

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for **Wednesday, February 28, 2024** 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 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.gov any time 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** – Consideration of a request to amend Tooele City Code 7-1-5, Definitions, regarding the mass storage of lithium-ion batteries in the City's industrial zoning districts.
Andrew Aagard, Community Development Director presenting
4. **Public Hearing and Decision** – Consideration of a request by Angie Silva, Little Britches Clothing for approval of a Conditional Use Permit to allow the operation of a retail business in an existing building located at 272 N. Broadway, Suite 7 in the MU-B, Mixed-Use Broadway zoning district.
Jared Hall, City Planner presenting
5. **City Council Reports**
6. **Review and Approval** – Planning Commission Minutes for the meeting held on February 14, 2024.
7. **Adjourn**

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

STAFF REPORT

February 22, 2024

To: Tooele City Planning Commission
Business Date: February 28, 2024

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, Community Development Director

Re: Hazardous Materials Storage– City Code Text Amendment Request

Applicant: Tooele City

Request: Request for approval of a City Code Text Amendment to Tooele City Code 7-1-5, Definitions, regarding the mass storage of lithium-ion batteries in the City’s industrial zoning districts.

BACKGROUND

Tooele City is proposing amendments to the definition of “Hazardous Materials Storage” as defined in the definitions section of Tooele City Code 7-1-5, Definitions. The amendment is regarding the mass storage of lithium-ion batteries.

ANALYSIS

History. A number of months ago the City Planner / Zoning Administrator and the Tooele City Fire Chief received a business license request to conduct mass storage of lithium-ion batteries in the City’s industrial depot under the specific land use of “Warehouse” as that is exactly what warehousing does, mass storage of material goods. Per zoning the Zoning Administrator was prepared to permit the business license to go forward. However, the Fire Chief had some concerns regarding these batteries due to information he had learned that these batteries when damaged or otherwise compromised can be very dangerous, if not hazardous materials. Tooele City’s Table of Uses as found in Section 7-16 of the City Code prohibits the storage of Hazardous Materials in all zoning districts but the definition of hazardous materials as found in 7-1-5 is fairly vacuous and does not offer a strong definition of what hazardous materials are? The Fire Chief then engaged in research of lithium-ion batteries, approached fire experts throughout the State to determine if these batteries have been declared as hazardous materials. Due to the new-ness of this technology they are still being tested in order to determine how dangerous and hazardous they in fact are and as such the Fire Chief was not able to determine lithium-ion batteries as hazardous materials at that time.

Since then the Fire Chief and Fire Marshall have attended fire training sessions and learned that fires associated with lithium-ion batteries are extremely dangerous in that they generate excessive heat, extremely toxic smoke and require copious amounts of water to extinguish. The Fire Marshall, Nick Wall, has provided a letter detailing the Fire Department’s concerns related to the storage of these batteries within Tooele City limits. That letter has been included in this staff report for your reference.

Purpose. At the behest of the City Administration and the Fire Chief we are proposing an ordinance amendment to change the definition of “Hazardous Materials Storage” to include lithium-ion batteries to prohibit the mass storage of these batteries within Tooele City’s boundaries where we don’t have the resources to fight a fire involving a warehouse full of these batteries.

Ordinances Affected. The following ordinances are those that will be affected by the proposed changes.

1. Title 7; Uniform Zoning Title of Tooele City, Chapter 7-1-5, Definitions.

Proposed Changes. Staff proposes to add the language to the definition of “Hazardous Materials Storage” to include lithium-ion batteries as well as a definition of what a lithium-ion battery actually is. This simple change will then include the batteries in “Hazardous Materials Storage” and will therefore prohibit mass storage of these materials within Tooele City’s boundaries.

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

- (1) No amendment to the Zoning Ordinance or Zoning Districts Map may be recommended by the Planning Commission or approved by the City Council unless such amendment or conditions thereto are consistent with the General Plan. In considering a Zoning Ordinance or Zoning Districts Map amendment, 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 goals and policies of the General Plan and the General Plan Land Use Map.
 - (c) Consistency and compatibility with the General Plan Land Use Map for adjoining and nearby properties.
 - (d) The suitability of the properties for the uses proposed viz. a. viz. the suitability of the properties for the uses identified by the General Plan.
 - (e) Whether a change in the uses allowed for the affected properties will unduly affect the uses or proposed uses for adjoining and nearby properties.
 - (f) The overall community benefit of the proposed amendment.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the City Code Text Amendments request and has issued and approval for the request with the following comment:

1. This is a simple fix to what could potentially be a very complicated and costly problem for Tooele City and Tooele City’s fire department.

