

TOOELE CITY PLANNING COMMISSION
August 22, 2007
Minutes

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

Commission Members Present:

Shawn Milne, Chair
Phil Montano
Jerald Sagers
Ken Spence
Steve Dale
Bob Gowans
Councilman Scott Wardle

Commission Members Excused:

Gary Searle
John Curwen
Fran Garcia

City Employees Present:

Richard Jorgensen, Land Use Technician
Paul Hansen, Contract City Engineer
Roger Baker, City Attorney

Minutes prepared by Elisa Jenkins

The meeting was called to order by Chairman Milne at 7:00 p.m. Chairman Milne excused Commissioner's Garcia, Searle and Curwen from the meeting.

1. **Pledge of Allegiance**

The Pledge of Allegiance was led by Commissioner Dale.

2. **PUBLIC HEARING and Motion on conditional use permit for Mountain States Line Constructors Apprenticeship and Training facility to be located at 595 N Industrial Loop Road by Kent Maughan.**

Presented by Richard Jorgensen

Mr. Jorgensen reported that the applicant is looking at a site in the Utah Industrial Depot to build a training facility for the outside electrical construction industry. The property would contain a classroom and outdoor training facilities. Poles, towers and underground exercises will be conducted. There will be poles, towers, and actual power lines on the

ground for practical training purposes. Staff recommends approval of the conditional use with the following condition; the outdoor training facility is secured.

Commissioner Sagers asked if they will run live power to the poles used for training.

Kent Maughan who is on the Board of Directors for Mountain State Line Constructors Apprenticeship and Training addressed the commission. He stated that there will be about 120 volts of power running to the poles used for training. That is a very minimal amount compared to the 150,000 – 230,000 volts that are run to most power poles. The power lines will look the same as poles used by Rocky Mountain Power and other utility companies.

Chairman Milne stated that this is a public hearing. No one came forward to address the issue.

Commissioner Sagers moved to close the public hearing. Commissioner Spence seconded the motion. All members present voted “Aye”. The public hearing closed at 7:07 p.m.

Councilman Wardle explained that this training facility is being located across from Conastoga in the Utah Industrial Depot. This is a very important piece of real estate to the city. This will be the gateway for people coming to Tooele from the west. He would like Mr. Maughan to understand that it is very important to the City Council that this facility be well screened and well landscaped.

Mr. Maughan stated that this apprenticeship facility will be done in two phases. The shop building to store tools will be built in Phase 1. The apprentice office which is now located in Salt Lake will be built in Phase 2. They have facilities across the west and they are very attractive. It is their goal to have attractive buildings. The reason they wanted this piece of property is to let people know who they are. This will be good for Tooele. It will bring income and jobs to Tooele.

Councilman Wardle stated that he believes that this will be good for Tooele. The council’s concern is they hope that it will blend well into the area. Mr. Maughan stated that is a goal they are striving for.

Commissioner Dale asked Mr. Maughan how the poles will be stored. Mr. Maughan stated that they will be laid down in a fenced area. Commissioner Dale asked if the poles will be visible from the road. Mr. Maughan stated that their plans are to put in a berm. They shouldn’t be visible from the road with the berm.

Chairman Milne asked how many lots are between this lot and the highway. Mr. Jorgensen stated that there are no lots. The army does however, own property between this site and the highway which is outside of the UID and City limits. Chairman Milne stated that this property is important to the commission as well because it is the western gateway to the city.

Mr. Maughan stated that there are still lots available to the East of Conastoga.

Chairman Milne asked if the back of the yard can be seen from the road. Mr. Maughan stated that it will be screened because of the slope of the property.

Commissioner Sagers stated that this is a training facility. The poles will be put up and down. It will not always look the same. Mr. Maughan stated that the general appearance will remain the same, but the poles will vary in size.

Commissioner Montano stated that this property is in the Utah Industrial Depot and this is the type of facility that is designed for this property.

Mr. Maughan stated that they have other facilities and they are nice facilities. They try to build attractive facilities, it is important to them. They chose this property because of where it was.

Councilman Wardle stated that this property is in the RDA zone. The RDA board wants this area to be appealing to businesses. It is important to them to attract businesses to the Utah Industrial Depot. This is a valuable resource to the city.

