

TOOELE CITY PLANNING COMMISSION
December 12, 2007
Minutes

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

Commission Members Present:

Shawn Milne, Chair
Phil Montano
Jerald Sagers
Gary Searle
Ken Spence
John Curwen
Steve Dale

Commission Members Excused:

Fran Garcia
Bob Gowans

City Employees Present:

Rachelle Custer, City Planner
Paul Hansen, Contract City Engineer
Roger Baker, City Attorney
Councilman Scott Wardle

Minutes prepared by Elisa Jenkins

The meeting was called to order by Chairman Milne at 7:01 p.m.

1. **Pledge of Allegiance**

The Pledge of Allegiance was led by Commissioner Searle

2. **PUBLIC HEARING and MOTION on conditional use permit for retail sales to be located at 272 N Broadway by Jack Gavin.**

Presented by Rachelle Custer

Ms. Custer reported that Jack Gavin would like to open a retail bookstore at 272 N Broadway. A CUP is required in an MU-B zone for retail sales. Information provided by the applicant in the packet addresses a coffee shop at this location. This will be discussed at a different time. At this time the CUP will be only for the retail sales. Staff recommends approval of this conditional use.

Commissioner Milne noted that this location will be used initially for a lounge and a library.

Ms. Custer stated that only the retail bookstore is being addressed at this time. The coffee shop will be addressed later.

Chairman Milne noted that the square footage will remain the same.

Chairman Milne stated that this is a public hearing is anyone would like to come forward and address this issue. No one came forward.

Commissioner Searle moved to close the public hearing. Commissioner Sagers seconded the motion. All members present voted “Aye”. The public hearing closed at 7:04 p.m.

Commissioner Searle moved to approve a conditional use permit for a retail sales bookstore to be located at 272 N Broadway Street by Jack Gavin (only addressing the retail sales and not food and beverage at this time). Commissioner Spence seconded the motion. All members present voted “Aye”.

3. **PUBLIC HEARING and Recommendation on final plat approval of CK Tooele One Minor Subdivision a .88 acre one lot subdivision to be located at 1050 N Main St by Red Hawk Enterprises.**

Presented by Rachelle Custer

Ms. Custer reported that Red Hawk Enterprises is proposing a development at 1050 N Main St. (old Koeven’s). This has been before the Commission before for a CUP for the drive thru. The City is working on site plan approval with the applicant. A subdivision of the lot is required prior to development. Staff recommends approval of the final plat with the following conditions: 1) UDOT approval must be received for the access on Main Street. 2) An offsite sewer easement must be obtained from the property owners to the North. Both items must be received prior to site plan approval.

Commissioner Dale asked if one of the street improvements will be a better sidewalk.

Ms. Custer said that they are working with UDOT on the right-of-way for a sidewalk.

Councilman Wardle stated that there needs to be a sidewalk and the City is working with UDOT.

Commissioner Montano commented that there is a requirement for a 10 ft sewer easement in the front or back of the property.

Ms. Custer stated they will have sewer easements as shown on the plat. The off site sewer easement is to get sewer across the property from the north.

Commissioner Dale commented that this property will hook into the property to the East.

Chairman Milne asked if there will be a shared driveway.

Ms. Custer stated that a shared access drive is addressed on the site plan. There is shared access to the property to the south.

Chairman Milne stated that the property to the south will become the corner lot.

Mr. Baker asked Ms. Custer if this property requires additional right of way by UDOT for a sidewalk or if the right of way is sufficient as it is.

Ms. Custer stated that is a question they asked of Ensign Engineering, who is the Engineer for the applicant. When the subdivision came back to the City, they told them there was no right of way dedication needed at this time.

Mr. Baker stated that a sidewalk is needed.

Ms. Custer stated that the City will require a sidewalk. As far as additional right of way from UDOT, she does not know. Red Hawk Enterprises' design professionals told the City that there was no right of way dedication needed from UDOT.

Chairman Milne asked if for legal purposes they need to include something in their motion regarding this issue.

Mr. Baker stated that he has not had a chance to discuss this with Ms. Custer prior to the meeting.

Mr. Hansen stated that it is his understanding that no additional right of way is required by UDOT.

Chairman Milne stated that this is a public hearing if anyone would like to come forward and address this issue.

Commissioner Curwen moved to close the public hearing. Commissioner Sagers seconded the motion. All members present voted "Aye". The public hearing closed at 7:11 p.m.

Commissioner Dale moved to make a favorable recommendation to the City Council on final plat approval for CK One Tooele Minor subdivision a one lot .88 acre subdivision to be located at 1050 North Main Street with the following conditions: 1) verification for additional right of way approval from UDOT for sidewalk be obtained prior to City Council 2) UDOT approval must be received for the access on Main Street. 3) An offsite sewer easement must be obtained from the property

owners to the North. Commissioner Spence seconded the motion. All members present voted “Aye”.

4. **Review and Approval of Planning Commission minutes for meeting held November 14, 2007.**

Councilman Wardle stated that he has listened to the recording of this Planning Commission meeting a few times and he wanted to thank the Commission for their professionalism in this meeting. The Commission listened to important serious concerns regarding this subdivision.

Commissioner Dale noted the following corrections:

- Page 7, paragraph five, the word are in the last sentence needs to be changed to the word area. He would also like to add the sentence “Phase 1A, 1B, 1E followed the DA.”

Commissioner Searle noted the following correction:

- Page 7, paragraph two, change weather to whether.

Commissioner Searle moved to approve the Planning Commission minutes for the meeting held November 14, 2007, with the above mentioned changes. Commissioner Dale seconded the motion. All members present voted “Aye” except Commissioner Sagars and Commissioner Curwen who abstained because they were not in attendance at the meeting.

5. **Review and Approval of Planning Commission minutes for meeting held November 28, 2007.**

Chairman Milne noted one change on the first page the last paragraph, the second sentence should start with Day not Dare.

Commissioner Curwen moved to approve the Planning Commission minutes for the meeting held November 28, 2007, with the one change as mentioned above.

Commissioner Sagars seconded the motion. All members present voted “Aye” except Commissioner Searle and Commissioner Montano who abstained because they were not in attendance at the meeting.

Commissioner Curwen moved to adjourn the meeting to the discussion item.

Commissioner Sagars seconded the motion. All members present voted “Aye”. The meeting adjourned at 7:19 p.m.

Approved this 23rd day of January 2008

Chairman Milne