

**PUBLIC NOTICE**

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for **Wednesday, August 9, 2023** at the hour of 7:00 p.m. The meeting will be held in the City Council Chambers of Tooele City Hall, located at 90 North Main Street, Tooele, Utah.

*We encourage anyone interested to join the Planning Commission meeting electronically through Tooele City's YouTube channel by logging onto [www.youtube.com/@tooelecitey](http://www.youtube.com/@tooelecitey) or searching for our YouTube handle **@tooelecitey**. If you would like to submit a comment for any public hearing item you may email [pcpubliccomment@tooelecitey.org](mailto:pcpubliccomment@tooelecitey.org) anytime after the advertisement of this agenda and before the close of the hearing for that item during the meeting. Emails will only be read for public hearing items at the designated points in the meeting.*

**AGENDA**

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Public Hearing and Recommendation** on a Land Use Map Amendment request by Kay Thomas Reese to re-assign the land use designation for approximately .25 acres located at 215 S 200 E from the existing land use designation of Medium Density Residential to Mixed Use.
4. **City Council Reports**
5. **Review and Approval** of Planning Commission Minutes for the meeting held on July 12, 2023.
6. **Review and Approval** of Planning Commission Minutes for the meeting held on July 26, 2023.
7. **Adjourn**

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify Andrew Aagard, Tooele City Planner and Zoning Administrator prior to the meeting at (435) 843-2132.

**STAFF REPORT**

August 3, 2023

**To:** Tooele City Planning Commission  
Business Date: August 9, 2023

**From:** Planning Division  
Community Development Department

**Prepared By:** Andrew Aagard, City Planner / Zoning Administrator

**Re: Reese Property – Land Use Map Amendment Request**

Application No.: P23-669  
Applicant: Kay Thomas Reese  
Project Location: 215 South 200 East  
Zoning: R1-7 Residential Zone  
Acreage: .24 Acres (Approximately 10,625 ft<sup>2</sup>)  
Request: Request for approval of a Land Use Map Amendment to re-assign the land use designation of the subject property from Medium Density Residential (MDR) to Mixed Use (MU).

**BACKGROUND**

This application is a request for approval of a Land Use Map Amendment for approximately .24 acres located at 215 South 200 East. The property is currently zoned R1-7 Residential. The applicant is requesting that a Land Use Map Amendment be approved to re-assign the land use designation of the subject property from MDR to MU in order to permit commercial and other non-residential activities to be conducted within the existing structure located on the site.

**ANALYSIS**

*General Plan and Zoning.* The Land Use Map of the General Plan calls for the Medium Density Residential land use designation for the subject property. The property has been assigned the R1-7 Residential zoning classification, supporting approximately six dwelling units per acre. The R1-7 Residential zoning designation is identified by the General Plan as a preferred zoning classification for the Medium Density Residential land use designation. Properties to the north, east and south are all currently zoned R1-7 Residential. Property to the west is currently zoned MU-G Mixed Use General. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

The applicant has in the past operated a dental office in the existing commercial / non-residential office structure located on the property. The structure was constructed in 1985 and since that time ordinances and zoning have evolved to the point that the structure became a legally non-conforming dental office in a single-family residential zone as the R1-7 zoning district currently does not permit dental offices. A legally non-conforming designation permits a non-conformity to continue on in perpetuity as it was when the zoning changed as long as it maintains the following:

1. The non-conforming use does not cease for a period of one year.
2. The use does not change.

The applicant has not operated a dental office in the structure for a period longer than one year and therefore the legal non-conforming status of the structure has expired. When this happens the use of the

property and the structure then must conform with the uses permitted in the overlying zoning district which, in this case, is the R1-7 zoning district. This zoning district limits the structure to essentially single-family residential uses.

The applicant has not indicated on the application their intentions with the existing structure, however, in numerous conversations with the applicant in the Community Development office it was determined that they would like to operate a mental health counseling center. In order to accomplish this the property must be rezoned to a zone that will permit commercial and non-residential uses. Hence the reason for the request to re-assign the land use designation to the MU designation.

Tooele City law requires that all zoning changes must comply with the Land Use Map of the Tooele City General Plan. Therefore if a zoning change is desired and if the proposed zoning doesn't comply with the Land Use Map, the Land Use Map must first be amended. Currently the property is designated as MDR, or, Medium Density Residential. The MDR land use designation requires single-family residential zones and the three current zoning districts that comply with this designation are the R1-7, R1-8 and the R1-10 zones. These zones are exclusive to single-family residential and two family residential uses and some residential support facility type of uses. The only commercial uses permitted in these three zoning districts are home occupations and home occupations are very limited in the scope and the size of the commercial activity that may occur in the home in order to maintain the residential integrity of the property.

The applicant wishes to change the land use of the property where the expired dental office is located to MU, or, Mixed Use. The Mixed Use land use designation requires two zoning districts, the Mixed Use General and the Mixed Use Broadway zoning districts. As you can deduce the Mixed Use Broadway zone is specific to the Broadway area and this property does not qualify for that zoning district. However, if the Land Use Map is amended to MU the property would be a good candidate for the MU-G Mixed Use General zoning district.

