

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for **Wednesday, November 12, 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 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 & Decision** on a Conditional Use Permit request by Kimley-Horn to authorize the use of an "Accessory Drive Through Facility" for property located at approximately 2400 North and SR-36 on approximately 1.23 acres in the GC General Commercial zoning district.
4. **Public Hearing & Decision** on a Conditional Use Permit request by Matthew Cozad to authorize the uses of "Professional Office," "Personal Services" and a "Retail Store with a maximum of 3,000 square feet" to occur at the property located at 220 South Main Street in the MU-G Mixed Use General Zoning district on .633 acres.
5. **City Council Reports**
6. **Review and Decision** on the Minutes of the Planning Commission meetings held October 8, 2025 and October 22, 2025.
7. **Adjourn**

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify Andrew Aagard, Community Development Director, prior to the meeting at (435) 843-2132.

STAFF REPORT

November 6, 2025

To: Tooele City Planning Commission
Business Date: November 12, 2025

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard – Community Development Director / City Planner / Zoning Administrator

Re: McDonald's – Conditional Use Permit Request

Application No.: 2025091
Applicant: Joanna Graham, representing Kimley-Horn
Project Location: Approximately 2400 North SR-36
Zoning: GC General Commercial Zone
Acreage: 1.23 Acres (Approximately 53,578 ft²)
Request: Request for approval of a Conditional Use Permit in the GC General Commercial zone to authorize an “Accessory Drive Through Facility” for the subject property.

BACKGROUND

This application is a request for approval of a Conditional Use Permit for approximately 1.23 acres located at approximately 2400 North SR-36. The property is currently zoned GC General Commercial. The applicant is requesting that a Conditional Use Permit be approved to permit an accessory drive through facility to operate in conjunction with a new McDonald's Restaurant.

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. The property is zoned GC General Commercial as are all of the surrounding properties. All of the surrounding properties are currently in a state of development as the Smith's Marketplace, a gas station, a bank and two multi-tenant commercial buildings are currently being constructed on the site. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Site Plan Layout. The new McDonald's Restaurant will occupy lot 9 of the Peak at Compass Point Subdivision. The lot rests about 950 feet north of the intersection of 2400 North and SR-36. The site plan as provided shows the building structure being located at the center of the site, slightly closer to SR-36 with two points of access onto internal privately owned and maintained roads. The site will also include a point of access into the America First Credit Union development immediately to the north. There are no points of access directly onto SR-36 or any other public street for this McDonald's.

The drive through facility is located to the west and to the south of the new building. Customers will enter the site from the west or possibly from the north through the America First property. Customers entering from the America first property will immediately turn into the drive through ordering boards. Customers entering from the west will need to circle around the east and north side of the building and then enter the ordering boards. Once the order is taken customers will pick up their orders at windows along the southern side of the building. They will then circle the building again and exit on the west side. It is anticipated that the McDonald's will provide clear entrance and exit signs at the western points of access. If customers enter the site from the north west they may have difficulty entering the drive through ordering facility and create conflicts with other vehicles

already queued. However, none of this affects a public street or public property.

Landscaping. Typically with drive through facilities the City encourages additional landscaping to help screen vehicle queueing lanes from view, especially when the drive through is prominently located between the building and public right-of-way. In this case the drive through is located to the west of the building and is not located between the building and SR-36. Vehicle queueing lanes also direct vehicles and vehicle lights to the west into the Smith's parking lot, away from the public right-of-way.

North Gateway Overlay. This property rests in the North Tooele Gateway. The gateway has no bearing on the Conditional Use Permit.

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 identified detrimental effects this application, should it be approved, may impose upon adjacent and nearby persons and property :

1. This application presents the likelihood of construction and development resulting from its approval. Construction and development presents the necessity for work to be done properly and safely for those doing the work as well as those employees and citizens that may patronize the business. As such, it is imperative that all construction and development activities comply with property regulations which can be assured through the City's engineering plan review, permitted, and inspection processes.
2. This application presents the likelihood of construction and development resulting from its approval. Construction and development presents the necessity for work to be done properly and safely, particularly for connection into the City's public infrastructure, for those doing the work as well as

those employees and citizens that may patronize the business. As such, it is imperative that all construction and development activities comply with property regulations which can be assured through the City's Public Works Department plan review, permitted, and inspection processes.

