

**TOOELE CITY PLANNING COMMISSION MINUTES**  
**January 11, 2012**

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

**Commission Members Present:**

John Curwen, Chair  
Melanie Hammer  
Phil Montano  
Matt Robinson  
Steve Dale  
Chris Sloan  
Tom Poyner

**Commission Members Excused:**

Fran Garcia

**City Employees Present:**

Rachelle Custer, City Planner  
Paul Hansen, City Engineer  
Cary Campbell, Public Works Director  
Roger Baker, City Attorney  
Councilman Brad Pratt

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

1. **Pledge of Allegiance**

The Pledge of Allegiance was led by Commissioner Dale.

2. **Nominate and Elect Planning Commission Chairman and Vice Chairman for 2012.**

Presented by Rachelle Custer

Ms. Custer stated that by the Tooele City by-laws the Planning Commission is required to elect a chairman and vice chairman every year. The chairman may serve up to two years. John Curwen has served as chairman for one year.

Chairman Curwen called for any nominations.

**Commissioner Dale moved to nominate John Curwen as Chairman of the Tooele City Planning Commission for 2012.** Commissioner Montano seconded the motion.

**Commissioner Sloan moved to nominate Matt Robinson as Chairman of the Tooele City Planning Commission for 2012.** Commissioner Robinson seconded by motion.

**Commissioner Sloan moved to close the nominations.** Commissioner Dale seconded the motion. All members present voted “Aye”.

Chairman Curwen called for a vote to appoint John Curwen as Chairman of the Tooele City Planning Commission for 2012. The vote was as follows:

John Curwen, “Aye”  
Phil Montano, “Aye”  
Matt Robinson, “Nay”  
Steve Dale, “Aye”  
Melanie Hammer, “Aye”  
Tom Poyner, “Aye”  
Chris Sloan, “Nay”

Chairman Curwen was elected to serve another year as Chairman of the Tooele City Planning Commission.

Chairman Curwen asked for nominations for Vice-Chairman of the Tooele City Planning Commission.

**Commissioner Hammer moved to nominate Matt Robinson as Vice-Chairman of the Tooele City Planning Commission.** Commissioner Sloan seconded the motion.

**Commissioner Sloan moved to close the nomination for Vice-Chairman of the Tooele City Planning Commission.** Commissioner Hammer seconded the motion. All members present voted “Aye”.

Chairman Curwen called for a vote to elect Matt Robinson as Vice-Chairman of the Tooele City Planning Commission. All members present voted “Aye”.

3. **Setting dates, places and times of 2012 Planning Commission Meetings.**

Presented by Rachelle Custer

Ms. Custer stated that is also required by law that the Planning Commission set dates, places and times for all 2012 Planning Commission meetings. She stated that all meetings will be held at Tooele City Hall, at 90 North Main Street in the Council Chambers. The meetings will remain on the 2<sup>nd</sup> and 4<sup>th</sup> Wednesdays at 7:00 p.m. The only two meetings they do not intend to hold are the 4<sup>th</sup> Wednesday of November and the 4<sup>th</sup> Wednesday of December.

Commissioner Robinson moved to approve the settings of dates, places and time of 2012 Planning Commission meetings as stated above by Ms. Custer. Commissioner Sloan seconded the motion. All members present voted "Aye".

4. **PUBLIC HEARING on vacating public utility and drainage easements along existing lot lines for lot 801, 802, 803 and building 691. Located between Jade Street and Loadstone Way and K Avenue and James Way.**

Presented by Ms. Custer

Ms. Custer explained that this property was subdivided in 2007 which created Minor Sub 8 to include two lots with corresponding public utility and drainage easements. The property has since been acquired by a single owner. Utah Fabrication is the property owner and is requesting that the three lots be joined into one lot and the corresponding public utility and drainage easements along the existing lot lines be vacated to allow for a structure to be built. The easement vacation requires a 10 day advertisement and public hearing. The advertisement has been completed and the utility companies have been notified of the public hearing. The public utilities have signed off on the preliminary plat and stated they are aware and agree with the public utility vacations.