Engineering & Public Works Division Review. The Tooele City Engineering and Public Works Divisions has completed their review of the City Code Text Amendment request and has issued the following comment:

1. Both divisions are in support of this proposed ordinance amendment as it will protect the City from having to provide vast amounts of water and water provisions systems to suppress a warehouse fire involving lithium-ion batteries.

Fire Department Review: The Tooele City Fire Department has completed their review of the City Code Text Amendment request and has issued the following comment:

1. The letter provided by Fire Marshall Wall indicates the Fire Department’s support for this ordinance amendment.

Noticing. The applicant has expressed their desire to amend the City Code 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 City Code Text 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 the text amendment may have on potential applications regarding the character of the surrounding areas.
2. The degree to which the proposed text amendment may effect a potential application's consistency with the intent, goals, and objectives of any applicable master plan.
3. The degree to which the proposed text amendment may effect a potential application's consistency with the intent, goals, and objectives of the Tooele City General Plan.
4. The degree to which the proposed text amendment is consistent with the requirements and provisions of the Tooele City Code.
5. The suitability of the proposed text amendment on properties which may utilize its provisions for potential development applications.
6. The degree to which the proposed text amendment may effect an application's impact on the health, safety, and general welfare of the general public or the residents of adjacent properties.
7. The degree to which the proposed text amendment may effect an application's impact on the general aesthetic and physical development of the area.
8. The degree to which the proposed text amendment may effect the uses or potential uses for adjoining and nearby properties.
9. The overall community benefit of the proposed amendment.
10. 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 Hazardous Materials Storage text amendment request by Tooele City for the purpose of including lithium-ion batteries in the definition of Hazardous Materials Storage, based on the following findings:”

1. List findings ...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Hazardous Materials Storage text amendment request by Tooele City for the purpose of including lithium-ion batteries in the definition of Hazardous Materials Storage based on the following findings:”

1. List findings ...

EXHIBIT A

HAZARDOUS MATERIALS STORAGE CODE TEXT AMENDMENT LANGUAGE



Tooele City Fire Department's urgent concerns regarding the mass storage of lithium-ion batteries within Tooele City and advocacy for the implementation of an amendment prohibiting such storage for the protection of the health, safety, and welfare of our community.

As you may be aware, lithium-ion batteries have become increasingly abundant in our society due to their use in various consumer electronics, electric vehicles, and renewable energy storage systems. While these batteries offer numerous benefits, they also pose significant risks, particularly when stored in large quantities.

The primary concern associated with the mass storage of lithium-ion batteries is the potential for thermal runaway, a phenomenon in which the battery overheats and ignites, leading to fires and explosions. Thermal runaway can be initiated within the battery with even the slightest bit of damage. This is because of the thin layer of separation between the anode and cathodes within the battery. Damage on the outside of the battery doesn't have to be present to start the thermal runaway process. Hard jolts or impacts to the casing can move the separations enough to initiate the process of thermal runaway. Lithium-ion batteries' tendency to overheat, combust, or explode under certain conditions is a reality that cannot be overlooked. Lithium-ion battery fires are notoriously difficult to extinguish. They can result in extensive property damage, environmental contamination, and even loss of life.

Given the inherent volatility of lithium-ion batteries, allowing their mass storage within our city presents a clear and present danger to the safety and well-being of our residents. The risk of fires and explosions is compounded by factors such as improper handling, storage conditions to include proper temperatures and the absence of adequate safety measures. Despite stringent safety measures—temperature controls, ventilation systems, and fire suppression systems—the specter of catastrophe looms large. A single spark, an unnoticed fault in a battery's casing, could spell disaster, engulfing the warehouse in a conflagration of flames and toxic fumes. A fire of this magnitude within the city would overwhelm the available emergency response resources of the city, severely tax the water system, as well as require all adjoining response district's assistance. Outside county resources would most likely be required to assist in suppression efforts as well as to assist in the hazardous material cleanup that is a direct result of a lithium-ion battery fire.