The Mixed Use Land Use designation permits a mix of commercial, office, single-family residential and multi-family residential. In a MU-G zoning district a property can be utilized as commercial, office, medical, residential, multi-family residential and in some cases even permitting a mix of these uses in one building. A change to the Land Use Map and re-assignment of this property to MU would permit an existing legally non-conforming structure to become legal, enable greater use of an existing non-residential structure, provide additional commercial space for small businesses and so forth.

It should also be noted that property across 200 East is currently zoned as MU-G Mixed Use General and is utilized as a community center housing a wide variety of retail and personal services type commercial uses.

Further more, the MU-G zoning district also permits single-family residential, so a change in the land use to MU doesn't prohibit this property from being converted to a residential use or even a duplex if the applicant desired to utilize the building for that purpose.

Site Plan Layout. This is an existing structure that has expired its legally non-conforming status. See the aerial view for site conditions.

Subdivision Layout. The subdivision conditions of this property are complicated and not easy to understand, even for staff. The county records indicate that the dental office sits on a .46 acre parcel, however, the applicant insisted that he had previously approved a subdivision of the .46 acre parcel into two quarter acre lots. The applicant has even provided a plat that was approved by the Tooele City Planning Commission in 1966 splitting the .46 acre lot into two quarter acre lots as well as a quit claim

deed from Tooele County showing lots 5 and 6. Staff doesn't entirely understand why the County's property records do not accurately reflect these lots but the applicant has provided documentation that demonstrates the lots do exist. The LUMA applies only to lot 6.

Criteria For Approval. The criteria for review and potential approval of a Land Use Map Amendment request is found in Section 7-1A-3 of the Tooele City Code. This section depicts the standard of review for such requests as:

- (1) In considering a proposed amendment to the Tooele City General Plan, the applicant shall identify, and the City Staff, Planning Commission, and City Council may consider, the following factors, among others:
  - (a) The effect of the proposed amendment on the character of the surrounding area;
  - (b) Consistency with the General Plan Land Use Map and the goals and policies of the General Plan and its separate elements;
  - (c) Consistency and compatibility with the existing uses of adjacent and nearby properties;
  - (d) Consistency and compatibility with the possible future uses of adjoining and nearby properties as identified by the General Plan;
  - (e) The suitability of the properties for the uses requested viz. a viz. the suitability of the properties for the uses identified by the General Plan; and
  - (f) The overall community benefit of the proposed amendment.

## **REVIEWS**

Planning Division Review. The Tooele City Planning Division has completed their review of the Land Use Map Amendment submission and has issued the following comments:

1. A change to the Mixed Use land use designation eliminates an expired legally non-conforming designation and enables greater use and flexibility for an existing commercial / non-residential structure.
2. A change to Mixed Use will enable a structure to be utilized for commercial, office or personal services as well as single-family residential and even two family residential.
3. Changing to a Mixed Use land use designation is a good solution for this property.

Engineering and Public Works Review. The Tooele City Engineering and Public Works Divisions do not typically review legislative matters such as a Land Use Map Amendment and as such have not issued any comments regarding this application.

Tooele City Fire Department Review. The Tooele City Fire Department does not typically review legislative matters such as a Land Use Map Amendment and as such have not issued any comments regarding this application.

Noticing. The applicant has expressed their desire to re-assign the land use designation for the subject property and do so in a manner which is compliant with the City Code. As such, notice has been properly issued in the manner outlined in the City and State Codes.

## **STAFF RECOMMENDATION**

Staff recommends the Planning Commission carefully weigh this request for a Land Use Map Amendment according to the appropriate tenets of the Utah State Code and the Tooele City Code, particularly Section 7-1A-7(1) and render a decision in the best interest of the community with any conditions deemed appropriate and based on specific findings to address the necessary criteria for making such decisions.

Potential topics for findings that the Commission should consider in rendering a decision:

1. The effect of the proposed application on the character of the surrounding area.
2. The degree to which the proposed application is consistent with the intent, goals, and objectives of any applicable master plan.
3. The degree to which the proposed application is consistent with the intent, goals, and objectives of the Tooele City General Plan.
4. The degree to which the proposed application is consistent with the requirements and provisions of the Tooele City Code.
5. The suitability of the properties for the uses proposed.
6. The degree to which the proposed application will or will not be deleterious to the health, safety, and general welfare of the general public or the residents of adjacent properties.
7. The degree to which the proposed application conforms to the general aesthetic and physical development of the area.
8. Whether a change in the uses allowed for the affected properties will unduly affect the uses or proposed uses for adjoining and nearby properties.
9. The overall community benefit of the proposed amendment.
10. Whether or not public services in the area are adequate to support the subject development.
11. Other findings the Commission deems appropriate to base their decision upon for the proposed application.