3. This application presents the likelihood of construction and development resulting from its approval. Construction and development presents the necessity for work to be done properly and safely for those doing the work as well as those employees and citizens that may patronize the business. As such, it is imperative that all construction and development activities comply with property regulations which can be assured through the City's building plan review, permitted, and inspection processes.
4. This application presents the likelihood of construction and development resulting from its approval. Construction and development presents the necessity for work to be done properly and safely for those doing the work as well as those employees and citizens that may patronize the business. As such, it is imperative that all construction and development activities comply with property regulations which can be assured through the City's Fire Department plan review, permitted, and inspection processes.

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. The drive through aisle as it is currently proposed is located on the west side of the building, essentially hidden from public view by the building itself. In this location staff does not anticipate a need for additional landscaping to serve any screening purposes.
2. Vehicle queuing will be oriented to the west and during evening and night hours headlight glare from the vehicles will be directed away from SR-36 and into the Smith's parking lot.
3. The operation of the drive through aisle is oriented in manner that staff does not anticipate any impacts to public streets or properties. Any impacts generated by the configuration and operation of the drive through facility will impact only private roads and private properties.

Engineering and Public Works Division Review. The Tooele City Engineering and Public Works Division are currently reviewing the site plan for the new McDonald's restaurant and are reviewing the site according to the City's development standards. No comments concerning the drive through aisle have been provided.

Tooele City Fire Department Review. The Tooele City Fire Department is currently reviewing the site plan for conformance to all fire standards and access requirements. No comments concerning this Conditional Use Permit request have been provided.

Noticing. The applicant has expressed their desire to obtain the Conditional Use Permit 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 approval of the request for a Conditional Use Permit by Joanna Graham, representing Kimley-Horn, application number 2025091, subject to the following conditions:

1. That all requirements of the Tooele City Engineering Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
2. That all requirements of the Tooele City Public Works Development shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
3. That all requirements of the Tooele City Building Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
4. That all requirements of the Tooele City Fire Department shall be satisfied throughout the development

of the site and the construction of all buildings on the site.

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 drive through aisle and queueing areas are situated in a manner that remove or buffer all public rights-of-way from vehicle stacking, visual and lighting impacts.
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 Permit request by Joanna Graham, representing Kimley-Horn to authorize an “Accessory Drive Through Facility” for lot 9 of the Peak at Compass Point Commercial Subdivision, application number 2025091, based on the findings and subject to the conditions listed in the Staff Report dated November 6, 2025:”

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

Sample Motion for Denial – “I move we deny the Conditional Use Permit Request by Joanna Graham, representing Kimley-Horn to authorize an “Accessory Drive Through Facility” for lot 9 of the Peak at Compass Point Commercial Subdivision, application number 2025091, based on the following findings:”

1. List findings of fact ...

EXHIBIT A

**MAPPING PERTINENT TO THE
MCDONALD'S CONDITIONAL USE PERMIT**

McDonald's Conditional Use



Aerial View

McDonald's Conditional Use



Current Zoning

EXHIBIT B

**PROPOSED DEVELOPMENT PLANS &
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.gov



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.