In recent years, there have been numerous incidents worldwide involving lithium-ion battery fires in storage facilities, manufacturing plants, and vehicles. More and more are happening each day due to the uptick in utilizing these batteries in more and more products. These incidents serve as stark reminders of the potentially catastrophic consequences associated with the negligent storage and handling of lithium-ion batteries. They are also great reference points to show what resources were needed for extinguishment and the amount of time and water that was required to extinguish the fire as well as to clean up the aftermath.

To mitigate the risks posed by the mass storage of lithium-ion batteries and safeguard the health, safety, and welfare of Tooele City residents, we urge you to consider the urgent adoption of an amendment to existing regulations prohibiting the mass storage of lithium-ion batteries within the city limits. Such an amendment would send a clear message that the city prioritizes the safety and protection of its citizens above all else.

We believe that by taking proactive measures to address this pressing issue, we can effectively mitigate the risks associated with lithium-ion batteries and ensure a safer, more secure environment for all residents of Tooele City.

Thank you for your attention to this matter, and we look forward to your prompt action in addressing these concerns.

Tooele City Code 7-1-5; Definitions

Hazardous Materials Storage – Means the importation of hazardous wastes, materials, or substances for treatment, storage for more than ten days, or disposal, either for profit or non-profit purposes, including lithium-ion batteries. A lithium-ion or Li-ion battery is a type of rechargeable battery that uses the reversible intercalation of Li+ ions into electronically conducting solids to store energy.



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Thank you for your attention to this matter, and we look forward to your prompt action in addressing these concerns.

STAFF REPORT

February 22, 2024

To: Tooele City Planning Commission
Business Date: February 28, 2024

From: Planning Division
Community Development Department

Prepared By: Jared Hall, City Planner / Zoning Administrator

Re: Little Britches Clothing, Angie Silva – Conditional Use Permit Request

Application No.: P24-77
Applicant: Angie Silva, Little Britches Clothing
Project Location: 272 N. Broadway, Suite 10
Zoning: MU-B, Mixed-Use Broadway
Acreage: 1.29 acres
Request: Conditional Use Permit approval

BACKGROUND

This application is a request for approval of a Conditional Use Permit to allow the operation of a retail clothing store, Little Britches Clothing, in an existing facility located at 272 N. Broadway in the MU-B Zone. The MU-B Zone requires conditional use approval for retail stores located in existing facilities. Little Britches Clothing will buy and re-sell children’s clothing and related items such as strollers and cribs.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan identifies the Mixed Use land use designation for the subject property. The property is also located in the MU-B, Mixed Use Broadway zone. The purpose of the mixed use zoning designations is “to provide an area for an appropriate mix of compatible residential, limited commercial and compatible business and professional offices.” Properties to the south are also zoned MU-B, and include single and multi-family residential uses. Properties north, east and west of the subject property are located in the R1-7 zone, and include mostly single family homes, and Eton Park. The applicant’s proposed retail use is compatible with the intents and goals of the zoning, and with the mixed use development pattern in the area. Mapping pertinent to the subject property can be found in Exhibit “A”, attached to this report.

Site Plan Layout. The subject property is a fully developed commercial site including two connected buildings: a 7,300 ft² multi-tenant commercial building on the west, attached to a 16,300 ft² shop on the east which is utilized by Harris Air. The multi-tenant building is divided up into suites of varying sizes. The applicant will occupy Suite 7. Off-street parking is provided to the west and south of the buildings, with existing accesses from Broadway and Birch Street. No changes to the site are proposed or needed for the intended retail use. The applicant has prepared a site plan of the property and a floor plan for Suite 7 which have been attached to this report in Exhibit “B”. The suite is accessed from an interior hallway in the building. Restrooms are shared between the tenants, so the suite itself will have only a front desk for service; otherwise the floor is open for clothing racks and display of merchandise.

Operations. The proposed shop is small and will be operated by a single employee (the applicant) during regular business hours. The applicant intends to open from 11:00 a.m. to 7:00 p.m., Monday thru Friday, and to

open Saturday and Sunday from 11:30 a.m. to 4:30 p.m. These types of hours will not have a negative impact on the neighboring properties.

