

## PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for **Wednesday, June 11, 2025** 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](https://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](mailto: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** on a Zoning Map Amendment request by Grow Development, LLC, to re-assign the zoning for approximately 11.7 acres located at 249 East 1000 North Street from the RR-5 Residential zoning district to the LI Light Industrial zoning district.
4. **Public Hearing and Decision** on a Conditional Use Permit request to authorize the use of "Automobile Sales and Rental" for property located at 950 N Main Street on .18 acres in the GC General Commercial zoning district.
5. **City Council Reports**
6. **Review and Decision** – Minutes of the Planning Commission meeting held May 28, 2025.
7. **Adjourn**

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

## STAFF REPORT

June 7, 2025

**To:** Tooele City Planning Commission  
Business Date: June 11, 2025

**From:** Planning Division  
Community Development Department

**Prepared By:** Kent Page, City Planner

**Re: Fire Station Business Park – Zoning Map Amendment Request**

Application No.: 2025054  
Applicant: Boyd Brown Representing Grow Development LLC  
Project Location: 249 East 1000 North  
Zoning: RR-5 Residential and LI Light Industrial Zone  
Acreage: 11.7 Acres  
Request: Request for approval of a Zoning Map Amendment to re-assign approximately 11.7 acres of land from the RR-5 Residential to the Light Industrial (LI) zoning district.

### **BACKGROUND**

This application is a request for approval of a Zoning Map Amendment for approximately 11.7 acres located at 249 East 1000 North. The property is currently zoned as RR-5 Residential and LI Light Industrial. The applicant is requesting that the zoning map be amended for all 11.7 acres to the LI Light Industrial zoning district that may facilitate the construction of a light industrial business park. The City Council approved a Land Use Amendment to Light Industrial on May 21, 2025 for this 11.7 acres.

### **ANALYSIS**

#### Zoning.

The subject property is an inverted “L” shaped property and extends north from 1000 North and turns east and extends east past the “Our House” assisted living facility. The new Tooele City Fire Station #3 rests immediately to the west of the subject property as does the Air Med helicopter ambulance facility. Properties to the north of the subject property are vacant, undeveloped ground as are the properties to the east and some of the south. Properties to the north and east are currently zoned RR-5 Residential. Properties to the south are zoned MR-8 and properties to the west are zoned LI Light Industrial. An aerial view and current zoning are depicted in Exhibit A to this report.

Tooele City ordinance 7-1A-5 requires that amendments to the zoning map shall be “consistent with the adopted Tooele City General Plan.” There are many elements to the General Plan that need to be considered but when it comes to Zoning Map amendments the element is the Land Use Map of the General Plan. Thus, before any zoning changes can be considered the proposed zoning must first comply with the Land Use Map. The City Council approved a Land Use Amendment to Light Industrial on May 21, 2025 for this 11.7 acres thus the requested Light Industrial zoning district is in-line with the current Light Industrial land use.

The purpose of the Light Industrial zoning district is to provide locations for light industrial assembly and manufacturing uses that produce limited negative impact to adjacent properties. This district encourages clean, light industrial and manufacturing uses which provide employment opportunities for city residents, strengthen the city's tax base and diversify the local economy.

Here is a list of some of the permitted uses in the Light Industrial zoning district:

Amusement Facility	Automobile Sales and Rental
Automobile Service and Repair	Business Office
Conference Center	Contractor's Display/Office
Convenience Store, w/gasoline sales	Cultural activities and uses
Fast Food Restaurant	Financial Services
Funeral Home/Mortuary	Garden Center
General Industrial Activity	Hardware and Garden Supply Store
Health Care Facility	Health Care Provider
Health Club	Hotel
Laundromat	Light Manufacturing and Assembly
Medical Cannabis Pharmacy	Motel
Nursery	Personal Services
Professional Office	Reception Center
Recreational Facility (Indoor)	Repair Shop (household and personal goods w/no outside storage)
Research Facility	Restaurant
Retail Store (max. 3,000 sq. ft.)	Theater (outdoor)
Veterinary Clinic/Animal Hospital	

The purpose of the RR-5 zoning district is to provide for single-family residential areas and single-family dwelling units on very large individual lots that support, allow, and make available Rural Residential opportunities and agricultural uses protect from the encroachment of incompatible uses.