## **MODEL MOTIONS**

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Reese Property Land Use Map Amendment request by Kay Thomas Reese, to re-assign the land use designation for .24 acres, to Mixed Use, application number P23-669, based on the findings listed in the Staff Report dated August 3, 2023:”

1. List any additional findings and conditions...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Reese Property Land Use Map Amendment request by Kay Thomas Reese, to re-assign the land use designation for .24 acres, to Mixed Use, application number P23-669, based on the following findings:”

1. List findings...

**EXHIBIT A**

**MAPPING PERTINENT TO THE REESE PROPERTY LAND USE MAP  
AMENDMENT**

***Reese Dental Property Land Use Map Amendment***



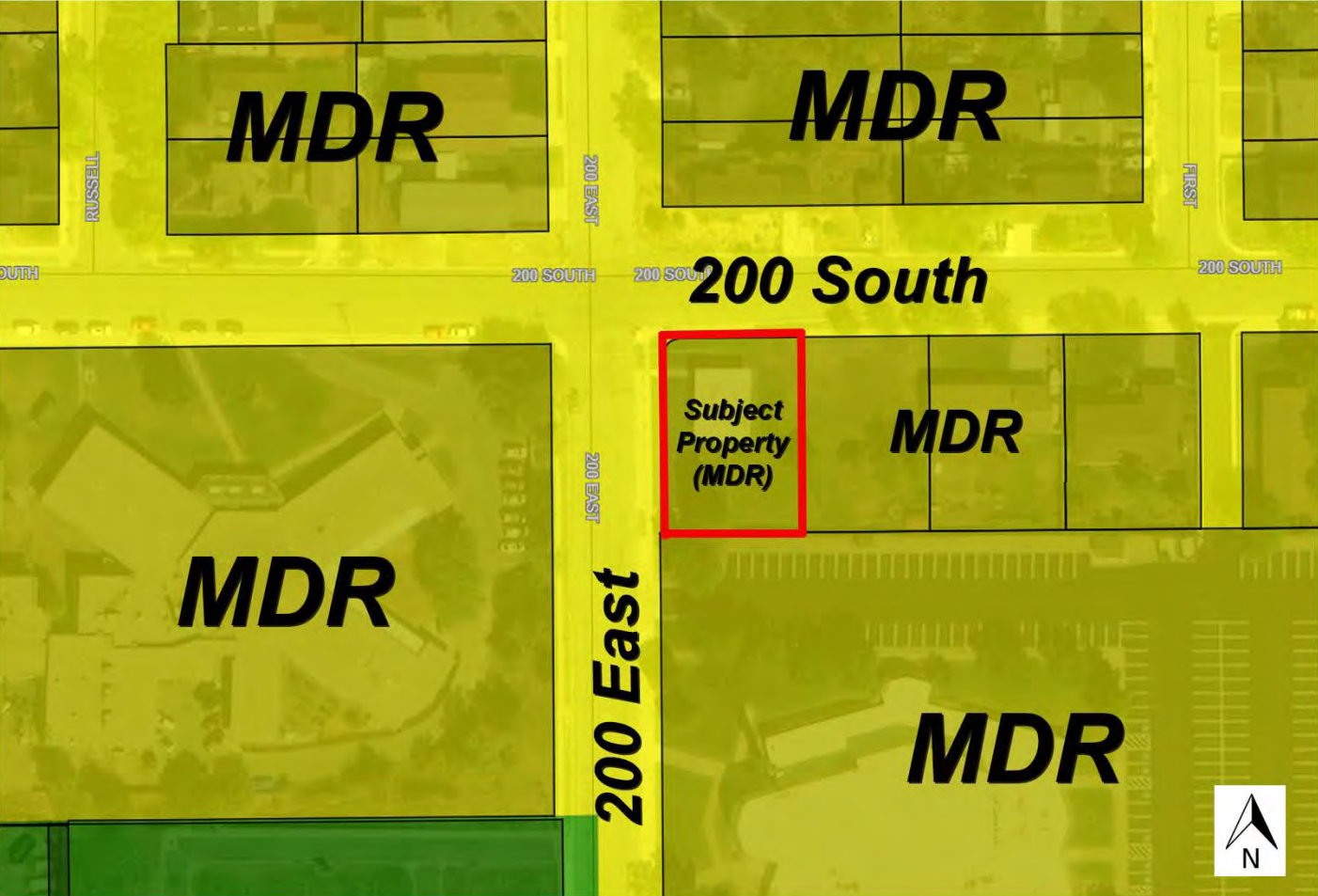
***Aerial View***

**Reese Dental Property Land Use Map Amendment**



**Current Zoning**

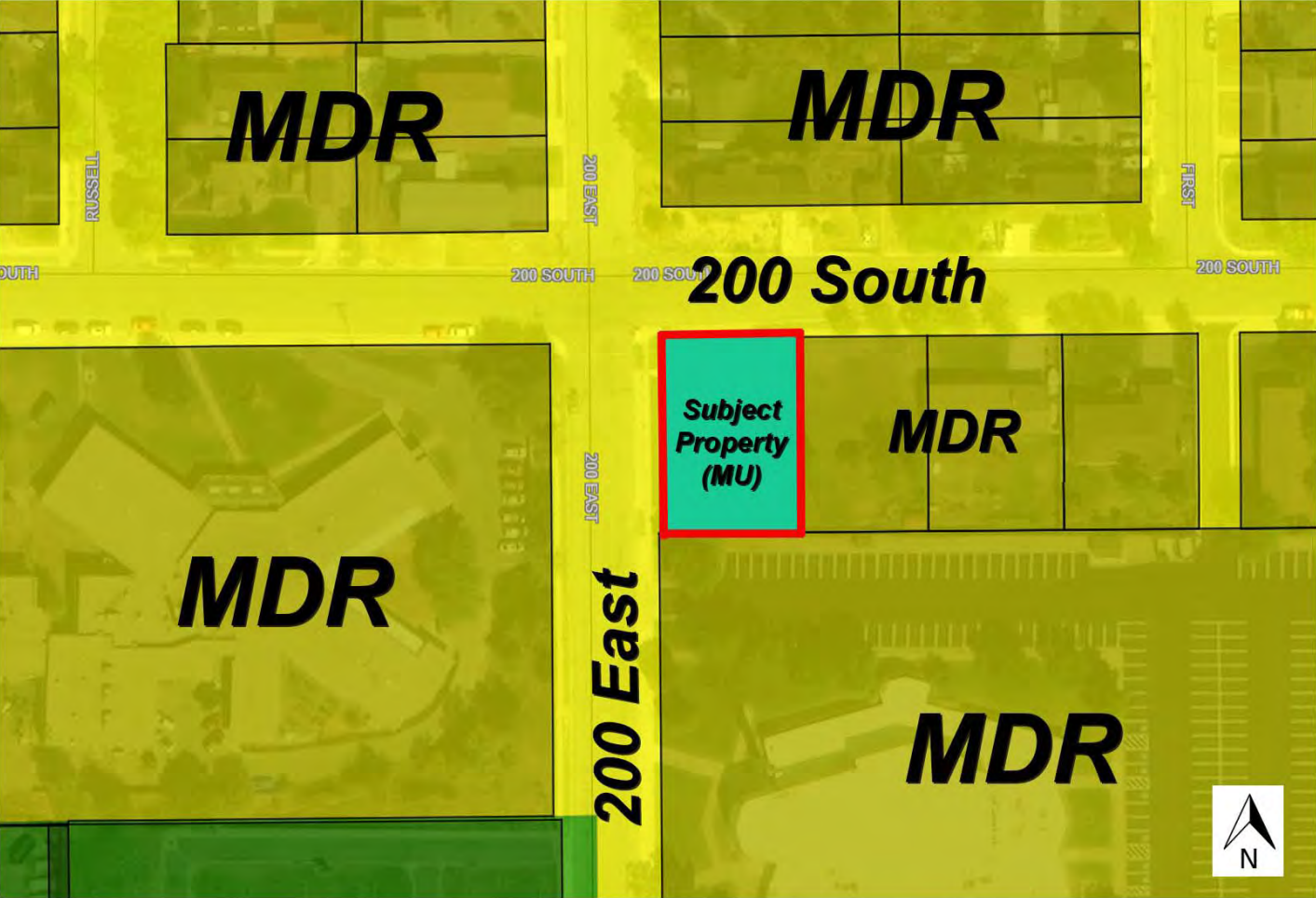
**Reese Dental Property Land Use Map Amendment**



**Current Land Use**



**Reese Dental Property Land Use Map Amendment**



*Proposed Land Use*

**EXHIBIT B**

**APPLICANT SUBMITTED INFORMATION**

Land

# Zoning, General Plan, & Master Plan Map Amendment Application

Community Development Department  
90 North Main Street, Tooele, UT 84074  
(435) 843-2132 Fax (435) 843-2139  
[www.tooelecitey.org](http://www.tooelecitey.org)



*Notice:* The applicant must submit copies of the map amendment proposal to be reviewed by the City in accordance with the terms of the Tooele City Code. Once plans for a map amendment proposal are submitted, the plans are subject to compliance reviews by the various city departments and may be returned to the applicant for revision if the plans are found to be inconsistent with the requirements of the City Code and all other applicable City ordinances. All submitted map amendment proposals shall be reviewed in accordance with the Tooele City Code. Submission of a map amendment proposal in no way guarantees placement of the application on any particular agenda of any City reviewing body. It is **strongly** advised that all applications be submitted well in advance of any anticipated deadlines.