Parking. The applicant has indicated that parking for the site is shared between the tenants. There are 15 parking spaces available in the west parking area and 26 spaces available in the south parking area. Other tenants include a small construction company office, a beauty salon, a counseling office, and Harris Air, an HVAC contractor. With 41 parking spaces and the current mix of uses, Staff finds that the proposed retail store will not generate more need for parking than what is currently provide. No changes to the parking are recommended.

Criteria for Approval. The criteria for review and potential approval of a Conditional Use Permit request is found in Sections 7-5-3(3) and (4) of the Tooele City Code. This section depicts the standard of review for such requests as:

- (3) Procedure. At the public hearing, testimony may be given by the applicant and all other persons either in support of or in opposition to the application. The Planning Commission may take the application under advisement, but shall render its determination within 30 days of the date of the hearing.
- (4) Approval. The Planning Commission shall approve the conditional use application if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied.

Findings of Fact. As a part of the approval or denial of a Conditional Use Permit a finding of fact according to Sections 7-5-4 of the Tooele City Code is required. This section depicts the standard for findings of fact:

Prior to approving or denying a Conditional Use Permit application the Planning Commission shall make, in the business meeting at which the public hearing is conducted or the permit is approved or denied, a finding of the following facts:

- (1) The reasonably anticipated detrimental effects of the proposed use upon adjacent and nearby persons and properties;
- (2) The evidence identified regarding the identified reasonably anticipated detrimental effects of the proposed use;
- (3) The reasonable conditions imposed, as part of the Conditional Use Permit approval, intended to mitigate the reasonably anticipated detrimental effects of the proposed use;
- (4) The reasons why the imposed conditions are anticipated or hoped to mitigate the reasonably anticipated detrimental effects of the proposed use;
- (5) The evidence, if any, identified regarding the ability of the imposed conditions to mitigate the reasonably anticipated detrimental effects of the proposed use.

In response to the City Code requirement for findings of fact, the following are the staff responses and comments on the potential effects this application, should it be approved, upon adjacent and nearby persons and property:

1. The subject property is an existing, fully improved multi-tenant building. No changes to the property are necessitated by the addition of the proposed use. As such, the use will not result in impacts from construction or operation.

2. The surrounding properties include many residential uses. The proposed use for retail will not generate need for excessive parking and has not proposed operation at late or early hours, minimizing any potential negative impacts. Staff will recommend operation at regular business hours as outlined in the Staff Report.
3. The process of business licensing provides opportunities for the city to assure continued compliance with important Building and Fire Codes which safeguard public health and safety. Staff will recommend that the requirement for a business license be included as a condition of approval.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the Conditional Use Permit submission and has issued a recommendation for approval for the request with the following comments:

1. To ensure proper safety for those involved in the business in the event of an emergency the applicant needs to maintain a Tooele City business license and receive the necessary inspections.
2. To ensure that there are no negative impacts on the surrounding residential properties, operating only during regular business hours should be a condition of approval.

Engineering and Public Works Review. The Tooele City Engineering Division and the Public Works Department had no comments on the application.

Tooele City Fire Department Review. The Tooele City Fire Department had no comments on the application.

NOTICING

Notice of the public hearing has been properly posted and issued as outlined in the City and State Codes. Notices were also sent to fifteen (15) adjoining property owners. No comments or questions have been received as of the writing of this report.

STAFF RECOMMENDATION

Staff recommends APPROVAL of the request for Conditional Use Permit, application # P24-77 by Angie Silva for Little Britches Clothing, subject to the following conditions:

1. The applicant shall obtain a Tooele City Business License prior to commencing activity at the location.
2. The applicant shall meet all applicable Fire and Building Code requirements for the operation of the business at this location.
3. The business will be open only during regular business hours.

This recommendation is based on the following findings:

1. The proposed use meets the intent, goals, and objectives of the Tooele City General Plan.
2. With conditions, the proposed use will meet the requirements and provisions of the Tooele City Code.
3. With conditions, the proposed use will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.

4. The proposed use will conform to the general aesthetic and physical development of the area.
5. With conditions, the proposed use will not negatively impact public services in the area.
6. Potential impacts of this proposed use have been identified in this report and the recommended conditions are intended to mitigate those impacts as required by Tooele City Code Section 7-5-4.

MODEL MOTIONS

Sample Motion for Approval – “I move we APPROVE the request for Conditional Use Permit, application # P24-77 by Angie Silva for Little Britches Clothing to allow a retail store in an existing building, based on the findings of fact and subject to the conditions listed in the Staff Report dated February 22, 2024.”