Commissioner Dale asked if this is a three lot subdivision.

Ms. Custer said yes. It includes lots 801, 802, 803 (lot 803 was not included on the original agenda) and it also includes building 691 minor subdivision. She also stated that this is a public hearing.

Commissioner Curwen stated that this is a public hearing if anyone would like to come forward and address the Commission.

Paul Hansen addressed the Commission. Mr. Hansen stated that under this vacation ordinance is an easement that the City very strongly supports in vacating. There is an existing water line easement that comes off of Jade Street, and they are asking this easement be vacated from a city owned and maintained water line, and become the responsibility of the property owner. When the original three lot subdivision was created this water line was necessary to serve all the multiple lots. Now that all of the property is being controlled by one user, all of the water lines within the lot can be privately owned. The water line crosses under rail lines which would be impossible for the city to get in and maintain if it ruptured. They are not asking that the water line be taken out of ground, but the maintenance, ownership and repair become responsibility of the owner. It is on the final mylar that it becomes a private utility.

Commissioner Dale asked if there are any other public utilities that will be affected.

Mr. Hansen said there are other existing easements. There are sewer line easements and other water line easements that the City no longer has interest in maintaining. The City is not opposing any of the other vacations.

Commissioner Sloan asked when a water line is turned over to the owner of the property if the City as an entity decides to take that action.

Mr. Hansen said that the City can decide to take that action. The City supports the improvements that support the use. These are improvements that were made after the water line was put in. It is the action and the need to develop the property with the number of rail lines that has made it a challenge for the City. It is not been something that the City put in place and changed their mind. He feels that it is fair for the City to have this become private because it supports a single user not multiple users.

Mr. Baker said the character of the lot and the water line has changed over time to where it is a lateral line instead of a main city line.

Commissioner Montano thought that once the water line comes on your property you are responsible for maintaining the line.

Mr. Hansen said that is correct, but on this property there was an easement recorded that preserved that waterline as a public line. This action will amend that document.

Mr. Baker said that if there is a water line that goes through private property that serves multiple properties a portion could still be considered a water main instead of a water lateral. Now that ownership and development activity has consolidated on this property it is more appropriate to characterize it as a lateral line instead of a main water line.

Commissioner Dale asked if it was the request to consolidate the lots into one lot that allows the City to take this action.

Mr. Hansen said that is correct. He said if the request had not been submitted the City would be compelled to leave it as a public line.

**Commissioner Robinson moved to close the public hearing.** Commissioner Dale seconded the motion. All members present voted “Aye”. The public hearing closed at 7:15 p.m.

**Commissioner Dale moved to make a favorable recommendation to the City Council on vacating public utility and drainage easements along existing lot lines for lot 801, 802, and 803 and building 691. Located between Jade Street and Loadstone Way and K Avenue and James Way.** Commissioner Sloan seconded the motion. All members present voted “Aye”.

5. **Recommendation Utah Industrial Depot Minor Subdivision No 8 Amended. Combining lots 801, 802, 803 and building 691 and vacating 20 ft. public utility and drainage easements along existing lot lines.**

Presented by Rachelle Custer

Ms. Custer stated that this lot will be combined into one lot and will now be Minor Subdivision No. 8 amended. Staff recommends approval.

**Commissioner Dale moved to make a positive recommendation to the City Council on Utah Industrial Depot Minor Subdivision No 8 Amended. Combining lots 801, 802, 803 and building 691 and vacating 20 ft. public utility and drainage easements along existing lot line.** Commissioner Hammer seconded the motion. All members present voted “Aye”.

6. **Review and Approval of Planning Commission minutes for meeting held December 14, 2011.**

**Commissioner Sloan moved to approve the minutes as presented.** Commissioner Robinson seconded the motion. All members present voted “Aye”.

7. **Adjourn**

**Commissioner Dale moved to adjourn the meeting.** Commissioner Sloan seconded the motion. All members present voted “Aye”. The meeting adjourned at 7:18 p.m.

*The content of the minutes in 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 25<sup>th</sup> day of January 2012

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Chairman John Curwen