Currently, there are no residential uses near the subject property. The Our House assisted living facility is residential in nature, however, the zoning of this property is GC General Commercial.

Site Plan Layout. The applicant has provided a conceptual site plan (see Exhibit B) for the Planning Commission's reference. Please keep in mind that this site plan has not been reviewed for compliance with the City's development standards and ordinances and should not be viewed as the final product, if this Zoning Map Amendment is approved. These plans will still need to undergo full site plan design review. It is important to remember that a zoning map designation allows all permitted and conditional uses not just the conceptual site plan.

Subdivision Layout. This is an existing parcel of record.

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

- (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 Land Use Map Amendment submission and has not issued any comments concerning this application.

Engineering and Public Works Divisions Review. The Tooele City Engineering and Public Works Divisions have completed their reviews of the Land Use Map Amendment submission and have not issued any comments concerning this application.

Economic Development. The Tooele City Economic Development Department has completed the review of the Land Use Map Amendment submission and has not issued any comments concerning this request.

Tooele City Fire Department Review. The Tooele City Fire Department has completed their review of the Land Use Map Amendment submission and has not issued any comments concerning this request.

Noticing. The applicant has expressed their desire to re-assign the land use 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 Zoning 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 requirements and provisions of the Tooele City Code.
- 4. The suitability of the properties for the uses proposed.
- 5. 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.
- 6. The degree to which the proposed application conforms to the general aesthetic and physical development of the area.
- 7. Whether a change in the uses allowed for the affected properties will unduly affect the uses or proposed uses for adjoining and nearby properties.
- 8. The overall community benefit of the proposed amendment.
- 9. Whether or not public services in the area are adequate to support the subject

- development.
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 Fire Station Business Park Zoning Map Amendment request by Boyd Brown, representing Grow Development, LLC to rezone 11.7 acres from RR-5 Residential to the LI Light Industrial zoning district, application number 2025054, based on the findings listed in the Staff Report dated June 6, 2025:”

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 Fire Station Business Park Zoning Map Amendment request by Boyd Brown, representing Grow Development, LLC to rezone 11.7 acres from RR-5 Residential to the LI Light Industrial zoning district, application number 2025054, based on the findings listed in the Staff Report dated June 6, 2025