1. List any additional findings of fact and/or conditions

Sample Motion for Denial – “I move we DENY the request for Conditional Use Permit, application # P24-77 by Angie Silva for Little Britches Clothing to allow a retail store in an existing building, based on the findings of fact.”

1. List findings of fact

EXHIBIT A

MAPPING PERTINENT TO THE REQUEST, LITTLE BRITCHES CLOTHING



1: Subject Property, aerial view



2: Subject Property, zoning

EXHIBIT B
APPLICANT SUBMITTED INFORMATION

Conditional Use Permit Application

Community Development Department
 90 North Main Street, Tooele, UT 84074
 (435) 843-2132 Fax (435) 843-2139
www.tooelecity.org



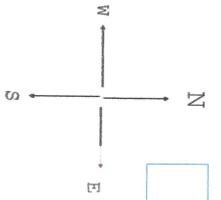
Notice: The applicant must submit copies of the pertinent plans and documents to be reviewed by the City in accordance with the terms of the Tooele City Code. All submitted Conditional Use Permit applications shall be reviewed in accordance with all applicable City ordinances and requirements, are subject to compliance reviews by various City departments, and may be returned to the applicant for revision if the plans are found to be inadequate or inconsistent with the requirements of the City Code. Application submission in no way guarantees placement of the application on any particular agenda of any City reviewing body. It is **strongly** advised that all checklist items be submitted well in advance of any anticipated deadlines.

Project Information					
Date of Submission: 01/29/2024		Current Zoning: Mixed		Parcel #(s): 24-77	
Project Name: Little Britches Clothing				Acres: 0	
Project Address: 272 N Broadway Ste 7				Units: 1	
Project Description: Buy and resell children's clothing and necessities. (Strollers, Cribs, Bouncers)					
Current Use of Property: Empty					
Property Owner(s): JTH Tooele Properties			Applicant(s): Angie Silva		
Address: 272 N Broadway Ste 10			Address: 5351 Ponderosa Ln		
City: Tooele	State: UT	Zip: 84074	City: Stansbury Park	State: UT	Zip: 84074
Phone: 435- 833-0130 ²³⁰⁻ 0461			Phone: 435-496-9741		
Contact Person: Amber Goode			Address:		
Phone:			City: Tooele	State: UT	Zip: 84074
Cellular: 435-830-8233	Fax:		Email:		
Signature of Applicant: 					
					Date 1-29-24

*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.

** By submitting this application form to the City, the applicant acknowledges that the above list is not exclusive and under no circumstances waives any responsibility or obligation of the Applicant and or his Agents from full compliance with City Master Plans, Code, Rules and or Regulations.

For Office Use Only			
2240078			
Fee: 600.00	Received By: JESSI	Date Received: 1/31/24	Receipt #: 6226517