Project Information			
Date of Submission: April 12, 2023		Current Map Designation: Med. density Residential	Proposed Map Designation: mixed use
Project Name: 215 S 200 E Dr R. T Reese Dental Office		Parcel #(s): 09004-0004	Acres: 0.49
Project Address: 215 S 200 E Lot 6			
Proposed for Amendment: <input type="checkbox"/> Ordinance <input type="checkbox"/> General Plan <input type="checkbox"/> Master Plan: _____			
Brief Project Summary:			
Property Owner(s): Kay Thomas Reese		Applicant(s): Kay Thomas Reese	
Address: 170 E 200 S		Address: 170 E 200 S	
City: Tooele	State: Utah	Zip: 84074	City: Tooele
Phone: 435 882-0685 cell	801 867 5876	Phone: <del>170 E 200 S</del> 882 0685	
Contact Person: Kay Thomas Reese		Address: 170 E 200 S	
Phone: 435 882-0685 cell	801 867 5876	City: Tooele	State: Utah
Zip: 84074		Zip: 84074	
Cellular: 801 867 5876	Fax:	Email: ktrreed@msn.com	

\*The application you are submitting will become a public record pursuant to the provisions of the Utah State Government Records Access and Management Act (GRAMA). You are asked to furnish the information on this form for the purpose of identification and to expedite the processing of your request. This information will be used only so far as necessary for completing the transaction. If you decide not to supply the requested information, you should be aware that your application may take a longer time or may be impossible to complete. If you are an "at-risk government employee" as defined in *Utah Code Ann.* § 63-2-302.5, please inform the city employee accepting this information. Tooele City does not currently share your private, controlled or protected information with any other person or government entity.

### Note to Applicant:

Zoning and map designations are made by ordinance. Any change of zoning or map designation is an amendment the ordinance establishing that map for which the procedures are established by city and state law. Since the procedures must be followed precisely, the time for amending the map may vary from as little as 2½ months to 6 months or more depending on the size and complexity of the application and the timing.

For Office Use Only			
00579662		2230716	
Received By: 	Date Received: 7/17/23	Fees: 1,100.00	App. #:

**HIGHLAND SOUTH ADDITION** - Tooele, Utah

A subdivision located in the SW 1/4, Section 27, Township 3 South, Range 4 West, Salt Lake Base & Meridian.

**SURVEYOR'S CERTIFICATE:**

I, Dale W. James, do hereby certify that I am a registered Professional Land Surveyor as prescribed by the Laws of the State of Utah, and that I hold License No. 1024, and by authority of the owner I have made a survey of the Tract of Land shown on this plat, and have subdivided the same into Six (6) Lots and that the same has been correctly staked on the ground and described as follows, to wit:

Beginning at a point which is North 91.00 Ft. from the Northwest Corner Lot 22, Little Mountain Addition No. 1 and the SW Corner Lot 92, Tooele Highlands Subdivision and extending thence West 520.76 Ft. thence N. 0° 33' W 125.10 Ft. to Second South Street; thence East 521.96 Ft. to Tooele Highlands Subdivision Lot 89; thence South 125.00 Ft. to the point of beginning.

Dated 6-10-66

*Dale W. James*  
Surveyor of Reg. # 1024

**OWNER'S DEDICATION:**

Know All Men By These Presents, that we the undersigned owners of the above described tract of land, having caused the same to be subdivided into Lots & Streets to be hereafter known as Highland South Addition, do hereby dedicate for the perpetual use of the Public all parcels of land shown on this plat as intended for public use.

In witness whereof I have hereunto set my hand this 9th day of June AD. 1966.

Tooele Stake Corporation a Corporation Sole of the Church of Jesus Christ of Latter Day Saints.