Commissioner Montano stated that the first thing you see in the Utah Industrial Depot is an old tank farm.

Chairman Milne stated that on the configuration that the commission has in their packets it shows about three dozen poles used for training. He asked if it will stay at that number. Mr. Maughan stated that it depends on what the different utility companies demand and what they need to do for training of those companies.

Commissioner Sagers stated that the facility will change depending of what system they are training for and working on. The poles will change and the heights of the poles are different for different circumstances.

Commissioner Gowans moved to approve the Conditional Use Permit for Mountain States Line Constructors Apprenticeship and Training facility to be located at 595 N Industrial Loop Road, with the condition that the outdoor training facility be secured. Commissioner Montano seconded the motion. All members present voted "Aye."

3. **PUBLIC HEARING and Motion on conditional use permit for an in-home preschool to be located at 452 E 770 N by Brycie Pyper.**

Presented by Richard Jorgensen

Mr. Jorgensen reported that there is a new amendment to the building code that requires a fire wall for schools. Mr. Cary Campbell does not know if it is required for in-home pre schools and is checking into this. Staff did not want to hold the CUP up if the firewall is

not required. This is why staff is asking for approval tonight. The applicant would like to teach a preschool in her home. Her home has a designated classroom. She will have no more than six students in each class.

Samantha Vincent addressed the commission. She is the applicant's sister, the applicant had a family emergency and could not be at the meeting tonight. She stated that Ms. Pyper will have two classes with no more than six students in each class. The classes will be from 9:00 a.m.- 10:30 a.m. and 11:00 a.m. to 12:30 p.m. on Monday's Wednesdays and Thursdays. She stated that she has passed her fire inspection and her building inspection.

Commissioner Gowans wanted to make sure the applicant knows that there is to be no signage on the property.

Chairman Milne stated that this is a public hearing. No one came forward to address the issue.

Commissioner Sagers moved to close the public hearing. Commissioner Spence seconded the motion. All members present voted "Aye". The public hearing closed at 7:24 p.m.

Commissioner Dale moved to approve the Conditional Use Permit for an in-home preschool to be located at 452 E 770 N by Brycie Pyper with the condition of final interpretation of the new fire wall building code requirement by Mr. Campbell. Commissioner Sagers seconded the motion. All members present voted "Aye."

Commissioner Montano noted that some of the paperwork from the staff has an address of 453 E. The correct address for this CUP should be 452 East 770 N.

4. **PUBLIC HEARING and Motion on conditional use permit for a medical office building to be located at 1900 N Aaron Drive by Dr. Carolyn Forbes.**

Presented by Richard Jorgensen

Mr. Jorgensen stated that the correct address for this CUP should be 1832 Aaron Drive. The first address was estimated. This will be in the Overlake Highway Commercial zoning area. Medical clinics are allowed in this zone with a conditional use permit. This building will be 18,220 square feet with 9,110 square feet on each floor. The building will be split up into condo units with specific tenant finishes being done at the time of condo purchase. It is proposed to have a mix of medical and professional uses in this building. The building sits on a 2 acre site. The developer will be required to meet all ordinances of Tooele City and all aspects of the Overlake Development agreement applicable to this project. Staff recommends approval of the conditional use permit with the following condition: An approval letter is submitted from ODRC prior to site plan approval.

The applicant stated that the plans have been submitted to ODRC.

Chairman Milne noted that this building will be similar to the building across the street.

Chairman Milne stated that this is a public hearing. No one came forward to address the issue.

Commissioner Sagers moved to close the public hearing. Commissioner Spence seconded the motion. All members present voted “Aye”. The public hearing closed at 7:30 p.m.

Commissioner Spence moved to approve the Conditional Use Permit for a medical office building to be located at 1900 N Aaron Dr by Dr. Carolyn Forbes with the condition that an approval letter be submitted from ODRC prior to site plan approval. Commissioner Sagers seconded the motion. All members present voted “Aye”.

5. **PUBLIC HEARING and Motion on conditional use permit for an in-home preschool to be located at 2151 N 130 W by Callee Didericksen.**

Presented by Richard Jorgensen

Mr. Jorgensen stated that the applicant is proposing to teach a preschool class in her home. She has a room in her home designated as a classroom. She will teach three and four year olds. She will have a maximum of 4 classes each meeting twice per week for two hours. Each class will have not more than six students. Staff recommends approval of the conditional use permit with the following conditions 1) fire department inspection and approval 2) building department inspection and approval and 3) final interpretation of the new firewall building code requirement.