1. List findings...



**EXHIBIT A**

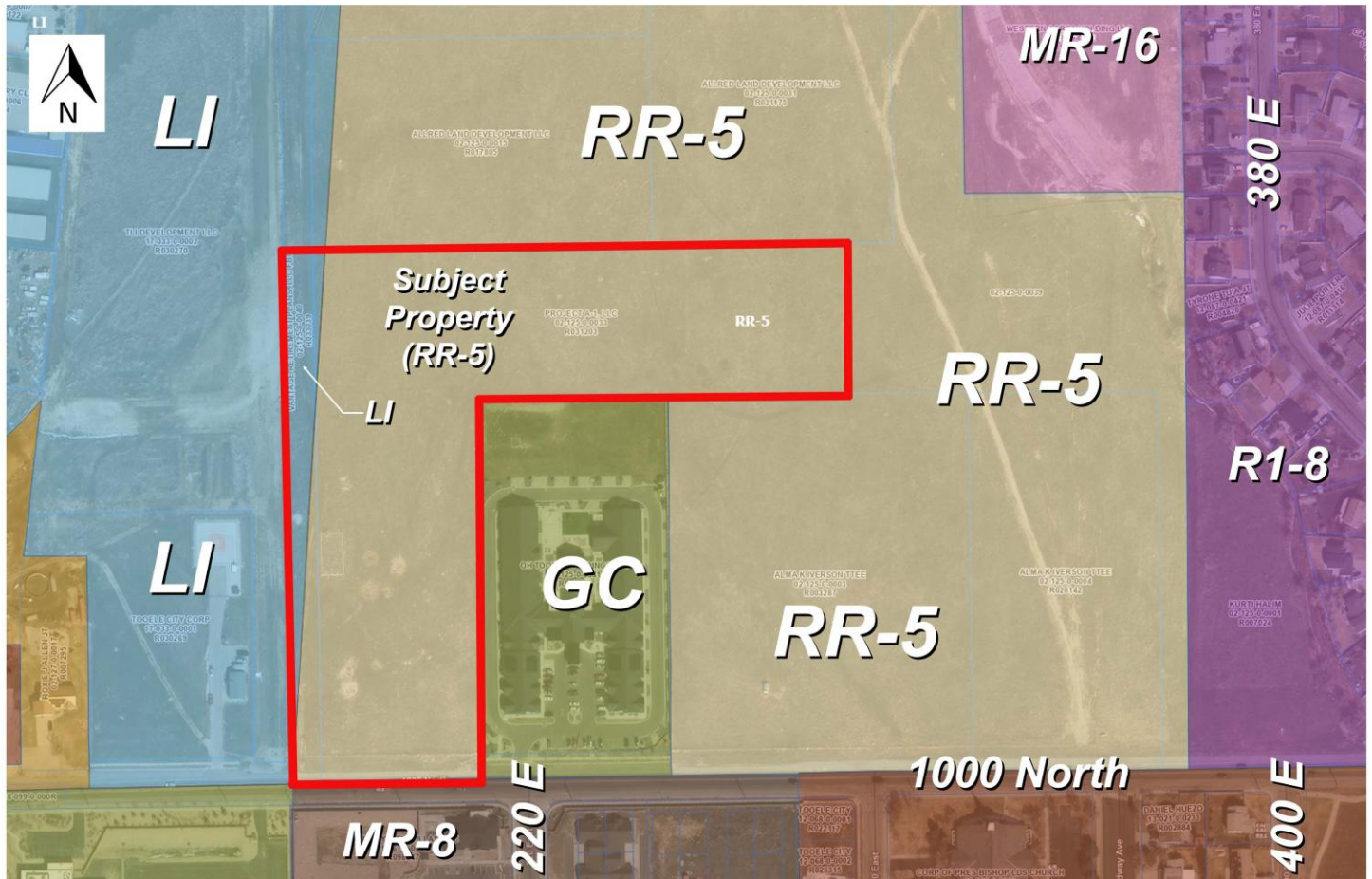
**MAPPING PERTINENT TO THE FIRE STATION BUSINESS PARK LAND USE MAP  
AMENDMENT**

***Fire Station Business Park Land Use Map Amendment***



***Aerial View***

## Fire Station Business Park Land Use Map Amendment



**Current Zoning**



[illegible]



## STAFF REPORT

June 6, 2025

**To:** Tooele City Planning Commission  
Business Date: June 11, 2025

**From:** Planning Division  
Community Development Department

**Prepared By:** Kent Page, AICP, City Planner / Zoning Administrator

**Re:** **KHK Auto Sales, LLC – Conditional Use Request**

Application No.: 2025052  
Applicant: Kenner Fernandez  
Project Location: 948 N. Main Street, Suite B  
Zoning: GC General Commercial Zone  
Acreage: 0.18 Acres (Approximately 7,841 ft<sup>2</sup>) parcel 21-053-0-000A  
Request: Request for approval of a Conditional Use in the GC General Commercial zone to allow the use of “Automobile Sales and Rental.”

### **BACKGROUND**

This application is a request for approval of a Conditional Use for approximately 0.18 acres located at 948 North Main Street, Suite B. The property is currently zoned GC General Commercial. The applicant is requesting that a Conditional Use be approved to allow the use of “Automobile Sales and Rental” to occur on the property. The property contains part of a building which is also on an adjacent parcel. All surrounding parcels are also within the General Commercial zoning district. The building split by these two parcels is current occupied by one business – Real Deals Home Décor. The building is currently configured into four units.

### **ANALYSIS**

*General Plan and Zoning.* The Land Use Map of the General Plan calls for the Regional Commercial land use designation for the subject property. The property has been assigned the GC General Commercial zoning classification. All surrounding properties are zoned GC General Commercial. An aerial view and zoning pertinent to the subject request can be found in Exhibit A and Exhibit B respectively.

