

**Tooele City Planning Commission  
Business Meeting Minutes**

**Date:** Wednesday, May 10, 2023

**Time:** 7:00 p.m.

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

**Commission Members Present:**

Tyson Hamilton

Doug Newel

Jon Proctor

Weston Jensen

**Commission Members Excused:**

Melanie Hammer

Chris Sloan

Matt Robinson

Melodi Gochis

Alison Dunn

**City Council Members Present:**

Justin Brady

**City Employees Present:**

Andrew Aagard, Community Development Director

Paul Hansen, City Engineer

Roger Baker, City Attorney

Minutes prepared by Katherin Yei

Chairman Hamilton called the meeting to order at 7:13 p.m.

**1. Pledge of Allegiance**

The Pledge of Allegiance was led by Chairman Hamilton.

**2. Roll Call**

Jon Proctor, Present

Tyson Hamilton, Present

Weston Jensen, Present

Doug Newell, Present

Chris Sloan, Excused

Melodi Gochis, Excused

Alison Dunn, Excused

Melanie Hammer, Excused

Matt Robinson, Excused

**3. Public Hearing and Decision on a Conditional Use Permit request by Matt Hendrickson to authorize the use of “Warehouse” for 2.81 acres of property located at 1121 West Utah Avenue in the LI Light Industrial zoning district**

Mr. Aagard presented a Conditional Use Permit for the property located west of 1100 West. This property is currently vacant. The applicant would like to do a flex-space development. It is zoned LI, Light Industrial. The use of flex-space is not defined in the ordinances. Typically, in a flex-space, materials are stored and have office space. They did provide a concept plan with access onto Utah Avenue. They are proposing some vinyl fencing surrounding the property. Staff is recommending approval with conditions listed in the staff report.

The public hearing was opened.

Kalani Mascherino shared concerns of traffic in this area.

The public hearing was closed.

Mr. Aagard addressed the Commission. At this point in time, that road is a City owned road with no plans to install a traffic light. When you have commercial next to residential, the Ordinance does state the Planning Commission can put a condition on the permit to mitigate.

Mr. Hansen addressed the Commission. There are no present plans to install a traffic stop in that area. When staff met with the developer, they made them aware a traffic study must be submitted to the City. As well as looking at access to and from property, visibility, and the train track.

Mr. Baker asked the following questions:

Will a traffic study identify if one or two accesses are needed, and where they should be?

The application mentioned vinyl fencing. Does the Commission need to include that as a condition to mitigate the potential detrimental effect of light industrial uses and building adjacent to a residential property?

**Commissioner Jensen motioned to approve a Conditional Use Permit request by Matt Hendrickson to authorize the use of “Warehouse” for 2.81 acres of property located at 1121 West Utah Avenue in the LI Light Industrial zoning district based on the findings and conditions listed in the staff report including site-obscuring fencing along the south side of the property.** Commissioner Newel seconded the motion. The vote was as follows:

Commissioner Proctor, “Aye”, Commissioner Newel, “Aye” Chairman Hamilton, “Aye”, Commissioner Jensen, “Aye”, The motion passed.

**4. Public Hearing and Recommendation on a proposed text amendment to Tooele City Code Chapter 4-8: Road and Bridge Construction Standards to include new standards for secondary local class streets**

Mr. Aagard presented a text amendment for Tooele City Code Chapter 4-8. In Tooele there are second-class roads, often referred to as alleys. Due to these roads being secondary roads, these roads have not been kept up. When land owners come forward to make improvements to their properties, they ask the City what improvements may need to be made. Staff has put together a table to show the conditions on these roads, requirements, and additional notes. These changes will apply to new developments and re-developments. This will provide a standard for staff to rely upon.

The Planning Commission asked the following questions:

If they are going to have access the roads, is there a way to add sidewalk to the area?

If someone wanted to build a garage on their property, would they have to make improvements to the roads?

Mr. Aagard addressed the Planning Commission. For a typical street, there is sufficient right-of-way width. With these particular roads, there is not wide enough right-of-way to add these with out going onto private property. Building an accessory dwelling would not be considered a re-development. Development would be determined by the main use of the property.