Chairman Milne stated that this is a public hearing. No one came forward to address the issue.

Commissioner Sagers moved to close the public hearing. Commissioner Montano seconded the motion. All members present voted “Aye”. The public hearing closed at 7:33 p.m.

Commissioner Gowans told the applicant that there is to be no signage on the home.

Mr. Jorgensen asked the applicant what her hours of operation are going to be. The applicant stated that her hours of operation are Mondays, Tuesdays, Thursdays, and Fridays from 9:00 a.m. to 11:00 a.m. and from 1:00 p.m. to 3:00 p.m.

Commissioner Dale asked if those hours days and hours of operation are permanent or if they might change. The applicant stated that they are permanent.

Commissioner Sagers moved to approve the Conditional Use Permit for an in-home preschool to be located at 2151 N 130 W by Callee Didericksen. With the following conditions 1) Fire Department inspection and approval 2) Building Department inspection and approval and 3) final interpretation of the new firewall building code requirement. Commissioner Dale seconded the motion. All members present voted “Aye”.

6. **PUBLIC HEARING and Recommendation on an ordinance of the Tooele City Council assigning the General Commercial (GC) zoning district to land owned by NETBETT L.L.C., located west of SR-36 and South of the future 1000 North.**

Presented by Richard Jorgensen

Mr. Jorgensen stated that this area owned by NETBETT L.L.C. West of SR 36 and south of the future 1000 North is currently zoned Light Industrial it is recommended by Tooele City administration that the zoning be changed to General Commercial. The General Commercial zoning is consistent with the Tooele City General Land Use Plan and is consistent with the uses in adjoining areas. Staff recommends that Planning Commission make a favorable recommendation to the City Council on the above mentioned zoning change.

Mr. Baker commented that not only would this change make this consistent with the General Plan but it would also make it consistent with the corridor coming from SR 112. The new SR 112 will hook into Utah Avenue. This property was recently sold by the Tate’s for a retail development. It is still being discussed to what type of retail development will be built. Staff is still waiting to see what will happen

Chairman Milne stated that if Commissioner Searle were here he would be happy to see a commercial development on this property instead of residential.

Councilman Wardle stated that this looks great and the council hopes to get it done.

Chairman Milne stated that this is a public hearing. No one came forward to address the issue.

Commissioner Gowans moved to close the public hearing. Commissioner Sagers seconded the motion. All members present voted “Aye”. The public hearing closed at 7:38 p.m.

Commissioner Gowans moved to make a favorable recommendation to the City Council on an ordinance of the Tooele City Council assigning the General Commercial (GC) zoning district to land owned by NETBETT L.L.C. located West of SR-36 and South of the future 1000 North. Commissioner Sagers seconded the motion. All members present voted “Aye”.

7. **PUBLIC HEARING and Recommendation for preliminary plan approval on West Meadows Plat D amended. Vacating and amending West Meadows Plat D. Consisting of 21 lots on 31.57 acres located at 700 South 1200 West by Titan Development.**

Presented by Richard Jorgensen

Mr. Jorgensen stated that this project was started ten years ago. When West Meadows Plat D was recorded it was platted to have a Light Industrial area to the West of this subdivision. It was therefore platted to have two HDR lots and two Commercial lots. Due to some traffic concerns and the delay on Tooele Boulevard construction the light Industrial development has been relocated to the Tooele Commercial Park. Because of this change the developer does not feel that it is feasible to have Commercial lots in this area. The developer has amended the plat to add 20 residential R1-8 lots in place of the two commercial lots. This plat vacates the easements on the two prior commercial lots. Staff recommends a favorable recommendation to City Council on the preliminary plan and final plat for West Meadow Plat D amended. He stated that this is ten years of complications.

Chairman Milne stated that lots 11-20 would be double frontage lots.

