

TOOELE CITY PLANNING COMMISSION MINUTES
December 9, 2009

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

Commission Members Present:

Shawn Milne, Vice Chair
Bob Gowans
John Curwen
Steve Dale

Commission Members Excused:

Ken Spence
Jerald Sagers
Phil Montano
Gary Searle
Fran Garcia

City Employees Present:

Rachelle Custer, City Planner
Roger Baker, City Attorney
Paul Hansen, City Engineer
Cary Campbell, Community Development Director

Minutes prepared by Elisa Jenkins

Vice Chairman Milne called the meeting to order at 7:03 p.m.

Ms. Custer presented a token of appreciation to Commissioner Milne for five years of dedicated service on the Planning Commission and wished him well on the City Council.

Commissioner Milne thanked the Commission and the staff for being part of the Commission and thanked them for all he has learned from them.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Commissioner Dale.

2. Public Hearing and Motion on a conditional use permit for a drive thru facility to be located at 915 N Main Street by Dry Cleaning and Beyond.

Presented by Rachelle Custer

Ms. Custer explained that this is an existing building and there are currently two businesses in the building. There is an existing drive thru window but a conditional use

permit is needed to use it. The City required that the applicant get permission from UDOT for the drive access prior to bringing to Planning Commission which they have done. A copy of the letter from UDOT is included with the Commission's packet. Staff recommends approval of the accessory drive thru with the condition that all requirements from UDOT be in place and maintained.

Commissioner Dale asked how the site will be modified to accommodate the drive thru window.

Ms. Custer indicated that the north drive will be the entrance and the south drive will be the exit.

Commissioner Milne asked if that will be for both tenant uses.

Ms. Custer stated "yes". Signage has been placed for the drive entrance and exit.

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

Commissioner Gowans moved to close the public hearing. Commissioner Dale seconded the motion. All members present voted "Aye". The public hearing closed at 7:06 p.m.

Commissioner Gowans moved to approve the conditional use permit for a drive thru to be located at 915 N Main Street by Dry Cleaning and Beyond with the condition that all requirements from UDOT be in place and maintained. Commissioner Dale seconded the motion. All members present voted "Aye".

3. **Public Hearing and Recommendation on final plat approval for Tooele City Commercial Park Phase 1, Lot 6 & Lot 10 amended, a three lot subdivision located at 60 S Milburn Dr by Rancho Tooele Development.**

Presented by Rachelle Custer

Ms. Custer stated that Mr. Arbshay currently owns Lot 6 in the Tooele City Commercial Park Phase 1. He is requesting to subdivide lot 6 into three different lots. Lot 10 is an existing Tooele City water source lot. The structure today on lot 10 encroaches upon lot 6. This subdivision will increase the size of lot 10 in order to allow for the structures to be fully encompassed on the lot. Mr. Arbshay would like to subdivide lot 6 into 3 lots to sell two of the lots. Lot 1 has the existing building, and lot 2 and 3 will be for future development. Staff recommends approval of the Tooele City Commercial Park Phase 1, lot 6 and lot 10 amended final plat.

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

Commissioner Dale moved to close the public hearing. Commissioner Curwen seconded the motion. All members present voted “Aye”. The public hearing closed at 7:10 p.m.

Commissioner Dale moved to make a positive recommendation to the City Council on final plat approval for Tooele City Commercial Park Phase 1, lot 6 & 10 amended, a three lot subdivision located at 60 S Milburn Dr by Rancho Tooele Development. Commissioner Curwen seconded the motion. All members present voted “Aye”.

4. Public Hearing and Recommendation on McBride Subdivision, a two lot subdivision located at 500 North Broadway by Florence McBride.

Presented by Rachelle Custer

Ms. Custer explained that the applicant has requested to subdivide one lot into two lots. The lot will be used for a single family residential dwelling to be constructed by the applicant. There is an existing home on the lot. The home will be on lot 1 and the applicant will build on lot two. The subdivision was approved on May 14, 2008 but due to the approval being over one year old it must be taken through this process again. Staff recommends approval of the McBride Subdivision final plat. Ms. Custer stated that the applicant indicated to her that they are not interested in building at this time so they will hold off taking this to City Council for a few months until water rights are provided.

Commissioner Milne asked when an applicant reapplies for a conditional use permit if they have to pay the fees again.

Ms. Custer stated “no”, they took this through again as a formality.

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

Commissioner Curwen moved to close the public hearing. Commissioner Gowans seconded the motion. All members present voted “Aye”. The public hearing closed at 7:12 p.m.

Commissioner Dale moved to make a positive recommendation to City Council on final plat approval for McBride Subdivision a 2 lot subdivision located at 400 N Broadway. Commissioner Gowans seconded the motion. All members present voted “Aye”.

5. Public Hearing and Recommendation on UID minor subdivision No. 38 a two lot 18.698 acre subdivision to be located at B avenue and Daley Dr by UID.

Presented by Rachelle Custer

Ms. Custer explained that this minor subdivision consists of two lots. Lot 3801 is 6.262 acres, and lot 3802 is 12.436 acres. This is a vacant piece of land that is being subdivided for purchase. In order for the property to be sold a subdivision must be done. This is a minor subdivision because there is not any road dedication and the subdivision consists of less than ten lots. Staff recommends approval of this subdivision.

Commissioner Dale noted that the access easement is being designated as Daley Drive. He asked if that will be a private street?

Ms. Custer indicated that it will be a private street. She stated that all the streets that will be dedicated to Tooele City were done a few months ago in the UID road dedication plat.

Mr. Hansen stated that UID recorded a few weeks ago an overall document which prescribes access easements for many private roads and Daley Drive is one of those roads.

Sattar Tabriz addressed the Commission. He indicated that Daley Drive is designated as a private road. It will belong to an association of industrial users for UID and they will be responsible for maintenance.

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

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

Commissioner Gowans moved to make a positive recommendation to City Council on final plat approval for UID Minor Subdivision No 38 a two lot subdivision consisting of 18.698 acres located at B Avenue and Daley Drive. Commissioner Dale seconded the motion. All members present voted “Aye”.

6. **Review and Approval of Planning Commission minutes for meeting held November 12, 2009.**

Commissioners Gowans, Dale and Curwen were not present at the November 12, 2009 meeting.

Commissioner Dale moved to table the November 12, 2009 minutes to the next meeting. Commissioner Gowans seconded the motion. All members present voted “Aye”.

7. **Adjourn**

Commissioner Dale moved to adjourn the meeting. Commissioner Gowans seconded the motion. All members present voted “Aye”. The meeting adjourned at 7:18 p.m.

Approved this 13th day of January 2010

Chairman Spence