

TOOELE CITY PLANNING COMMISSION MINUTES
October 22, 2008

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

Commission Members Present:

Shawn Milne, Chair
Fran Garcia
Phil Montano
Steve Dale

Commission Members Excused:

Ken Spence
John Curwen
Gary Searle
Jerald Sagers
Bob Gowans

City Employees Present:

Rachelle Custer, City Planner
Paul Hansen, City Engineer
Cary Campbell, Public Works Director
Roger Baker, City Attorney
Dave McCall, City Council Representative

Others Present:

Debbie Winn, Chamber of Commerce

Minutes prepared by Elisa Jenkins

The meeting was called to order by Chairman Milne at 7:00 p.m. Chairman Milne excused Commissioners Spence, Curwen, Searle, Sagers and Gowans from the meeting.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Chairman Milne.

2. PUBLIC HEARING & RECOMMENDATION on final plat approval for West Point Meadows Condominiums Amended by Mark Higley.

Presented by Rachelle Custer

Ms. Custer stated that this development was previously approved and construction started. They have changed a few design elements and the elevations and therefore the plat must be amended. This development will consist of 63 condominium units. The

exterior has changed from the original plat to contain stucco and brick wainscot. The buildings have incorporated the designs necessary to meet the multi family design guidelines. Staff recommends approval of the amended plat.

Chairman Milne stated that this plat came before the Commission earlier this year.

Ms. Custer stated that the plat was approved and then amended to change some of the building locations. As the development started building they realized that some of the design features would not work, and now they are changing all elevations to reflect the design changes.

Chairman Milne asked if they will meet the multi family design guidelines.

Ms. Custer stated “yes”. They have double checked it.

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

Debbie Winn with the Chamber of Commerce asked where the condominiums were located.

Chairman Milne stated that they are west of Coleman and the awkward jog that 600 North takes that is not finished. It is by the old sewer plant.

Commissioner Dale asked if these condominiums will finish that road.

Chairman Milne said “no”.

Ms. Custer stated that there are four units already constructed.

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

Commissioner Dale moved to make a favorable recommendation to the City Council for final plat approval for West Point Meadows Condominiums amended. Commissioner Garcia seconded the motion. All members present voted “Aye”.

3. **PUBLIC HEARING & RECOMMENDATION on final plat approval for Beacham Subdivision a two lot .85 acre subdivision located at 400 S 100 W.**

Presented by Rachelle Custer

Ms. Custer explained that this plat was previously approved on May 14. The plat was not fully executed within 90 days and is now back for approval. The plat has not changed.

Beacham Masonry is requesting to subdivide an existing lot into two lots. There is a home on lot one. There will be a single family dwelling constructed on lot two after the subdivision is approved. This is minor subdivision because it is less than ten lots and there is no road dedication. Staff recommends approval of Beacham Subdivision final plat.

Chairman Milne asked if the plat is exactly the same as before.

Ms. Custer stated that it exactly the same.

Chairman Milne stated that this is a public hearing if anyone would like to come forward and address the Commission. No one came forward. Chairman Milne closed the public hearing at 7:06 p.m.

Mr. Baker explained to the Commission that this is a rare example where there is a residential development that is eligible to pay a fee to provide water rights instead of providing the actual water rights. This is one lot that is being split into two and the vacant lot will pay the fee. Instead of the home builder having to go through the state change application process for one acre foot of water they will be able to pay a fee to access City water rights. Mr. Baker stated that this example probably won't happen very often.

Commissioner Garcia made a favorable recommendation to the City Council on final plat approval for Beacham Subdivision a two lot .85 acre subdivision located at 400 S 100 W. Commissioner Dale seconded the motion. All members present voted "Aye".

4. **PUBLIC HEARING & RECOMMENDATION on conditional use permit for an in home day care to be located at 269 N 330 W by Tami Vorwaller.**

Presented by Rachelle Custer

Ms. Custer stated that Ms. Vorwaller is requesting a conditional use permit for an in-home day care to be located in her home at 269 N 330 W. Day care is allowed as a home occupation with a conditional use permit. Included with the Commissioner's packet is a layout of her home and yard. Staff recommends approval of the conditional use permit with the following conditions:

1. No more than 6 children at one time.
2. Hours of operation to be between 6 am and 6:30 pm Monday thru Friday.
3. Fenced rear yard be provided for the children.
4. State Residential Child Care Certificate be obtained.
5. Tooele County Health Department Inspection approval.
6. Building Inspection approval.
7. Fire Inspection approval.

Ms. Custer also stated that the applicant was in attendance if the Commission had any questions.

Chairman Milne thanked the applicant for the renderings of her home and yard.

Chairman Milne stated that this is a public hearing if anyone would like to come forward and address the Commission. No one came forward. Chairman Milne closed the public hearing at 7: 10 p.m.

Commissioner Dale moved to approve a conditional use permit for an in-home day care to be located at 269 N 330 W. with the following conditions:

- 1. No more than 6 children at one time.**
- 2. Hours of operation to be between 6:00 am and 6:30 pm Monday thru Friday.**
- 3. Fenced rear yard be provided for the children.**
- 4. State Residential Child Care Certificate be obtained.**
- 5. Tooele County Health Department Inspection approval.**
- 6. Building Inspection approval.**
- 7. Fire Inspection approval**

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

5. PUBLIC HEARING and MOTION on conditional use permit for an in home day care to be located at 1529 Colovito Way by Ana Grist.

Presented by Rachelle Custer

Ms. Custer stated that Ms. Grist is requesting a conditional use permit for an in-home day care to be located in her home at 1529 Colovito Way. Day care is allowed as a home occupation with a conditional use permit. A layout of her home and yard is included with the Commissioners packet. Staff recommends approval of the conditional use permit with the following conditions:

1. No more than 6 children at one time.
2. Hours of operation to be between 6 am and 6:30 pm Monday thru Friday.
3. Fenced rear yard be provided for the children.
4. State Residential Child Care Certificate be obtained.
5. Tooele County Health Department Inspection approval.
6. Building Inspection approval.
7. Fire Inspection approval.

Commissioner Dale asked is the applicant’s yard was fenced.

Ms. Custer stated that it is fenced.

Chairman Milne stated that this is a public hearing if anyone would like to come forward and address the Commission. No one came forward. Chairman Milne closed the public hearing at 7:13 p.m.

Commissioner Garcia moved to approve a conditional use permit for an in-home day care to be located at 1529 Colovito Way with the following conditions:

- 1. No more than 6 children at one time.**
- 2. Hours of operation to be between 6 am and 6:30 pm Monday thru Friday.**
- 3. Fenced rear yard be provided for the children.**
- 4. State Residential Child Care Certificate be obtained.**
- 5. Tooele County Health Department Inspection approval.**
- 6. Building Inspection approval.**
- 7. Fire Inspection approval**

Commissioner Dale seconded the motion. All members present voted "Aye".

- 1. Review and Approval of Planning Commission minutes for meeting held October 8, 2008.**

Chairman Milne noted on page 3, paragraph 4, it should read "They would be happy. . ."

Chairman Milne moved to approve the minutes with the one change as noted above. Commissioner Dale seconded the motion. All members present voted "Aye" except for Commissioner Montano who was not present at the meeting.

- 2. Adjourn**

Commissioner Dale moved to adjourn the meeting. Chairman Milne seconded the motion. All members present voted "Aye". The meeting adjourned at 7:15 p.m.

Approved this 12th day of November 2008

Chairman Milne