*Howard J. Clegg*  
Howard J. Clegg, President

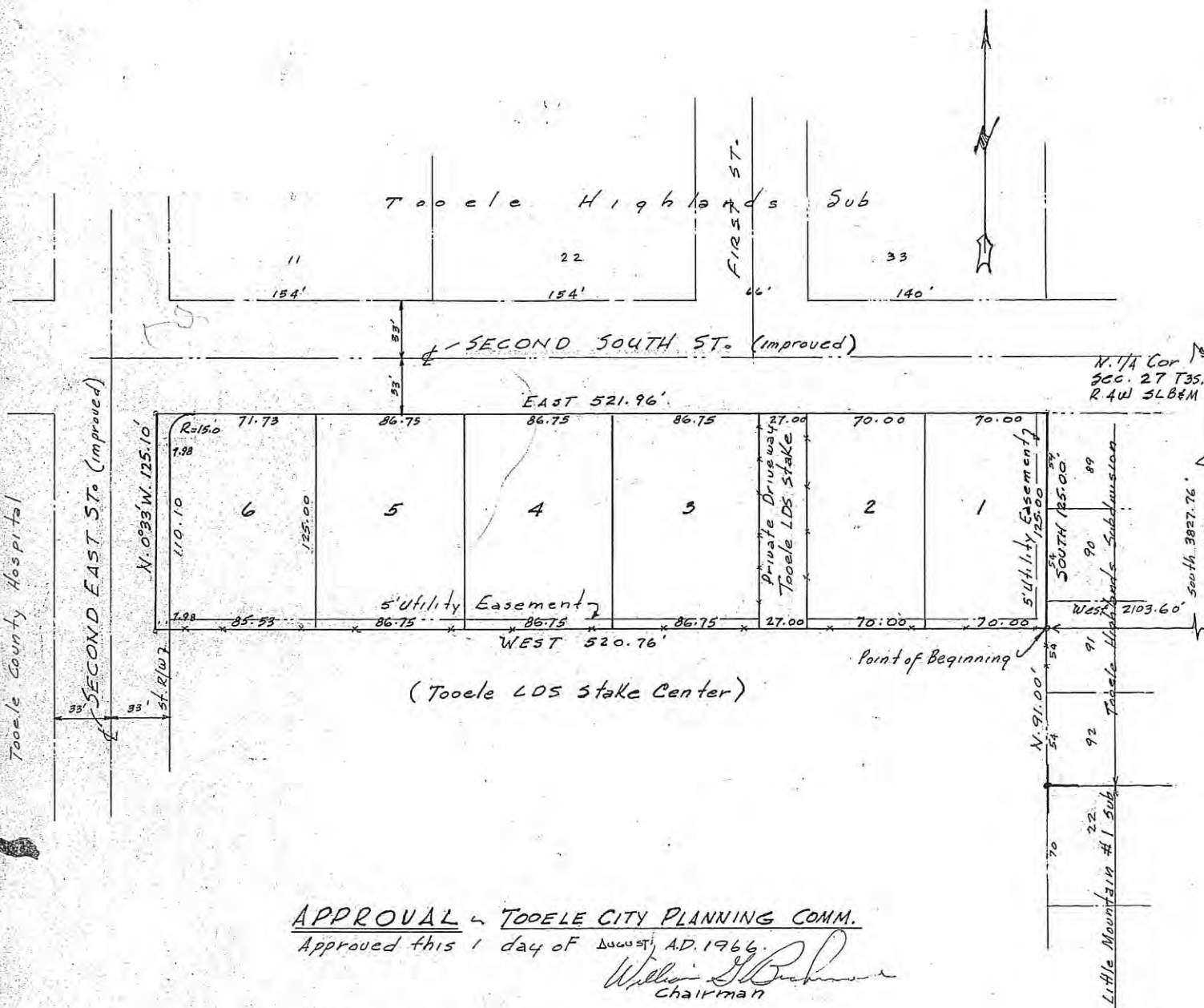
**ACKNOWLEDGEMENT:**

STATE OF UTAH } ss  
County of Tooele }

On this 9th day of June AD. 1966 personally appeared before me Howard J. Clegg, Stake President of the Tooele Stake Corporation of the Church of Jesus Christ of Latter Day Saints, who by me duly sworn did acknowledge to me that he is the President of said Corporation and the accompanying instrument was signed by him in behalf of said Corporation (Sole) by authority of its Governing Board and Howard J. Clegg duly acknowledged to me that the said Corporation (Sole) executed the same.

Residing in Tooele County  
Commission Expires Sept 27, 1970

*Ralph W. Millburn*  
NOTARY PUBLIC



**APPROVAL - TOOELE CITY PLANNING COMM.**

Approved this 1 day of August AD. 1966.  
*William J. Bowman*  
Chairman

**APPROVAL - TOOELE CITY COUNCIL**

- Mayor - *Frank St. Bowman*
- Councilman - *Frances L. Mayo*
- Councilman - *Hervey E. Wright*
- Councilman - *Wallace R. Johnson*
- Councilman - \_\_\_\_\_
- Councilman - \_\_\_\_\_

Passed by the Tooele City Council this 8th day of August AD. 1966.

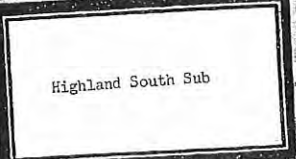
*Livilla Strausbaugh*  
Tooele City Recorder

RECORDED - and filed this \_\_\_\_\_ day of \_\_\_\_\_ AD. 1966.

Request of: *Sidney G. HTKIN*  
# 283708 Time 4:15 PM Book 19 Page 467  
Fec: \$1.00  
Signed: *Ida Johnson Long*  
Tooele County Recorder

APR 25 1968

M - J CORPORATION General Engineering Contractor		
SCALE: 1" = 50'	APPROVED BY:	DRAWN BY: <i>DEOR</i>
DATE: 6-10-66		REVIEW:
86 So Main Tooele, Utah		DRAWING NUMBER:



**Tooele City Planning Commission  
Business Meeting Minutes**

**Date:** Wednesday, July 12, 2023

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

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

**Commission Members Present:**

Tyson Hamilton  
Melanie Hammer  
Jon Proctor  
Chris Sloan  
Matt Robinson  
Weston Jensen  
Melodi Gochis  
Alison Dunn

**Commission Members Excused:**

Doug Newel

**City Council Members Present:**

Ed Hansen  
Maresa Manzione

**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 7:00 p.m.

**1. Pledge of Allegiance**

The Pledge of Allegiance was led by Chairman Hamilton.

