

TOOELE CITY PLANNING COMMISSION

January 24, 2007

Minutes

Place: Tooele City Hall Council Chambers
90 North Main Street

Commission Members Present:

Shawn Milne, Chair
Phillip Montano
John Curwen
Gary Searle
Ken Spence
Jerald Sagers

Commission Members Excused:

Fran Garcia
Bob Gowans

City Employees Present:

Roger Baker, City Attorney
Richard Jorgensen, Land Use Technician
Rachelle Custer, City Planner
Cary Campbell, Public Works Director
Scott Wardle, Tooele City Councilman

Minutes prepared by Andrea Cahoon

The meeting was called to order by Chairman Milne at 7:00 p.m. He excused Fran Garcia and Bob Gowans from the meeting.

1. PUBLIC HEARING & Recommendation on Final Plat Approval for UID Minor Subdivision No. 8 A One Lot Subdivision Consisting of 16.743 Acres Located on K Avenue and Lodestone Way by Deryl Davis

Presented by Rachelle Custer

Ms. Custer explained that this is a minor subdivision for a 16.743 acre lot. It is combining two existing lots into one. Because it is less than ten lots, and there is no road dedication, it is considered a minor subdivision and does not require a preliminary plat, only a final plat. The applicant was not present at the meeting.

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

Commissioner Searle moved to close the public hearing. Commissioner Sagers seconded the motion. All members present voted, “Aye.” The public hearing closed at 7:03 p.m.

Commissioner Searle moved to recommend approval to the City Council of the UID Minor Subdivision No. 8 located on K Avenue and Lodestone Way by Deryl Davis. Commissioner Spence seconded the motion. All members present voted, “Aye.”

2. PUBLIC HEARING & Recommendation on Final Plat Approval for Eagle View Estates LDS Church Subdivision a One Lot Subdivision Consisting of 4.97 Acres Located at 220 West 2200 North by Scott Wilkinson, ASWN

Presented by Rachelle Custer

Ms. Custer explained that this subdivision was previously approved in 2005 and the developer was required to record the plat within one year and did not do so. It had to be brought back for approval. Chairman Milne asked if this met the special service district’s standards? Ms. Custer responded that there is a box on the plat for the service district to approve the plat. The plat is exactly the same as it was when it was approved previously. This is just the subdivision and in the future the developer will come back for a design review and a conditional use permit.

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

Commissioner Sagers moved to close the public hearing. Commissioner Searle seconded the motion. All members present voted, “Aye.” The public hearing closed at 7:06 p.m.

Commissioner Searle moved to recommend final plat approval to the City Council of the Eagle View Estates LDS Church subdivision, a one lot subdivision consisting of 4.97 acres located at 220 West 2200 North by Scott Wilkinson. Commissioner Sagers seconded the motion. All members present voted, “Aye.”

3. PUBLIC HEARING and Motion on Conditional Use Permit for a Car Wash to be Located at 48 East 1000 North by Danny Marz

Presented by Rachelle Custer

Ms. Custer informed the Commission that this proposal was for a car wash proposed to be located at 48 East and 1000 North in the Commercial district. It requires a conditional use because it is a car wash. It is a one bay tunnel style car wash. A copy of the elevations, site plan, and the color renditions were included in the Commissioners’ packets. All access to the business will be internal and there will be no access from 1000 North to this. The applicant is required to provide 15% landscaping on the site, and the mechanicals and dumpsters must be screened. The colors are to be earth tones to match the other buildings in the shopping center. The car wash is 4,554 square feet and the site itself is 48,632 square feet. The applicant has provided a handicap accessible parking stall, and will be required to bring water rights.

Commissioner Searle asked about the statement that says “lighting & signage per city requirements.” Due to its location it needs to comply with the development’s requirements. If they desire a pole sign, they must collocate on the existing pole signs, otherwise they will only be allowed a monument sign. Tooele Federal Credit Union was sold separately and was not part of the Amsource development and was allowed a pole sign. This is part of the Amsource development and signage needs to be looked at so they stay in accordance with the requirements that were set for that development.

Commissioner Searle also expressed his concern with the west elevation of the building because that is what people will see from Main Street. He indicated that a sign cannot exceed 10% of the building side and the words “Pit Stop,” the flags, and cars on the elevation look like they exceed the 10% allowed. He also was concerned with the west elevation being a plain, brick facade. Other buildings in the development were required to add other amenities to the portions of their buildings that face Main Street so they would be more aesthetically pleasing. Commissioner Searle explained that when they were looking at the tattoo shop on 400 North they determined that the entire painted mural on the front of the building was a sign as it advertised their service. It covered more than 10% of the face of the building and the business was required to decrease its sign size.

Commissioner Montano said if they look at the dimensions, the car wash will be allowed about 220 square feet for their sign. Commissioner Searle said his concern is that they insure that the side of the building facing the main public right of way is not just a blank faced wall. Mr. Campbell said the front of the car wash is the north elevation along 1000 North. On the west side there is going to be a bank. The car wash will face the private road across from the credit union. Ms. Custer said there is another lot on the corner, west of the car wash, that will screen this building. Commissioner Searle said if the building is behind another building, the west elevation is not an issue. The only issue is the size of the sign.