*Site Plan Layout.* The applicant has provided a site plan layout in Exhibit C. The building is currently divided into four units. One of the units is occupied by a home décor business – Real Deals; the remaining units are currently vacant. The application proposes up to five cars for sale to be displayed within the building, and up to two employees will be present at a time. The site has access to Main Street through the north side and the south side of the Mountain West Ambulance buildings.

*Parking.* Tooele City Code does not establish a parking requirement for “automobile sales and rental” but leaves it to the discretion of the Director. The site has 14 parking stalls on the south side and 11 parking stalls on the north side. Two ADA parking stalls are included in the 14 parking stalls on the south side of the building. The property owner has given the applicant permission to use five parking stalls on the north side of the building. Please see Exhibit D for photographs of the building and parking.

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 is the staff response and comment on the potential effects of this application, should it be approved, upon adjacent and nearby persons and property:

1. Adequate parking spaces for employees and customers should be maintained for this business and the other businesses located, or to be located, in this building.

## **REVIEWS**

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

1. Adequate parking spaces for employees and customers should be maintained for this business and the other businesses located, or to be located, in this building.

Engineering Review. The Tooele City Engineer has not commented on this application.

Economic Development. The Economic Development Director has not provided a comment.

Public Works Review. Public Works has not commented on this application.

Fire Department Review. The Fire Department has not commented on this application.

Noticing. Notice of the public hearing has been properly posted and issued as outlined in the City and State Codes.

Notices were sent to property owners as shown in Exhibit E. No comments or questions have been received. Exhibit E shows the properties highlighted that received notification of this public hearing.

### **STAFF RECOMMENDATION**

Staff recommends approval of the request for a Conditional Use by Kenner Fernandez, application number 2025052, subject to the following conditions:

1. All requirements of the Tooele City Code particularly the Building Code, and the Fire Department requirements shall be adhered to.
2. At least two employee parking stalls and two customer stalls are provided.

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
2. The proposed development plans meet the requirements and provisions of the Tooele City Code.
3. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
4. The proposed development conforms to the general aesthetic and physical development of the area.
5. The public services in the area are adequate to support the subject development.
6. The use is appropriate for its location.
7. The findings of fact for this proposed Conditional Use Permit request have been identified and the conditions proposed are intended to mitigate the reasonably anticipated detrimental impacts, as required by Tooele City Code Section 7-5-4.

### **MODEL MOTIONS**

Sample Motion for Approval – “I move we approve the Conditional Use Request by Kenner Fernandez to authorize the use of “Automobile Sales and Rental” at 948 N. Main Street, Suite B, application number 2025052, based on the findings and subject to the conditions listed in the Staff Report dated June 6, 2025.”

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

Sample Motion for Denial – “I move we deny the Conditional Use Request by Kenner Fernandez to authorize the use of “Automobile Sales and Rental” at 948 N. Main Street, Suite B, application number 2025052, based on the following findings:”