Eilton Park

Street Parking Street Parking Street Parking Street Parking Street Parking

BIRCH STREET

North Entrance

Street Parking

Street Parking

Street Parking

Street Parking

Street Parking

North Sidewalk

North Entrance

Reception

Reception

Reception

Reception

Suite 7

Salon

Salon

Reception
Suite 10

Reception

Class Construction

West Side Walk

West Parking

Southwest Entrance

South Parking

Shop

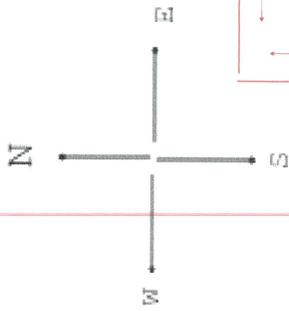
Bay Door

Fence

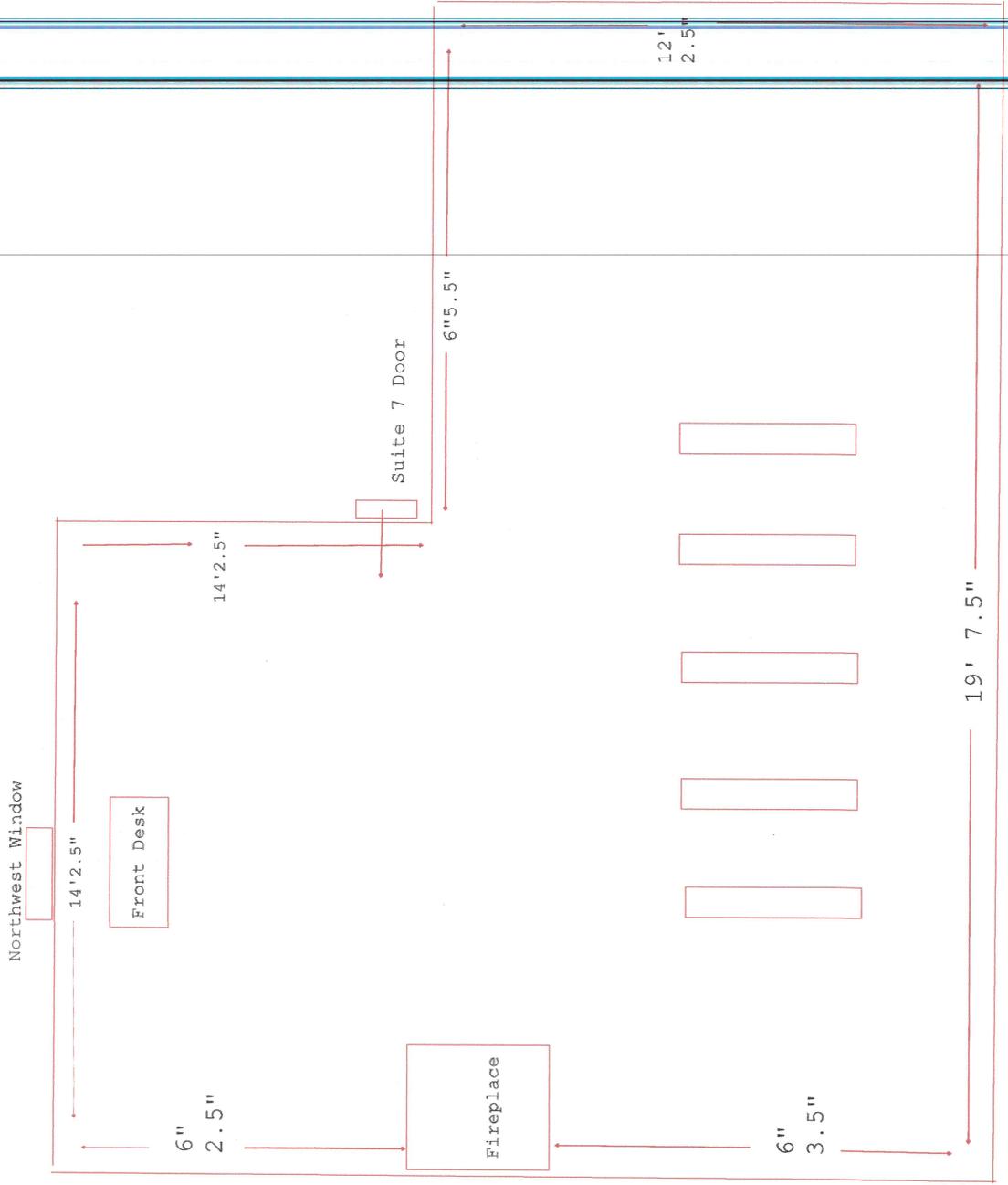
Eilton Park Apartments

BIRCHWAY

272 N Broadway Suit 7 Little Britches Clothing



- 1- Racks will be located on each wall to hang clothes
- 2- 5 racks located on the south side open area



**Tooele City Planning Commission
Business Meeting Minutes**

Date: Wednesday, February 14, 2024

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
Weston Jensen
Alison Dunn
Matt Robinson
Jon Proctor
Kelley Anderson

City Council Members Present:

Maresa Manzione
Ed Hansen

City Employees Present:

Andrew Aagard, City Development Director
Jared Hall, City Planner

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
Jon Proctor, Present
Chris Sloan, Present
Tyson Hamilton, Present
Matt Robinson, Present
Weston Jensen, Present
Kelley Anderson, Present
Alison Dunn, Present

3. Public Hearing and Recommendation – Consideration of amending Tooele City Code 7-16-3, Table 1, Table of uses and Tooele City Code 7-1-5, Definitions regarding Accessory Vehicle Storage Yards.