**2. Roll Call**

Melanie Hammer, Present  
Matt Robinson, Present  
Tyson Hamilton, Present  
Weston Jensen, Present  
Chris Sloan, Present  
Alison Dunn, Present  
Melodi Gochis, Present

Jon Proctor, Present  
Doug Newell, Excused

**3. Public Hearing and Recommendation on a Zoning Map Amendment regarding a request to re-assign the zoning designation by Wagstaff Investments, LLC for approximately 2.0 acres located at 602 W Three O' Clock Drive from the existing zoning designation of MR-12 (Multi-Family Residential) to GC (General Commercial).**

Mr. Aagard presented a Zoning Map amendment for the property located at 3 O'clock Drive and SR-36. It is zoned MR-12, multi-family residential. The applicant is requesting for GC, General Commercial to construct a Holiday Oil including a carwash. Staff recommends the Planning Commission to include the parcel next to the subject property to develop in a similar fashion.

Mr. Hansen addressed the Planning Commission. Two traffic studies have been done and will be forwarded to UDOT. This project will increase traffic. UDOT will oversee any improvements that may happen at this intersection.

The Planning Commission asked the following questions:  
Are there any reasons the property owner would not be amenable to not changing that second part of the property?

Mr. Aagard addressed the Commission. The entire section of property is owned by the same person. By rezoning all of it, it makes selling or developing it easier.

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

**Commissioner Proctor motioned to forward a positive Recommendation on a Zoning Map Amendment regarding a request to re-assign the zoning designation by Wagstaff Investments, LLC for approximately 2.0 acres located at 602 W Three O' Clock Drive from the existing zoning designation of MR-12 (Multi-Family Residential) to GC (General Commercial) based on the conditions and subject to the conditions listed in the staff report including the property to the North.** Commissioner Sloan seconded the motion. The vote was as follows: Commissioner Hammer, "Aye", Commissioner Proctor, "Aye," Commissioner Sloan, "Aye" Chairman Hamilton, "Aye", Commissioner Jensen, "Aye", Commissioner Robinson, "Aye", and Commissioner Gochis, "Aye". The motion passed.

**4. Decision on a conceptual condominium plat proposed by Douglas Orthopedics located at 2321 North 400 East, Suite 300 in the GC General Commercial zoning district on 2.2 acres.**

Mr. Aagard presented a conceptual condominium plat by Douglas Orthopedics located at 2321 North 400 East. The property owner wishes to sell the new portions of the building to private ownership. The condo plat is the process to accomplish it. It does require an approval of the concept plan before staff can move forward and approve the condominium plat.

The Planning Commission asked the following questions:

Has their parking for red curb and emergency services been addressed?

Mr. Aagard addressed the Commission. It has been recommended by staff and can be addressed during the formal approval process.

Council Member Manzione addressed the Commission. This topic was discussed during a pre-development meeting.

**Commissioner Robinson motioned to approve Decision on a conceptual condominium plat proposed by Douglas Orthopedics located at 2321 North 400 East, Suite 300 in the GC General Commercial zoning district on 2.2 acres.** Commissioner Jensen seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye,” Commissioner Sloan, “Aye” Chairman Hamilton, “Aye”, Commissioner Jensen, “Aye”, Commissioner Robinson, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

### **5. City Council Reports**

Council Member Manzione shared the following information from the City Council Meeting: Approved the amendments to the code in regards to accessory dwellings.

### **6. Review and Approval of Planning Commission Minutes for the meeting held on June 28, 2023.**

There are no changes to the minutes.

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

### **7. Adjourn**

**Chairman Hamilton adjourned the meeting at 7:16 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 \_\_\_\_ day of July, 2023

---

Tyson Hamilton, Tooele City Planning Commission Chair

**Tooele City Planning Commission  
Business Meeting Minutes**

**Date:** Wednesday, July 26, 2023

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

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

**Commission Members Present:**

Tyson Hamilton  
Melanie Hammer  
Chris Sloan  
Matt Robinson  
Weston Jensen  
Alison Dunn  
Jon Proctor  
Doug Newel

**Commission Members Excused:**

Melodi Gochis

**City Council Members Present:**

Maresa Manzione

**City Employees Present:**

Jared Stewart, Economic Development Director  
Holly Potter, Deputy City Recorder  
Roger Baker, City Attorney  
Paul Hansen, City Engineer

Minutes prepared by Katherin Yei

Chairman Hamilton called the meeting to order at 7:00 p.m.

**1. Pledge of Allegiance**

The Pledge of Allegiance was led by Chairman Hamilton.

**2. Roll Call**

Melanie Hammer, Present  
Matt Robinson, Present  
Tyson Hamilton, Present  
Weston Jensen, Present  
Chris Sloan, Present  
Alison Dunn, Present  
Doug Newell, Present



Jon Proctor, Present  
Melodi Gochis, Excused

**3. Public Hearing and Recommendation on a Zoning Map Amendment request by Cindy McInnes to re-assign the zoning for approximately .39 acres located at 105 E 1000 N from the existing Zoning designation of RR-1 Residential Zone to R1-7 Residential Zone.**

Mr. Stewart presented a Zoning Map Amendment for property located at 105 East, 200 North. It is currently zoned RR-1, Rural Residential. The applicant is requesting the amendment in order to subdivide a .39-acre parcel to maintain home ownership on the lot, allowing potential sale of the surrounding property. The applicant is requesting R1-7 Residential Zone.