Mr. Hansen explained that the intent of this plat is to also vacate a portion of Tooele Boulevard. The city does not know the plans of Tooele Boulevard at this time since the whole nature of that property is under redevelopment consideration. The city council is in the process of designating the property as surplus property then offering it for sale. One of the motivating factors was to proceed with this action so we didn't have truck traffic on 700 south. The property will remain Light Industrial zone. The zone is not changing at this time. Chairman Milne asked if the double frontage lots would remain. Mr. Hansen stated that double frontage lots are irrelevant at this time because they are removing the public right-of-way.

Chairman Milne asked what the perceived traffic will be on Tooele Boulevard and 700 South. Mr. Hansen stated that whatever is developed will follow normal process. He also stated that as long as he has input he will encourage keeping truck traffic off 700 south.

Chairman Milne asked with the possibility of residential homes in this area, what is the developer's responsibility to make sure water is kept away from these homes.

Mr. Hansen stated that the construction plans incorporate design accommodations in the road. The new homes that will be developed will have to comply with all flood zone requirements. This will be looked at when this is developed. He stated that all they are doing right now with this action is vacating Tooele Boulevard, creating residential lots, and vacating easements on the two prior neighborhood commercial lots.

Commissioner Dale asked if Lot 1 and 21 were staying as an HDR zone. Mr. Hansen stated that it is anticipated that they will stay High Density.

Mr. Baker stated that lot 1 and Lot 21 is exempt from the water right requirement. The remaining lots are not exempt. He asked that the commission might consider that when making their recommendation. Commissioner Gowans asked if they had to acquire actual water. Mr. Baker stated that he is referring the paper water rights, which is the right to use the water. Mr. Hansen stated that Tooele City does not require developments with already existing zoning to provide wet water sources.

Mr. Baker stated that the purpose of impact fees is so the city can explore for and develop new water resources.

Chairman Milne stated that this is a public hearing.

David Bourdon, 678 S. Newmark Drive addressed the commission. He stated that his home backs the property that has been discussed. He has not seen a site plan and wondered what was going to happen with this property. Mr. Bourdon is happy to hear that the property is being changed to R1-8 lots. He asked if there will be restrictions to the height of the homes that will be behind him. He is worried about his view being blocked. Mr. Jorgensen stated that under Tooele City code two-story homes are allowed.

Mont Mouaco, 664 Newmark Drive addressed the commission. He lives next to Mr. Bourdon. He stated that the back of his property is supposed to curve, but it has been surveyed and it is staked in a straight line. Chairman Milne stated that looking at the map it looks like it is somewhat curved. Mr. Mauaco also stated that since 10th west has been paved people are speeding in that area. He would suggest speed bumps. Chairman Milne stated that he might want to talk to the Chief of Police regarding that matter.

Mr. Hansen said that he will note the traffic concern in that area.

Commissioner Gowans moved to close the public hearing. Commissioner Sagers seconded the motion. All members present voted “Aye”. The public hearing closed at 7:55 p.m.

Commissioner Dale moved to make a favorable recommendation to the City Council for preliminary plan approval on West Meadow Plat D amended. Vacating and amending West Meadows Plat D. Consisting of 21 lots on 31.57 acres located at 700 South 1200 West by Titan Development with the condition that they meet all water right requirements for lots 2-20. Commissioner Spence seconded the motion. All members present voted “Aye”.

8. **PUBLIC HEARING and Recommendation for final plat approval on West Meadow Plat D amended. Vacating and amending West Meadows Plat D. Consisting of 21 lots on 31.57 acres located at 700 South 1200 West by Titan Development.**

Commissioner Milne stated that this is a public hearing. No one came forward to address the issue.

Commissioner Sagers moved to close the public hearing. Commissioner Dale seconded the motion. All members present voted “Aye”. The public hearing closed at 7:57 p.m.

Commissioner Dale moved to make a favorable recommendation to the City Council for final plan approval on West Meadow Plat D amended. Vacating and amending West Meadows Plat D. Consisting of 21 lots on 31.57 acres located at 700 South 1200 West by Titan Development with the condition that they meet all water right requirements for lots 2-20. Commissioner Sagers seconded the motion. All members present voted “Aye”.