1. List findings of fact ...

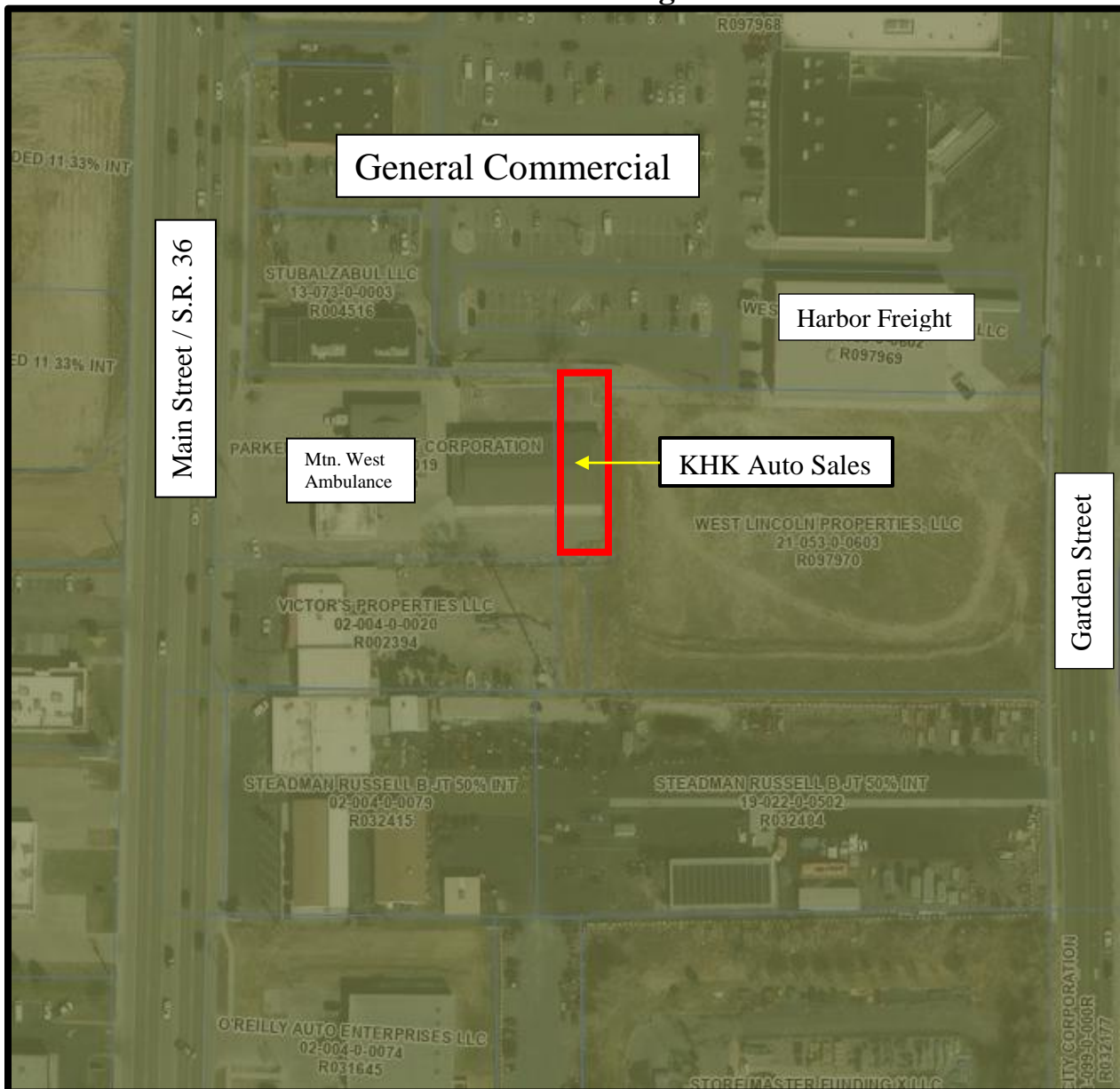
# EXHIBIT A

## Aerial View



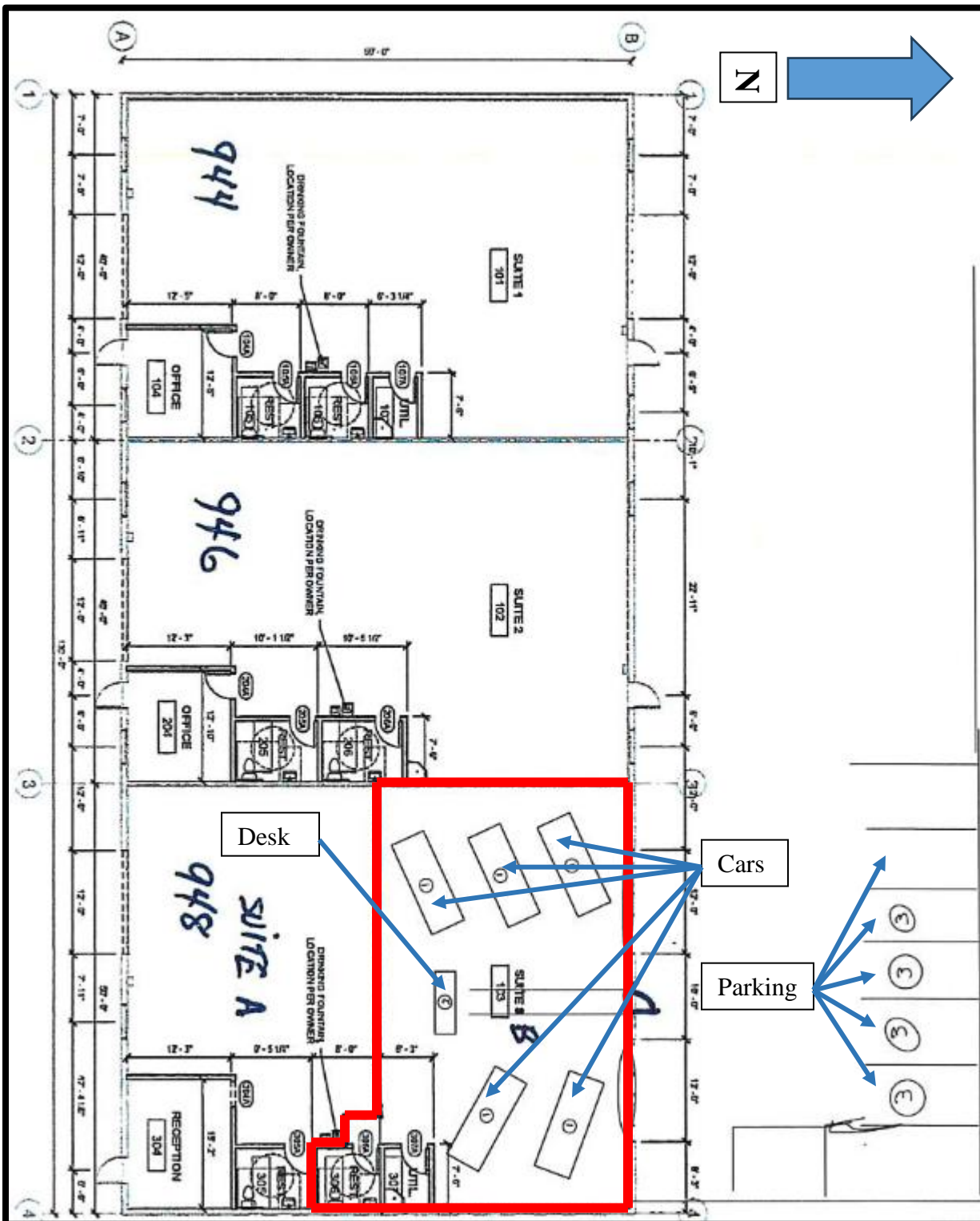


## Current Zoning



# EXHIBIT C

## Site Plan



## **EXHIBIT D**

### **Photos**



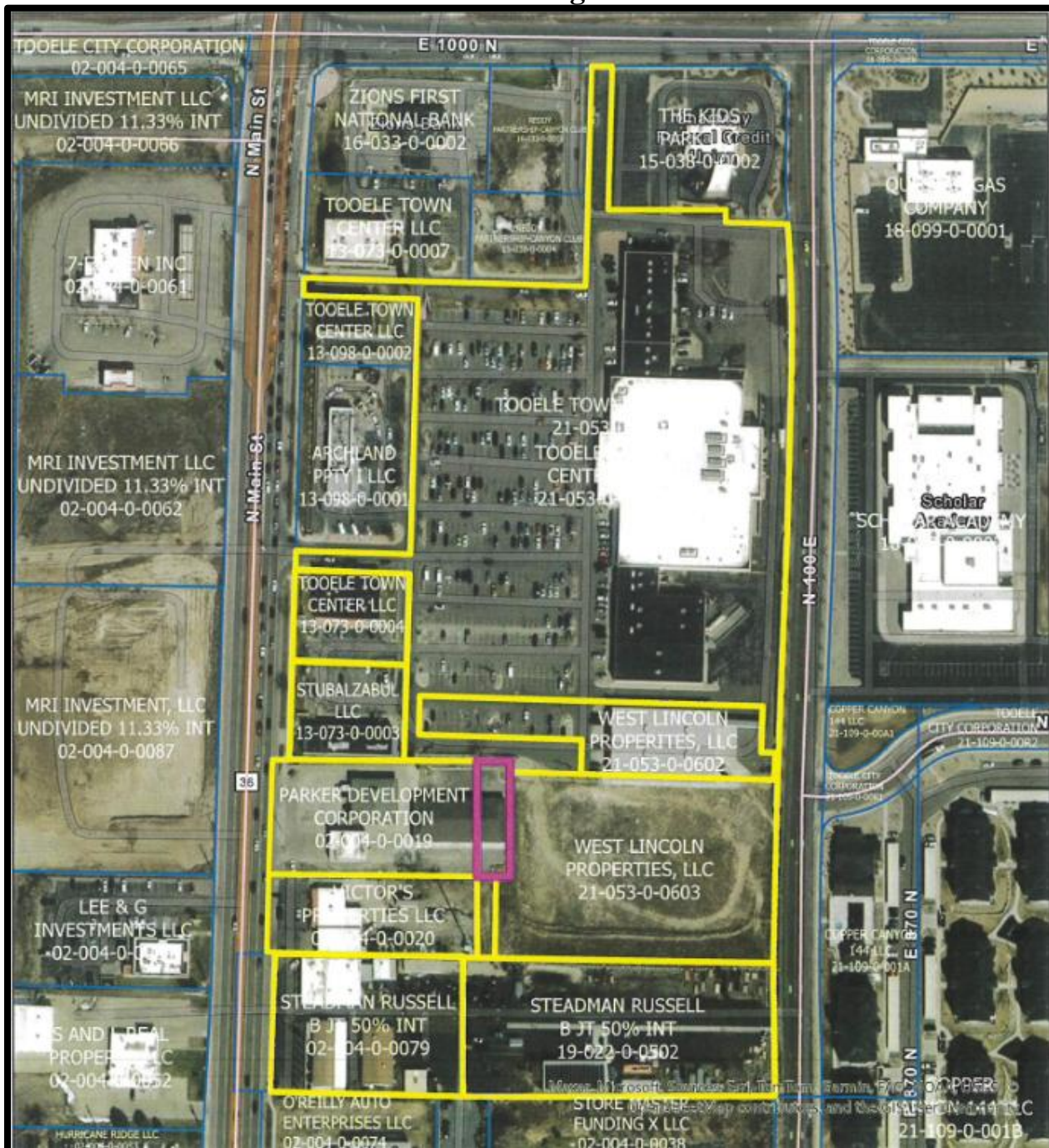
**North Side (11 parking stalls)**



**South Side (14 parking stalls including two ADA)**



## Noticing





Tooele City Planning Commission  
Business Meeting Minutes

**Date:** May 28, 2025

**Time:** 7:00 pm

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

**Planning Commissioners Present**

Matt Robinson  
Melanie Hammer  
Jon Proctor  
Chris Sloan  
Tyson Hamilton  
Kelley Anderson  
Alison Dunn

**Excused**

Weston Jensen  
Jon Gossett

**Council Member Liaisons**

Maresa Manzione  
Ed Hansen (*Excused*)

**Staff Present**

Kent Page, City Planner  
Andrew Aagard, Community Development Director  
Roger Baker, City Attorney  
Braxton Roberts, Assistant IT Director  
Darwin Cook, Parks and Recreation Director

Minutes Prepared by Alicia Fairbourne

**1. Pledge of Allegiance**

Chairman Robinson opened the meeting at 7:00 p.m. and led the Pledge of Allegiance.

**2. Roll Call**

Melanie Hammer, Present  
Jon Proctor, Present  
Chris Sloan, Present  
Matt Robinson, Present

Tyson Hamilton, Present  
Alison Dunn, Present  
Kelley Anderson, Present

Prior to opening the agenda items, Chairman Robinson clarified that the conditional use permit request for a mini storage, which had been previously noticed as a public hearing item, would not be addressed, as staff determined it did not require a public hearing.