Presented by Andrew Aagard, City Development Director

Mr. Aagard presented a proposed amendment to table of commercial uses. The amendment is to add a use of an accessory vehicle storage yard for automobile sales and rental. This would require a Conditional Use Permit. It has additional notes with requirements to follow including fencing, pavement, and limiting the storage area. As well as amending the definition of accessory vehicle storage yard.

The Planning Commission asked the following questions:

Is there any way an automobile vehicle storage could be found in General Industrial or Regional Commercial?

Did staff work with Markosian Auto as they were updated the code?

Mr. Aagard addressed the Commission's questions. General Industrial does allow automobile sales, but will not be allowed vehicle storage. Staff has been working with Markosian Auto throughout this process.

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

Commissioner Robinson motioned to forward a positive recommendation on amending Tooele City Code 7-16-3, Table 1, Table of uses and Tooele City Code 7-1-5, Definitions regarding Accessory Vehicle Storage Yards based on the findings and subject to the conditions listed in the staff report. Commissioner Anderson seconded the motion. The vote was as follows: Commissioner Hammer, "Aye", Commissioner Proctor, "Aye", Commissioner Sloan, "Aye", Chairman Hamilton, "Aye", Commissioner Robinson, "Aye", Commissioner Jensen, "Aye", and Commissioner Anderson, "Aye". The motion passed.

4. Review and Decision – Consideration of a request by Justin Kimball, representing Kimball Investments for Preliminary Approval for a six-lot commercial subdivision of property located at approximately 1000 North Main Street in the GC, General Commercial zoning district.

Presented by Jared Hall, City Planner

Mr. Hall presented a preliminary approval for a commercial subdivision located at 1000 North and Main Street. It is zoned GC, General Commercial. The Land Use is Regional Commercial. The subdivision is made up of 6 lots and 2 parcels. The first lot is a large parking area. The main entrance will be signaled, with other entrances as right in, right out. Parcel A and B are not part of the first phase. Staff is recommending approval with the conditions listed in staff report.

The Planning Commission asked the following questions:

Will the entrance closet to Denny's interfere with the business?

Is the access on the west side right-in, right-out?

Were public notices sent out for this item?

Mr. Hall addressed the Commission. There has been a traffic study done for this project. It has been reviewed. This item has been posted to the appropriate sites. UDOT will not remove the access near Denny's without his knowledge.

Mr. Aagard addressed the Commission's questions. There will be singled access at Denny's. The owner is aware. They are working with UDOT to get two major accesses for this project. They do have a corridor agreement for 1000 North. Access on the west side will be full access, not limited to right-in, right-out.

Commissioner Proctor motioned to approve a request by Justin Kimball, representing Kimball Investments for Preliminary Approval for a six-lot commercial subdivision of property located at approximately 1000 North Main Street in the GC, General Commercial zoning district based on the findings and subject to the conditions listed in the staff report. Commissioner Hammer seconded the motion. The vote was as follows: Commissioner Hammer, "Aye", Commissioner Proctor, "Aye", Commissioner Sloan, "Aye", Chairman Hamilton, "Aye", Commissioner Robinson, "Aye", Commissioner Jensen, "Aye", and Commissioner Anderson, "Aye". The motion passed.

5. City Council Reports

Council Member Manzione shared the following information from the City Council Meeting: The State of the City Address was given by Mayor Winn. The Council approved an agreement with Ensign Engineering for the roadway near 2400 North, near the new high school.

6. Review and Approval – Planning Commission Minutes for the meeting held on January 10, 2024.

The following changes have been requested:

Melodi Gochis's name needs to be removed from attendance. Kelley Anderson's name was spelled incorrectly.

Commissioner Anderson motioned to approve the minutes with the updated changes.

Commissioner Hammer seconded the motion. The vote was as follows: Commissioner Hammer, "Aye", Commissioner Proctor, "Aye", Commissioner Sloan, "Aye", Chairman Hamilton, "Aye", Commissioner Robinson, "Aye", Commissioner Jensen, "Aye", and Commissioner Anderson, "Aye". The motion passed.

7. Planning Commission Land Use Training

Mr. Aagard presented training on the general power and duties of the Planning Commission.

8. Adjourn

Chairman Hamilton adjourned the meeting at 8:10 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 February, 2024

Tyson Hamilton, Tooele City Planning Commission Chair

DRAFT