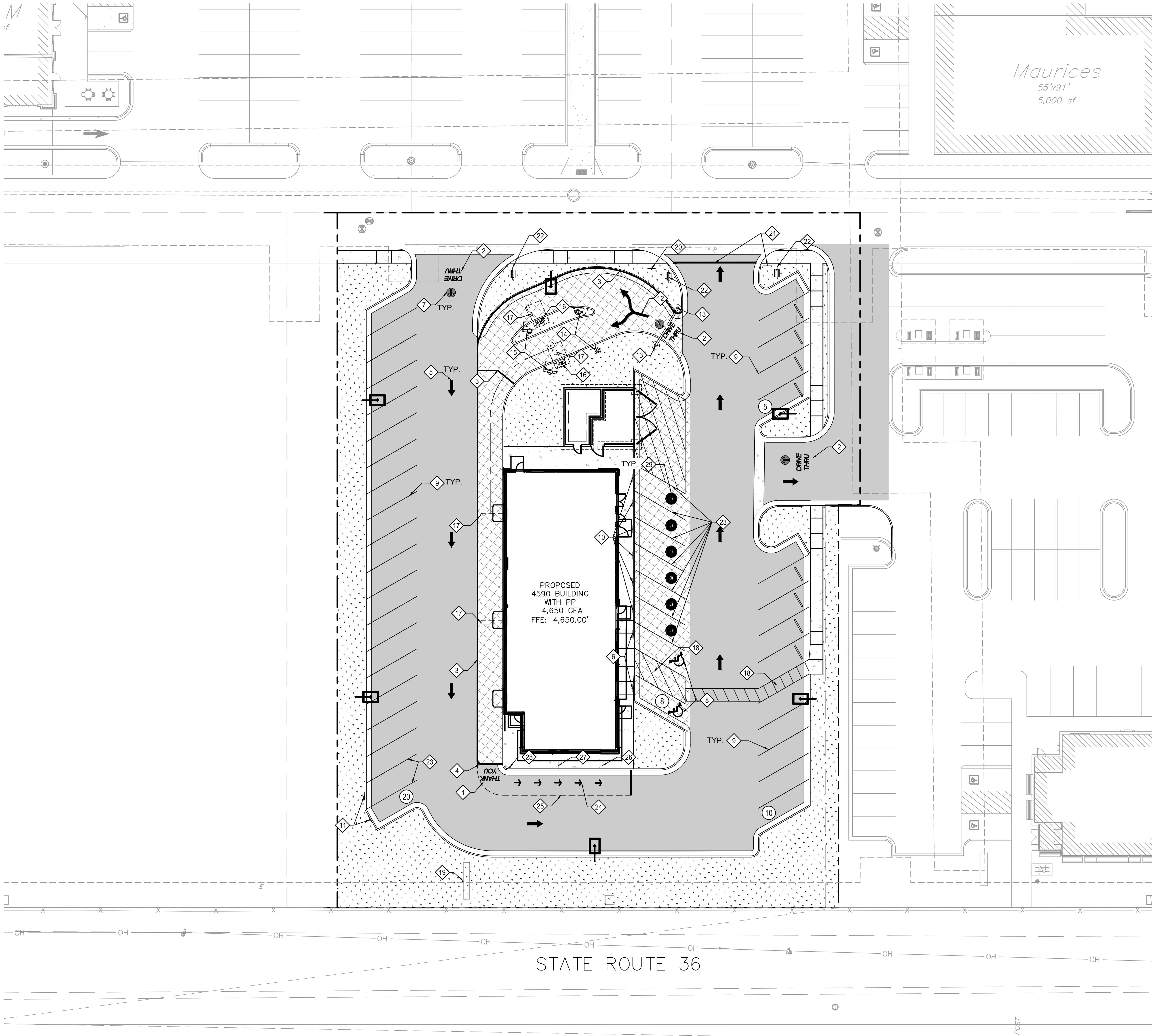
Project Information						2025091	
Date of Submission: 8/22/2025		Current Zoning: General Commercial with North Gateway Overlay		Parcel #(s): 24-037-0-0009 (Part of)			
Project Name: McDonalds Tooele				Acres: 1.23 AC			
Project Address: TBD - Along SR36				Units: 1			
Project Description: Proposed McDonald's restaurant with drive-thru and associated landscape and parking areas.							
Current Use of Property: Vacant land The Peak at Compass Point LLC							
Property Owner(s): The Peak at Compass Point LLC				Applicant(s): Joanna Graham, Kimley-Horn			
Address: 17 E Winchester ST, 200				Address: 111 East Broadway, Suite 600			
City: Murray		State: UT	Zip: 84107	City: Salt Lake City		State: UT	Zip: 84111
Phone:				Phone: 385-429-8103			
Contact Person: Same as Applicant				Address:			
Phone:				City:		State:	Zip:
Cellular:		Fax:		Email: joanna.graham@kimley-horn.com			
Signature of Applicant: 							
Date 8/7/2025							