**3. Public Hearing and Decision on a Conditional Use Permit request by Tooele City Parks and Recreation Department to authorize the use of “Public Buildings, Facilities and Parks” to occur on property located at the north west corner of the intersection of Vine Street and Droubay Road on 1.44 acres in the R1-7 Residential zoning district.**

Mr. Aagard explained that the application sought approval for a paved parking lot expansion at the northwest corner of Vine Street and Droubay Road, to support the Oquirrh Hills Golf Course. He noted the site was zoned R1-7, consistent with surrounding properties, and the proposed lot would include a stormwater detention basin and two access points – one from Droubay Road and another from Vine Street. The parking lot had been designed by the City Engineer in accordance with ordinance requirements for layout, access, and landscaping features.

Mr. Aagard emphasized that the project addressed a clear need, as the existing golf course parking frequently overflowed onto public streets. Although a detailed landscaping plan had not yet been submitted, a condition was included requiring that final landscaping comply with City Code. He also noted the site had historically served as a gravel parking area and trailhead, but there was no record of a previously issued conditional use permit, which necessitated this formal review.

There being no questions from the Planning Commission, Chairman Robinson opened the floor for public comments at 7:04 p.m. There were none. The floor was closed.

**Motion: Commissioner Proctor moved to approve the Conditional Use Permit, application #2025050 by Tooele City Corporation to permit the conditional use of “Public Buildings, Facilities & Parks” on 1.44 acres of property on the northwest corner of Vine Street and Droubay Road in the R1-7 zoning district based on the findings listed in the Staff Report dated May 23, 2025.** Commissioner Anderson made the second. The vote was as follows: Commissioner Hammer, “Aye”; Commissioner Proctor, “Aye”; Commissioner Sloan, “Aye”; Commissioner Hamilton, “Aye”; Commissioner Dunn, “Aye”; Commissioner Anderson, “Aye”; Chairman Robinson, “Aye”. There were none opposed. The motion passed.

**4. City Council Reports**

Councilwoman Manzione delivered the City Council report, beginning with an expression of appreciation for the Planning Commission’s professionalism and their contributions to the city’s development process. She reported that the Council had approved three key ordinances. First, they adopted the amendment to the minor subdivision ordinance, which now allows for commercial subdivisions under the minor subdivision process – a change the Planning Commission had recommended at their previous meeting. Second, the Council approved the required updates to the city’s parking ordinance to bring it into compliance with recent state law, particularly as it pertains to townhomes and affordable single-family housing.

Lastly, she reported that the Council approved the rezone near 249 East 1000 North, adjacent to the Our House Assisted Living facility. Although the Planning Commission had forwarded a negative recommendation, the Council determined that the rezone fit within a broader city plan, particularly with regard to extending a necessary road connection to 1280 North. Council Member Manzione acknowledged that the Planning Commission may not have received the full context or information during their hearing and encouraged

members to review the City Council meeting on YouTube or reach out with questions. Commissioner Hamilton responded by affirming the need for complete information from applicants to support the Commission's decision-making. Councilwoman Manzione agreed and expressed her appreciation for the Commission's work.

**5. Review and Decision – Minutes of the Planning Commission meeting held May 14, 2025.**

Commissioner Anderson pointed out a discrepancy in the attendance record, noting that Commissioner Jensen had been listed as both present and excused. It was clarified that Commissioner Jensen had in fact been excused from that meeting. Chairman Robinson acknowledged the mistake and confirmed that the correction would be made.

**Motion: Commissioner Anderson moved to approve the minutes of the May 14, 2025 Planning Commission meeting with the aforementioned correction.** Chairman Robinson made the second. The vote was as follows: Commissioner Hammer, "Aye"; Commissioner Proctor, "Aye"; Commissioner Sloan, "Aye"; Commissioner Hamilton, "Aye"; Commissioner Dunn, "Aye"; Commissioner Anderson, "Aye"; Chairman Robinson, "Aye". There were none opposed. The motion passed.

**6. Planning Commission Training – Conditional Use Permits and Community Development Department Processes and Responsibilities.**

Mr. Aagard presented training materials to the Commission regarding Conditional Use Permits and the processes and responsibilities of the Community Development Department. The training was provided in accordance with Utah Code § 10-9a-302, which requires annual land use training for members of the Planning Commission.

**7. Adjourn**

There being no further business, Chairman Robinson adjourned the meeting at 8:30 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 June, 2025

\_\_\_\_\_  
Matt Robinson, Tooele City Planning Commission Chair