Commissioner Montano said on the east elevation sheet given to the Commission it is noted that the stucco colors will be selected by the owner. He wanted it clarified and stated he would like to see samples of the materials and the colors. Commissioner Searle said in the Amsource agreement it states that all of the buildings should be earth tone colors as required in the initial approval. Ms. Custer said it was her understanding that the color shown is what the applicant has chosen.

Chairman Milne said a few months ago they had another development from Amsource and Amsource was told they had to complete the requirements of the original agreement before they could continue. Those requirements were placing bollards along the plaza at the north end of the Macey’s building and completing the landscaping along 100 East behind the Macey’s building. Mr. Campbell said those items have been taken care of.

Chairman Milne stated this was a public hearing.

The applicant said he was happy to comply with the Planning Commission’s requests.

Commissioner Sagers moved to close the public hearing. Commissioner Curwen seconded the motion. All members present voted, “Aye.” The public hearing closed at 7:18 p.m.

Commissioner Searle moved to approve the conditional use permit for a car wash to be located at 48 East 1000 North with the following conditions:

- 1. The building signage must fall within the 10% guidelines and all other sign guidelines as per City code and the development agreement.**
- 2. The signage on the public right of way will be a monument sign as required in this development.**

Commissioner Sagers seconded the motion. All members present voted, “Aye.”

4. PUBLIC HEARING and Motion for 8 Foot Right of Way Vacation on Berra Boulevard by Roy Bosley

Presented by Rachelle Custer

Ms. Custer explained that this development came before the Commission previously as The Cove at Overlake. The developer does not want to do apartments now, but twin homes. He has asked that the City vacate the additional 8 feet of the right of way so they can fit their planned development on the property and have requested this action before the plat goes through the approval process. It is not a paved area of the road, but is within the boundaries of the development. With multi-family units and the church on this street, the City determined all of the parking would be on the sites, not on the street, so they would only have 10.5' there instead of 18.5'. Chairman Milne said there should be no parking on the street if this is approved.

Ms. Custer said there will be a PUD that will come back with the plat when the applicant is ready to do the development.

Councilman Wardle said the applicant has gone through several design changes with this. They have accommodated many concerns that were brought before the Commission when they proposed the three story apartment buildings. When the development comes back the citizens will be pleased, as will the special service district and others. There will be nice homes built here. The developer has been very accommodating.

Chairman Milne asked if there were any issues with the width of the street? Commissioner Curwen and Ms. Custer said the street is already in place and has been narrowed.

Chairman Milne stated this was a public hearing.

Maresa Manzione, 1979 North 120 West, addressed the Commission and introduced herself as the Overlake Home Owner’s Association President. She stated they were pleased with the reduction of the density in that area. She said she was concerned because they have had a lot of developers and builders say they will do things and then not follow through. She asked if they could tie this vacation to the actual plat approval to make sure that the developer actually follows through.

Commissioner Searle asked Mr. Baker if this is covered by the Overlake PUD? Mr. Baker responded that it is. This is part of the Overlake project area and these two lots were created with

subdivision 1G. The City will have total control over the design. The design will have to be brought to the Planning Commission for approval and there won't be any opportunity for surprises. If this vacation is granted it doesn't mean the developer can back away from the commitments on the design. The process would not allow that to happen. He stated he was not concerned with doing it in this order, but that it was necessary as they couldn't get approval of their plan without the vacation occurring first.

Chairman Milne asked about the standards. Mr. Baker said the development is bound by the standards set forth in the development agreement and by the special service district. Commissioner Searle said they have to be held to that standard. Mr. Baker said that was correct to a point. They are welcome as a developer to impose additional requirements to raise the level of the development. The minimum they have to comply with is the special service district and development agreement standards.

Councilman Wardle recalled that Mr. Bosley had mirrored the Overlake Home Owner's Association CC&Rs. Mr. Roy Bosley stated that was correct.

Commissioner Sagers moved to close the public hearing. Commissioner Montano seconded the motion. All members present voted, "Aye." The public hearing closed at 7:28 p.m.

Chairman Milne asked how many homes the developer was proposing? Mr. Bosley answered 62.

Roy Bosley, 4059 Bona Villa Drive, Ogden, said he wanted to reinforce that he has every intention of complying with the special service district standards. He asked Melanie Hammer if she was still the president? Ms. Hammer responded she was not. Mr. Bosley continued that several months ago Steve Dale and himself met and walked the project area and identified where all of the street lighting, signage, trees, and other amenities would be. He stated he was going to comply with all of that. This newly proposed project is turned inward, and there will be two streets, or drives, for entering and exiting, and the homes will be zero lot line homes. Those in the center will be two story homes, and those around the perimeter will be single-story. He was going to a lot of effort to make sure this is done right. He has put together a team that has met with the City, the planning and engineering staff, and this will be done right. He informed them that, "We will follow through on all of the commitments that we've made. We have to date and will continue to do so."

Commissioner Searle moved to vacate the 8-foot right of way on Berra Boulevard as presented by the City staff. Commissioner Sagers seconded the motion. All members present voted, "Aye."

Mr. Bosley told the Commission when he came back he would bring the designs, colors, and materials they are proposing to use for their review.

5. Adjourn

Commissioner Searle moved to adjourn the meeting. Commissioner Sagers seconded the motion. All members present voted, "Aye." The meeting adjourned at 7:32 p.m.

Approved by Shawn Milne, Chair

This 28 day of February 2007