*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				2250389	
Fee: \$600.00 (213)		Received By: Jade	Date Received: 10/21/25	Receipt #: 797383	

Plotted By: Chodira, Meaghan Sheet: Set-McDonalds Tooele Layout: C3.20 SIGNAGE AND STRIPING PLAN October 21, 2025 12:04:53pm K:\sdc-civil\093649031 - mcdonalds toolee ut\CADD\plansheets\C3.20 SIGNAGE AND STRIPING PLAN.dwg
This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

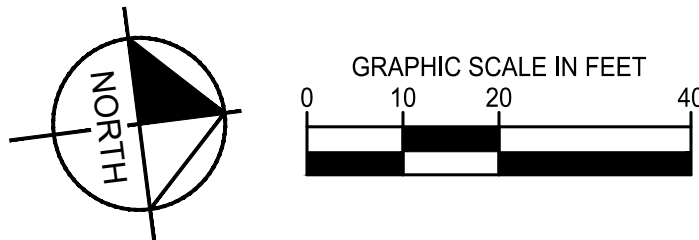


LEGEND

- -- -- -- -- PROPERTY BOUNDARY
- PROPOSED LANDSCAPE

SIGNAGE & STRIPING NOTES

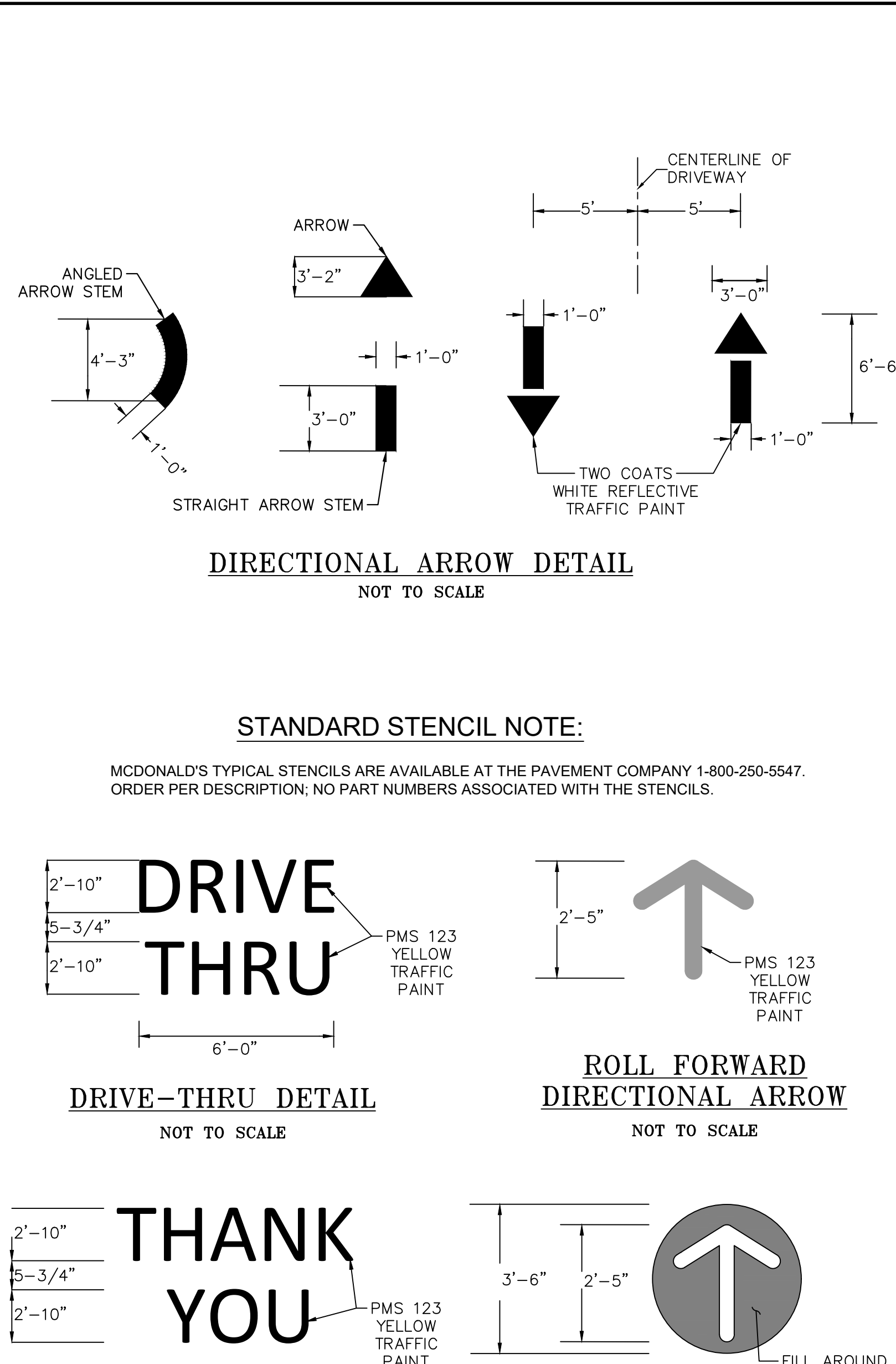
- 1 PAINT 'THANK YOU' PAVEMENT MARKING. REFER TO McDONALD'S PAVEMENT MARKING STANDARDS AND THANK YOU DETAIL ON SHEET C3.30.
- 2 PAINT 'DRIVE THRU' PAVEMENT MARKING. REFER TO McDONALD'S PAVEMENT MARKING STANDARDS AND DRIVE-THRU DETAIL ON SHEET C3.30.
- 3 PAINT 6" WIDE SOLID YELLOW STRIPING. REFER TO McDONALD'S PAVEMENT MARKING STANDARDS.
- 4 PAINT 8" WIDE GOLD STRIPE. REFER TO McDONALD'S PAVEMENT MARKING STANDARDS.
- 5 PAINT SOLID WHITE DIRECTIONAL ARROWS PER MUTCD STANDARDS.
- 6 FURNISH AND INSTALL ADA ACCESSIBLE SIGN. SEE DETAIL ON SHEET C6.10.
- 7 PAINT CIRCLE DIRECTIONAL ARROW. REFER TO McDONALD'S PAVEMENT MARKING STANDARDS AND STANDARD TRAFFIC ARROW DETAIL ON SHEET C3.30.
- 8 PAINT ACCESSIBLE PARKING STALL AND ACCESSIBLE AISLE. SEE DETAIL ON SHEET C6.10.
- 9 PAINT 4" SOLID WHITE PARKING STRIPE.
- 10 FURNISH AND INSTALL CURBSIDE PICKUP SIGN ON MOBILE BASE. CONTRACTOR TO VERIFY LOCATION WITH AREA CONSTRUCTION MANAGER.
- 11 FURNISH AND INSTALL MCDelivery PICKUP SIGN ON MOBILE BASE AND STRIPING PER McDONALD'S STANDARDS AND SPECIFICATIONS. CONTRACTOR TO VERIFY LOCATION WITH AREA CONSTRUCTION MANAGER.