9. **PUBLIC HEARING and Recommendation on general plan amendment to change the width of Droubay Road South of 500 North from an 84 foot ROW to a 76 foot ROW by Paul Hansen.**

Presented by Paul Hansen

Mr. Hansen explained that Tooele City has a number of master plans which they use for development within the city including culinary water, secondary water, storm drains, transportation, parks and others. It is necessary to give the public a chance to comment when there is a change to those plans. He is coming before the commission tonight with a proposed modification to the Transportation Master Plan Element. It is important to the city that they establish a right-of-way corridor for transportation. Many times they establish rights-of-ways and as times change and things develop they find it necessary to make changes. In looking at the developments on the southeast bench of Tooele City they began looking at Droubay Road between Vine Street and Skyline Drive. The master plan currently has Droubay Road as an 84’ right-of-way road.

The City retained the services of Ryan Hales of Hales Engineering to assist in the analysis of Droubay Road. Mr. Hales looked at potential growth on the south east bench and he looked at the impact if Droubay Road was reduced to a 76’ ROW. That report is available for public review in the Public Works office at Tooele City Hall. The basic findings of this report based on the current annexation plan and anticipated growth in that area an 84’ ROW road is not required. It was Mr. Hale’s recommendation to the staff to build a 76’ ROW road, which will give a more residential feel. If the commission makes a positive recommendation to the city council this recommendation does not dictate where the road will be built. Based upon the traffic study, Staff recommends that the Planning Commission recommend approval of the Transportation Master Plan Element to the City Council, reducing the right-of-way designation for that portion of Droubay Road located between Vine Street and Skyline Road to 76’, with the condition that access be limited as required by the City Engineer.

Commissioner Spence asked about the Loma Vista development north of Skyline drive, part of Droubay Road has been developed. Mr. Hansen stated that it was developed as a 76' right-of-way, but that the 84' right-of-way was maintained. Commissioner Spence asked what the width of Skyline Drive is. Mr. Hansen stated that Skyline Drive is an 84' ROW.

Commissioner Montano doesn't have a problem with a 76' ROW or 84' ROW but he believes that the alignment and the width should be looked at the same time. He also feels that there needs to be an east corridor out of Tooele. Droubay road needs to go all the way through because it is a main corridor for cars going north and south. First responders will also need to be able to get through on a main corridor.

Mr. Hansen responded to say that a 76' foot ROW will allow for traffic to travel north or south with a center turn lane. This also allows for car parking on either side of the street. The width it provides is more than adequate for emergency vehicles. Even though they are only reducing by 8' ft it sends a signal to traffic that it is not a large highway. He doesn't want people speeding on this road and this will give it a more residential feel. This will be a meandering road not a straight shot off the hill. When they do transportation master planning they try to establish the ROW and then come back with a development plan that shows how it works. They have been working with a developer for many months. They don't feel it is appropriate to have a high speed road in this area.

Chairman Milne stated that by reducing the ROW by 8' they are removing one lane of traffic. Parallel parking is still allowed on both sides of the street. Mr. Hansen stated that with a 76' ROW they still end up with approximately 50' feet of pavement. Chairman Milne stated that in the future if this becomes a high traffic area it could be changed to two lanes both direction without a center lane. Mr. Hansen stated that if absolutely necessary that could happen. He does not want to see this road to have that kind of traffic on it. Chairman Milne concurred with Mr. Hansen.

Mr. Hansen stated that with a change to a 76' ROW road it will do away with double frontage lots because driveways would be allowed on the road in a limited fashion. He can also restrict roadway access to the road. There is a part of Loma Vista subdivision that is land locked so it will have to have access from Droubay Road. With reducing to a 76' ROW he will still be able to provide access to maintain safe traffic and meet a number of goals for the city.

Chairman Milne stated that besides Droubay and SR-36 there is no other north and south road that ties into roads outside the city. Mr. Hansen stated that Chairman Milne is correct. The railroad is a huge barrier for creating roads which extend north toward Lakepoint.

Chairman Milne stated that the city has hired Mr. Hales to do his job and make a recommendation to the staff. He is apprehensive in giving up this ROW because things could change in the future. He believes that the south east area of the city will continue to

expand and that this will be a heavily traveled road. There is a safety factor involved and he doesn't want this to be a speedway off the bluff.

Mr. Hansen stated that the Master Planned Land Uses included in the study is composed of single family residential or has been proposed for single-family residential lots. If the city considers annexation the roads would be the least of their problems.

