

Tooele City Planning Commission
February 27, 2008

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

Commission Members Present:

Shawn Milne, Chair
Phil Montano
Bob Gowans
Fran Garcia
Ken Spence
John Curwen

Commission Members Excused:

Jerald Sagers
Gary Searle

City Employees Present:

Rachelle Custer, City Planner
Roger Baker, City Attorney

Minutes prepared by Elisa Jenkins

The meeting was called to order by Chairman Milne at 7:00 p.m.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Commissioner Garcia.

2. PUBLIC HEARING and MOTION on Conditional Use Permit for Tooele LDS Church Ward 11 & 27 building addition located at 200 S Coleman St by ASWN Architects.

Presented by Rachelle Custer

Ms. Custer stated that this project is being presented by Kim Anderson Architect. There is an existing church building at 200 South and Coleman. The ward house has been there for quite some time and they would like to do some additions to the building. Any work on the project is a conditional use. The additions will be for classrooms, there is no additional water demand. Staff recommends approval of the conditional use permit for the church addition with the following condition: 1) If any new construction increases water demand; water rights will be provided by the applicant as per City Code.

Chairman Milne noted that the only item before the commission regarding this is whether to allow the addition on the existing building. He also asked Ms. Custer if the rooftop mechanicals will be screened just like they make other applicants do.

Ms. Custer stated that any new mechanicals will need to be screened.

Chairman Milne asked if there will be any new mechanicals on the roof.

Mr. Anderson, the architect for the project, said that there will be new mechanicals on the roof and he was not aware that they need to be screened. He stated that he will make sure they are screened.

Commissioner Gowans said that he has received some phone calls from concerned residents regarding the access for wheelchairs into this church building. There is not an easy way to get a wheelchair into this building. He asked if that will be addressed in the remodel?

Mr. Anderson stated that in the new plan there will be a handicap access going in on the west side of the building. There is access on the south as well.

Commissioner Gowans said that the concern is the entrance on the southwest side of the building a wheelchair has to go up a step to get into the building.

Mr. Anderson said that the new doors will meet the new handicap accessibility standards.

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

Mr. Harvey Wright, 141 S Coleman, addressed the Commission. Mr. Wright is in favor of the addition to the church building. He has a concern with this area in general. Coleman Street is becoming very busy and there is no other bypass road. There is a lot of traffic. He would like to not see any more building in this area until there is another bypass road. The traffic in front of his home is fast. There are also large trucks that go up and down the street and there have been no citations issued in many years. The road in front of his street is also starting to break up.

Chairman Milne explained to Mr. Wright that Councilman McCall is in attendance at this meeting and he will take Mr. Wright's concerns to the City Council and the Mayor.

Mr. Wright said that there is heavy traffic volume, speed and heavy trucks that go down Coleman that he is concerned about.

Commissioner Gowans moved to close the public hearing. Commissioner Montano seconded the motion. All members present voted "Aye". The public hearing closed at 7:10 p.m.

Commissioner Gowans wanted to clarify that there will not be any additional increase in water demand for this addition.

Ms. Custer stated that there is no additional water demand, but she would still like to have that condition as part of the CUP.

Commissioner Gowans moved to approve a CUP for Tooele LDS Church wards 11 & 27 building addition located at 200 S. Coleman Street with the following conditions: 1) if any new construction increases water demand; water rights will be provided by the applicant as per City Code 2) all mechanicals be screened.

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

3. **PUBLIC HEARING and MOTION on Conditional Use Permit for an in-home day care to be located at 1183 N 380 E by Becky Elwood.**

Presented by Rachelle Custer

Ms. Custer stated that Ms. Elwood is requesting a conditional use permit for an in-home day care to be located in her home at 1183 N 380 E. Day care is allowed as a home occupation with a conditional use permit. A layout of her home and yard is included with the Commissioner's 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 p.m. 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.

Chairman Milne noted that on the next applicant it specifies a Tooele City business license must be obtained.