- 12 PAINT McDONALD'S DRIVE-THRU ARROW. REFER TO McDONALD'S PAVEMENT MARKING STANDARDS FOR DETAILS.
- 13 FURNISH AND INSTALL SINGLE-ARM DRIVE-THRU GATEWAY.
- 14 INSTALL PRE-BROWSE BOARD MENU.
- 15 INSTALL DIGITAL MENU BOARD.
- 16 INSTALL DRIVE-THRU CANOPY WITH BUILT IN COD.
- 17 INSTALL LOOP DETECTOR.
- 18 PAINT 4" WHITE PAINTED STRIPES AT 45° AT 2' O.C.
- 19 EXISTING MASTER DEVELOPER MONUMENT SIGN. CONTRACTOR TO INSTALL McDONALD'S SIGN FACE AND COORDINATE INSTALLATION WITH MASTER DEVELOPER. SEE SIGNAGE PLANS BY OTHERS.
- 20 FURNISH AND INSTALL R5-1 DO NOT ENTER SIGN PER MUTCD STANDARDS AND SPECIFICATIONS.
- 21 PAINT STOP BAR AND INSTALL STOP SIGN PER DETAIL ON SHEET C6.10.
- 22 FURNISH AND INSTALL DIRECTIONAL SIGN. REFER TO SIGNAGE PLAN BY OTHERS FOR DETAILS.
- 23 PAINT 4" SOLID YELLOW PARKING STRIPE FOR MOBILE AND MCDelivery STALLS.
- 24 PAINT YELLOW DIRECTIONAL ARROW EVERY 8' O.C. REFER TO McDONALD'S PAVEMENT MARKING STANDARDS AND ROLL FORWARD DIRECTIONAL ARROW DETAIL ON SHEET C3.30.
- 25 PAINT 6" DASHED YELLOW STRIPING. REFER TO McDONALD'S PAVEMENT MARKING STANDARDS ON SHEET C3.30.
- 26 FURNISH AND INSTALL 1A ROLL FORWARD PICK UP SIGN. REFER TO McDONALD'S SIGNAGE STANDARDS AND SPECIFICATIONS FOR DETAILS.
- 27 FURNISH AND INSTALL 2A ROLL FORWARD PULL AHEAD SIGN. REFER TO McDONALD'S SIGNAGE STANDARDS AND SPECIFICATIONS FOR DETAILS.
- 28 FURNISH AND INSTALL 3A ROLL FORWARD TURN LEFT SIGN. REFER TO McDONALD'S SIGNAGE STANDARDS AND SPECIFICATIONS FOR DETAILS.
- 29 PAINT YELLOW 'CURBSIDE PICKUP' PAVEMENT MARKING AND STRIPING PER McDONALD'S STANDARDS AND SPECIFICATIONS. CONTRACTOR TO VERIFY LOCATION WITH AREA CONSTRUCTION MANAGER.