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

**Commissioner Robinson motioned to approve recommendation on a Zoning Map Amendment request by Cindy McInnes to re-assign the zoning for approximately .39 acres located at 105 E 1000 N from the existing Zoning designation of RR-1 Residential Zone to R1-7 Residential Zone.** Commissioner Jensen seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Sloan, “Aye”, Chairman Hamilton, “Aye”, Commissioner Jensen, “Aye”, Commissioner Robinson, “Aye”, Commissioner Newel, “Aye” and Commissioner Proctor, “Aye”. The motion passed.

**4. Public Hearing and Decision on a Conditional Use Permit request by IRVA Development to authorize the use of “Accessory drive through facility” for 2.283 acres of property located at 245 N Main Street in the GC General Commercial zoning district.**

Mr. Stewart presented a Conditional Use Permit for the property located near the Key Bank at 245 N Main Street. The permit is for an accessory drive-through facility. Based in the northern drive-through, there is space for seven cars to queue, with the impact of possible emergency services being blocked. There is a possibility that the drive-through could queue onto the main road as well. Staff is recommending stacking lanes in an obscured fashion to make it aesthetically pleasing.

Mr. Hansen addressed the Commission. A traffic study has not been provided, though their engineer did give them a traffic study yesterday. They would recommend a few changes to the design. The Commission has a few options including tabling the item or approving it with conditions, allowing staff to work with the developer in conjunction to the traffic study.

The Commission shared concerns about the traffic study.

Mr. Baker addressed the Commission. In order to impose and mitigate a condition, the Commission must know the impacts. A professional traffic study is a great way to look at those conditions and mitigate those.

The public hearing was opened.

Kalani Mascherino and Kelli Anderson shared concerns about traffic within the parking lot and surrounding areas.

The public hearing was closed.

Mr. Eal spoke to the Commission in regards to their engineer's suggestions.

The Planning Commission asked the following:

The plan shows two drive-through windows for the small building. Are they considering changing that?

Mr. Eal addressed the Commission. They are considering reducing it to one window.

**Commissioner Proctor motioned to table this item until the traffic study has been provided and reviewed by the staff and Planning Commission.** Commissioner Sloan seconded the motion. The vote was as follows: Commissioner Hammer, "Aye", Commissioner Sloan, "Aye", Chairman Hamilton, "Aye", Commissioner Jensen, "Aye", Commissioner Robinson, "Aye", Commissioner Newel, "Aye" and Commissioner Proctor, "Aye". The motion passed.

**5. Decision on a Design Review request by Reeve and Associates to consider the use of asphalt millings gravel as finished paving material for designated parking areas associated with a new industrial business proposed to be located at 600 South Tooele Boulevard in the TCBP Tooele City Business Park zoning district on approximately 24.9 acres.**

Mr. Stewart presented a design review for the 25-acre parcel bought by Light Air Poma from the RDA. This is located in the TCBP, Tooele City Business Park. The overall site plan shows the building to the north and east. It is proposed to allow asphalt millings gravel. There is still a regular asphalt drive for emergency services. Staff has concerns for the municipal water sources nearby. They have asked the applicant for additional details and geotechnical report. The Planning Commission can table this item until a report comes in or approve it with conditions.

Mr. Hansen addressed the Commission. The product has been used throughout the City. Staff is recommending the applicant provides a geological report that includes specifications, allowing the City to hold them accountable.

The Planning Commission asked the following:

Why do they want to use this product?

Has the City used it near a water source before?

What will the report specify?

Mr. Stewart addressed the Commission. They are environmentally conscious, and it is cheaper to use recycled material.

Mr. Hansen addressed the Commission's questions. The availability of millings will determine how much or little they can use. The qualifications will be based on the representations in the report providing particle, rock size, and machinery required. If the applicant does not provide the report, they will have to pave the area. The City has not used this particular item near a water source, but they do not anticipate it being an issue.

Mr. Baker addressed the Commission. An alternative to tabling this item, would be to approve it with conditions upon the recommendation to the geological report.

**Commissioner Sloan motioned to table this item until the geotechnical report has been made available has passed staff review.** Commissioner Proctor seconded the motion. The vote was as follows: Commissioner Hammer, "Aye", Commissioner Sloan, "Aye" Chairman Hamilton, "Aye", Commissioner Jensen, "Aye", Commissioner Robinson, "Nay", Commissioner Newel, "Aye" and Commissioner Proctor, "Aye". The motion passed.

#### **6. City Council Reports**

Council Member Manzione shared the following information from the City Council Meeting: Truth and taxation will be held during the next City Council meeting.

#### **7. Adjourn**

**Chairman Hamilton adjourned the meeting at 7:42 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 \_\_\_\_ day of August, 2023

---

Tyson Hamilton, Tooele City Planning Commission Chair