Mr. Baker addressed the Commission. State law says the City can take land and require improvements from developers, if developers are making an impact to the City, proportional to that impact.

The public hearing was opened. No one came forward. The public hearing was closed.

**Commissioner Proctor motioned to forward a positive recommendation on a proposed text amendment to Tooele City Code Chapter 4-8: Road and Bridge Construction Standards to include new standards for secondary local class streets based on the findings and conditions listen in the staff report.** Chairman Hamilton seconded the motion. The vote was as follows: Commissioner Proctor, “Aye”, Commissioner Newel, “Aye” Chairman Hamilton, “Aye”, Commissioner Jensen, “Aye”, The motion passed.

**5. Decision on a conceptual condominium plat proposed by Harris Community Village located at 251 North 1st Street in the R1-7 zoning district on 9.35 acres.**

Mr. Aagard presented a conceptual condominium plat for the Harris Community Village. A condominium plat divides the subdivision of space above the land. The plat provides private ownership within the space. They are not creating this for individual ownership. The first step is to come to the Planning Commission for a conceptual approval. There are no proposed changes to the site plan.

The Planning Commission asked the following questions:

Insurance or title companies would not be able to write a policy with the way the plat is written.

In each building, are there going to be individual units?

Are the roads a part of the common areas?

How will these be rental properties?

Mr. Aagard addressed the Commission. The Planning Commission can request additional things of the applicant.

Ivan Carol addressed the Planning Commission. This project is funded through federal tax credits. The office that gives the money has allowed two allocations per project. Utah housing needed to provide two identification numbers. They would like to have a condominium plat for the two wings to meet the guidelines. There are no changes to the buildings, operations, or the project. There are 24 units in one wing and 48 units in the other. Everything outside the three buildings is common area. Apartments are rented to people who qualify for affordable housing. There is a deed restriction for 50 years that this property is affordable housing.

Mr. Baker addressed the Commission. One mechanism that the staff is used to seeing is a cross-access easement to other properties. The Concept plan for subdivisions have been eliminated by new legislation. But this is a condominium plat, and is different. The City Code does make the concept plan a formal part of the process for condominiums.

Mr. Hansen addressed the Commission. This is only a concept plat. The requirement is to have a concept meeting with the Planning Commission and the City Council. Then it will come back for a formal decision.

**Commissioner Proctor motioned to approve a conceptual condominium plat to move forward in the process.** Commissioner Jensen seconded the motion. The vote was as follows: Commissioner Proctor, “Aye”, Commissioner Newel, “Aye” Chairman Hamilton, “Aye”, Commissioner Jensen, “Aye”, The motion passed.

## **6. City Council Reports**

Council Member Brady shared the following information from the City Council Meeting:

Mr. Aagard has been sworn in as the Community Development Director.

The council has tabled Ordinance 2023-20 so they can work with the Downtown Alliance.

The Council denied approval of Ordinance 2023-19 due to concerns of traffic and a wide range of commercial.

The tentative budget was approved.

The pool will be finishing the concrete area in front of the pool.

## **7. Review and Approval of Planning Commission Minutes for the meeting held on April 26, 2023.**

There are no changes to the minutes.

**Commissioner Jensen motioned to approve the minutes.** Commissioner Newel seconded the motion. The vote was as follows: Commissioner Proctor, “Aye”, Commissioner Newel, “Aye” Chairman Hamilton, “Aye”, Commissioner Jensen, “Aye”, The motion passed.

## **8. Discussion regarding Pre-development Meeting Attendance assignments.**

Commissioner Proctor will attend June.  
Commissioner Jensen will attend July.  
Commissioner Hamilton will attend August.  
Commissioner Newel will attend September.

**9. Adjourn**

**Chairman Hamilton adjourned the meeting at 7:57 p.m.**

*The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.*

Approved this 24<sup>th</sup> day of May, 2023

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Tyson Hamilton, Tooele City Planning Commission Chair