CAUTION: NOTICE TO CONTRACTOR

THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF THE UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.

2400 N AND STATE ROAD 36 PREPARED FOR MCDONALD'S USA, LLC	SHEET NUMBER C3.20	 © 2010 KIMLEY-HORN AND ASSOCIATES, INC. 111 EAST BROADWAY, SUITE 600 SALT LAKE CITY, UT 84111 PHONE: 385-212-3176 WWW.KIMLEY-HORN.COM		REVISIONS		DATE	BY
				No.			

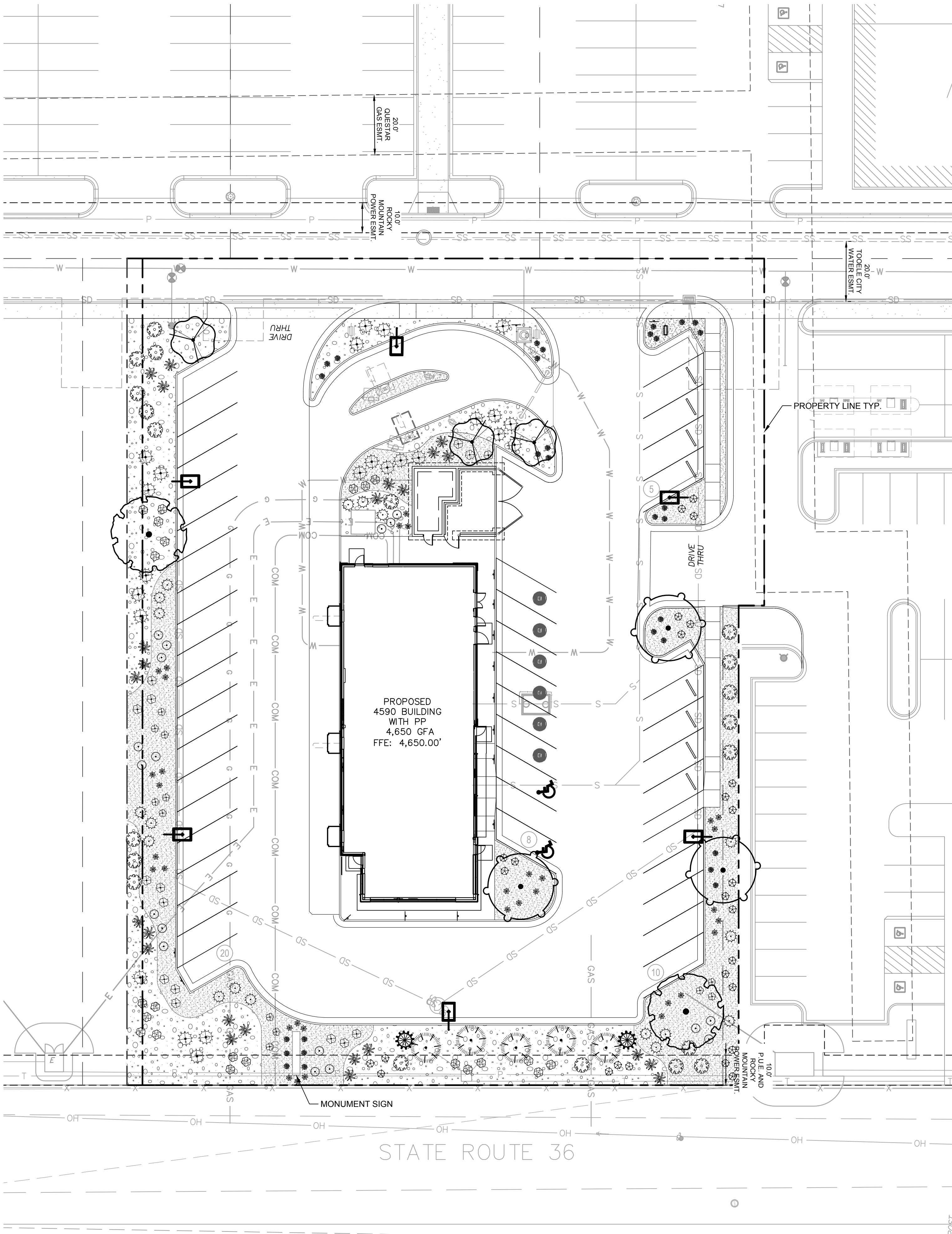


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SHEET NUMBER
C3.30

Plotted By: Ramsey, Isiah Street Set: McDonalds Tooele Layout: L1.00 LANDSCAPE PLAN October 17, 2025 11:22:53 am K:\SLC-Civil\093649031 - McDonalds Tooele UT\CADD\PlanSheets\L1.00 LANDSCAPE PLAN.dwg This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



PLANT SCHEDULE

SYMBOL	BOTANICAL / COMMON NAME	CALIPER	HEIGHT	TYPE	QTY
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EVERGREEN TREES

	Juniperus scopulorum 'Moonglow' Moonglow Juniper	---	6' Ht. Min.	B&B	2
	Picea pungens glauca 'Bakeri' Blue Colorado Spruce	---	5' Ht. Min.	B&B	5

ORNAMENTAL TREES

