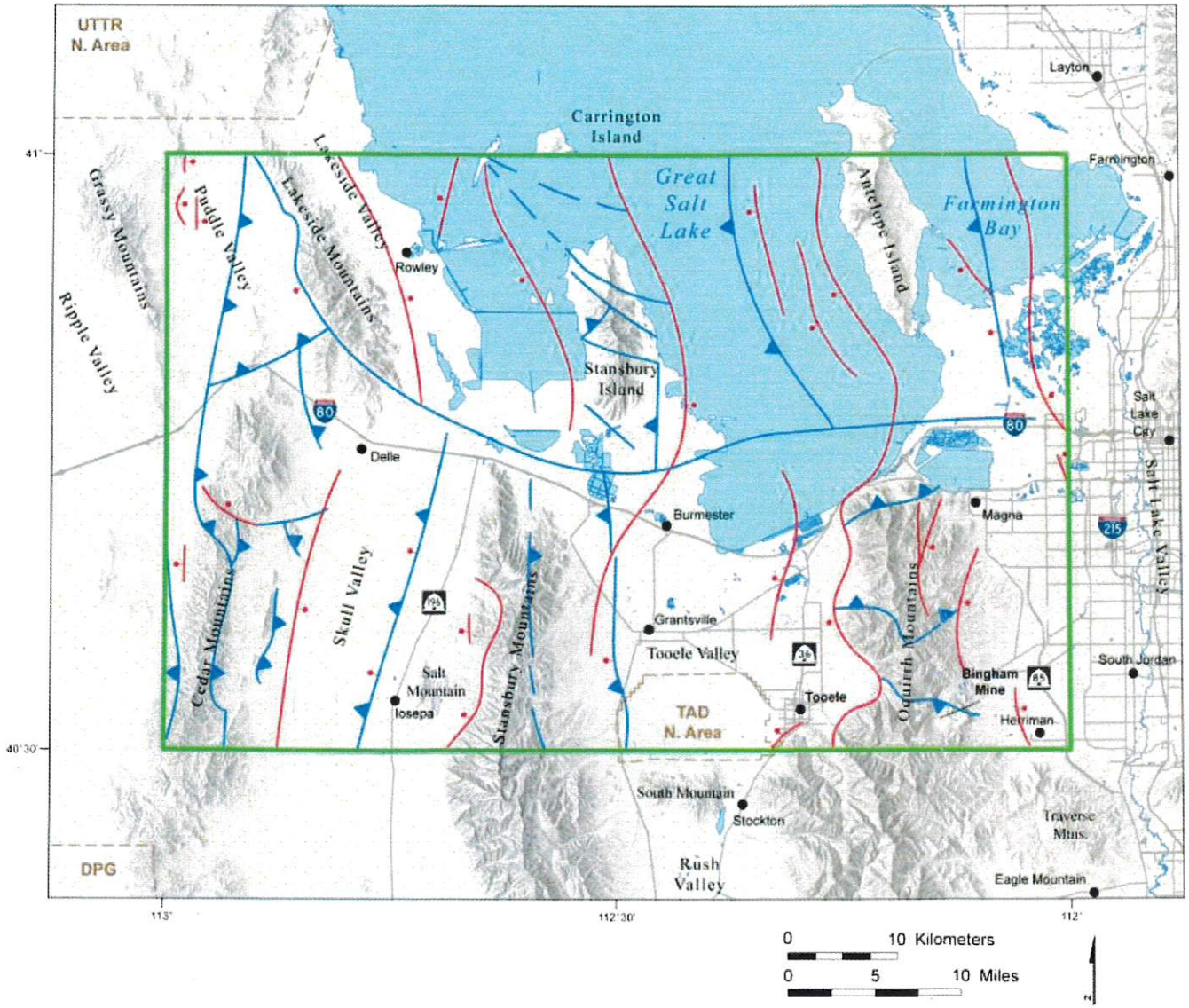
Zenith Development



Tully Design LLC

Landscape Architecture
Community Design
Land Planning

Salt Lake City, Utah
(801) 550-8991



The Tooele 30' x 60' quadrangle (green outline) contains major faults related to periods of compression (blue) and extension (red). Sawteeth on upper plate of thrust faults. Bar and ball on down-dropped block of normal faults. No decoration on tear faults or faults of unknown displacement.