Ms. Custer stated that the Business License application spurs the CUP. Ms. Elwood's application was in when she did the staff notes but it was not in for Ms. Anderson. Ms. Custer has since received Ms. Anderson's application.

Commissioner Gowans asked if the applicant is aware of the lighting requirement and there is to be no signage on her home.

Ms. Custer stated she was told of those conditions with the business license application.

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

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

Commissioner Spence moved to approve the Conditional Use Permit for an in-home day care to be located at 1183 N 380 E 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 p.m. 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 Curwen seconded the motion. All members present voted “Aye”

4. **PUBLIC HEARING and MOTION on Conditional Use Permit for an in-home beauty salon to be located at 166 W 400 N by Brooke Anderson.**

Presented by Rachelle Custer

Ms. Custer stated that Ms. Anderson is requesting a conditional use permit for an in-home beauty salon to be located in her home. She understands the building code requirement. There is a layout of her home included with the Commissioner’s packet. Staff recommends approval of the conditional use permit with the following conditions:

1. No more than 1 client at a time.
2. Hours of operation to be between 6 am and 6:30 pm Monday thru Friday.
3. Off street parking be provided for clients.
4. Applicant will go to the home of any handicapped clients that cannot access her home salon.
5. Tooele City business license must be obtained prior to opening business.
6. Tooele County Health Department Inspection approval.
7. Building Inspection approval.
8. Fire Inspection approval.

Chairman Milne noted that the rendering included in their packet was very good. He asked if the driveway on the side goes all the way back to access the rear parking.

Ms. Anderson stated that there is a separate driveway on the east side of the house that goes back where the parking will be.

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

Harry Shinton, 196 W. 400 S., addressed the Commission. Mr. Shinton stated that the Anderson's are their neighbors and they strongly recommend the CUP for their business. He is also a Tooele City fire inspector and has offered to inspect their place to help them get their business going.

Ms. Custer stated that she received calls from three neighbors that also recommend approval.

Commissioner Garcia asked why this CUP is limited to one client at a time.

Ms. Anderson responded that it is because she only has one station. She is doing this business part time.

Councilman McCall also asked if there will be accommodations if there is more than one.

Ms. Custer stated that the applicant has to provide off street parking. She also stated that if Ms. Anderson has more than one station it becomes a commercial application.

There was a question from the audience as to why the business is limited to Monday through Friday.

Ms. Custer responded to say that they feel it is disruptive to the neighbors to have an in-home business open on the weekends with the additional traffic.

Ms. Anderson stated that she was not planning on working on the weekend.

Commissioner Garcia moved to close the public hearing. Commissioner Gowans seconded the motion. All members present voted "Aye". The public hearing closed at 7:20 p.m.

Chairman Milne moved to approve a Conditional Use Permit for an in-home beauty salon to be located at 166 W 400 N with the following conditions:

- 1. No more than 1 client at a time.**
- 2. Hours of operation to be between 6 am and 6:30 pm Monday thru Friday.**
- 3. Off street parking be provided for clients as per rendering for rear parking provided by the applicant.**
- 4. Applicant will go to the home of any handicapped clients that cannot access her home salon.**
- 5. Tooele City business license must be obtained prior to opening business.**
- 6. Tooele County Health Department Inspection approval.**
- 7. Building Inspection approval.**
- 8. Fire Inspection approval.**

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

5. PUBLIC HEARING and MOTION of Planning Commission minutes for meeting held February 13, 2008.

Ms. Jenkins was given one change from Mr. Baker before the meeting to change the word caliber to caliper.

Commissioner Gowans noted that the minutes said 2007 instead of 2008.

Commissioner Gowans moved to approve the minutes of the meeting held February 13, 2008 with the changes stated above. Chairman Milne seconded the motion. All members present voted “Aye”, except Commissioners Garcia, Curwen, and Spence who abstained because they were not in attendance at the meeting.

Commissioner Gowans moved to adjourn the meeting to the discussion item. Commissioner Garcia seconded the motion. All members present voted “Aye”. The meeting adjourned at 7:23 p.m.

Approved this 12th day of March 2008

Chairman Milne