	Prunus cerasifera 'Thundercloud' Thundercloud Purple-leaf Plum	1-1/2" CAL	B&B	8' HT MIN	3
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SHADE TREES

	Gleditsia triacanthos inermis 'Skycole' Skyline® Honey Locust	2" CAL	B&B	10' HT MIN	2
	Zelkova serrata Japanese Zelkova	2" CAL	B&B	10' HT MIN	3

SYMBOL	BOTANICAL / COMMON NAME	CONT	SIZE	QTY
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SHRUBS

	Berberis thunbergii 'Crimson Pygmy' Crimson Pygmy Japanese Barberry	5 gal.	12" FULL	18
	Forsythia x 'Nimbus Show Off Sugar' Dwarf Forsythia	5 gal.	12" FULL	15
	Perovskia atriplicifolia Russian Sage	5 gal.	18" FULL	18
	Perovskia atriplicifolia 'Little Spire' Little Spire Russian Sage	5 gal.	12" FULL	12

EVERGREEN SHRUBS

	Arctostaphylos x coloradensis 'Panchito' Panchito Manzanita	1 gal.	12" FULL	27
	Euonymus japonicus 'Green Spire' Green Spire Japanese Euonymus	5 gal.	18" FULL	22
	Hesperaloe parviflora Red Yucca	3 gal.	12" FULL	24
	Juniperus horizontalis 'Blue Chip' Blue Chip Creeping Juniper	1 gal.		24
	Pinus mugo 'Slowmound' Slowmound Mugo Pine	5 gal.	18" FULL	20