Commissioner Montano stated that Skyline Drive dead ends. You have to tunnel around the roads to get around in that area of the city. The city needs to get people around in a safe manner.

Chairman Milne asked if there is an alternate road in the City's Transportation Master Plan other than Droubay or SR-36 in the plans to help elevate the congestion to the north/south roads. Mr. Hansen stated that he didn't know of any of this size. He does not know what the county has planned.

Chairman Milne has noted some streets in Salt Lake that are wide and then narrow, which came about because of a lack of foresight. He doesn't want that to happen in Tooele.

Commissioner Dale stated that they are talking specifically about the area between Skyline Drive and Vine Street. He stated that a 76' ROW road still allows a large volume of vehicles. The commission may or may not want this depending on the alignment of the road.

Commissioner Spence asked if there has been any discussion to make Skyline Drive any bigger.

Mr. Hansen referred to item #2 in the commissioner's packet which states: Trip generation for the project was generated using the land use intensity previously described assuming full build-out conditions. Based upon this information, this area will generate approximately, 13,500 trips to the roadway system on a daily basis, with 55% of these new trips using Droubay Road between Skyline Drive and Vine Street. Mr. Hansen recommends that the commission hold the public hearing today and get the public's input. The commission could then look at this further at another time instead of approving tonight. He doesn't want to force this on anyone.

Commissioner Montano stated that he would still like to look at the alignment and the ROW together.

Commissioner Sagers stated that there is a possibility that the county property owners would want to annex into the city.

Councilman Wardle stated that houses would not be built over the top of the mountain. Mr. Baker has done a good job preserving the hill top.

Mr. Baker stated that the commission could discuss the alignment at this time. There is no reason that the alignment of Droubay Road and the ROW of Droubay Road cannot be discussed together.

Chairman Milne stated that the commission would now discuss the alignment of Droubay Road.

Mr. Hansen turned the time over to Doug Kinsmen, from Ensign Engineering who has worked on the alignment of Droubay Road. Mr. Hansen stated that there are two principle property owners affected by the alignment of Droubay Road one is owned by a development that Doug Kinsmen represents and the other is the Buzians family.

Doug Kinsmen showed the commission a full size layout for Droubay Road between Skyline Drive and Vine Street. He showed the layout to the commission and explained to them what he is proposing. He does not want a straight shot down the hill. He is concerned about speed. They would try to make it work with the natural slope. There was some discussion between Mr. Kinsmen and the commission.

Commissioner Dale asked what the proposed speed limit would be. Mr. Hansen responded to say that it would be 25 mph.

Mr. Hansen stated that this roadway alignment is a very preliminary proposal. They don't know if it will be approved as proposed.

Chairman Milne stated that this is a public hearing.

Paul Johnson addressed the commission. He represents the developer involved with the alignment of Droubay Road. The developer owns 20 acres. They have been working with the city trying to come up with a plan that works for everyone. They have redrawn their plans several times. They would like to move forward with their development.

Commissioner Montano stated that Droubay is not going to be developed all the way through.

Mr. Hansen stated that there is some property between the Buzinas property and Mr. Johnson's property that is owned by the Moose Lodge.

Valerie Lee addressed the commission. She stated that the commission needs to know that an 84' ROW would allow no driveways on to Droubay Road. This would change all of the plans for Droubay Road if it continues at 84'. She also stated that Tooele City owns part of the property by the Moose Lodge.

Commissioner Dale moved to close the public hearing. Commissioner Montano seconded the motion. All members present voted "Aye". The public hearing closed at 8:44 p.m.

Commissioner Dale moved to table the recommendation on a general plan amendment to change the width of Droubay Road South of 500 North from an 84' ROW to a 76' ROW to a later meeting, when Mr. Hales could be present to answer questions and discuss details. Commissioner Gowans seconded the motion. All members present voted "Aye".

10. **Review and Approval of Planning Commission minutes for meeting held August 8, 2007.**

Chairman Milne gave two changes to the minutes to Ms. Jenkins before the meeting.

Commissioner Spence moved to approve the minutes of the meeting held August 8, 2007 with the two changes made by Chairman Milne. Commissioner Sagers seconded the motion. All members present voted "Aye".

The meeting adjourned at 8:50 p.m. to the discussion items.

Approved this 12th day of September 2007

Shawn Milne, Chairman