GRASSES

	Calamagrostis x acutiflora 'Karl Foerster' Karl Foerster Feather Reed Grass	3 gal.	12" FULL	33
	Pennisetum alopecuroides 'Hamelin' Hamelin Fountain Grass	3 gal.	12" FULL	30

REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION	QTY
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	Rock Mulch	
	1"-1/2" CRUSHED TAN STONE, 3" DEPTH MIN.	6,554 sf
	3" - 5" CRUSHED GREY STONE, 3" DEPTH MIN.	6,863 sf

TOOELE CITY CODE LANDSCAPE REQUIREMENTS

SITE AREA: 55,562 SF (1.278 AC)
PARKING LOT AREA: 23,516 SF
BUILDING AREA: 3,820 GFA
LANDSCAPE AREA: 13,934 SF

7-4-9(3) Parking lot landscaping a. No turf c. 5% of parking area to be landscaped e. one tree per parking island	REQUIRED Required 1,175 SF (23,516 x 5%) 8 Trees	PROVIDED Provided 1,745 SF (7.4%) 8 Trees*
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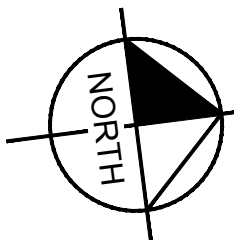
*Trees have been placed onsite, near parking area, to account for parking islands with no trees due to utility conflicts

7-16-4 Min. required landscape area - 10% of site area to be landscaped	REQUIRED 5,556 SF (55,562 x 10%)	PROVIDED 13,416 SF (24%)
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7-16-4 (F1) Landscape requirements 1. 50 / 50 mix of evergreen and deciduous trees and shrubs	REQUIRED 8 deciduous 7 evergreen	PROVIDED 8 deciduous 7 evergreen
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2. 60% trees and shrubs with min. caliper of 2" and min. height of 5'	Required	Provided
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3. 1 tree per 30 LF of frontage	7 trees (199 LF / 30)	7
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2400 N AND STATE
ROAD 36
PREPARED FOR
MCDONALD'S USA, LLC

LANDSCAPE PLAN

KHA PROJECT
093649031
DATE
10/17/25
SCALE AS SHOWN
DESIGNED BY TSL
DRAWN BY TSL
CHECKED BY CMR



Kimley»Horn
© 2010 KIMLEY-HORN AND ASSOCIATES, INC.
111 EAST BROADWAY, SUITE 600 SALT LAKE CITY, UT 84111
PHONE: 385-212-3176
WWW.KIMLEY-HORN.COM

SHEET NUMBER
L1.00

REVISIONS
No. DATE BY

STAFF REPORT

November 5, 2025

To: Tooele City Planning Commission
Business Date: November 12, 2025

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard - Community Development Director / City Planner / Zoning Administrator

Re: Cozad Development – Conditional Use Permit Request

Application No.: 2025096
Applicant: Matthew Cozad
Project Location: 220 South Main Street
Zoning: MU-G Mixed Use General Zone
Acreage: .633 Acres (Approximately 27,573 ft²)
Request: Request for approval of a Conditional Use Permit in the MU-G Mixed Use General zone to authorize the uses of “Professional Office,” “Personal Services,” and “Retail Store with a maximum of 3,000 square feet” to occur at the property.

BACKGROUND

This application is a request for approval of a Conditional Use Permit for approximately .633 acres located at 220 South Main Street. The property is currently zoned MU-G Mixed Use General. The applicant is requesting that a Conditional Use Permit be approved to allow for the development of the currently vacant site as a multi-tenant commercial retail and office building and for the uses of “Professional Office,” “Personal Services,” and “Retail Store with a maximum of 3,000 square feet” to occur at the property.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Mixed Use land use designation for the subject property. The property has been assigned the MU-G Mixed Use General zoning classification. Properties to the north and the south are all zoned MU-G Mixed Use General. Properties to the west are zoned R1-7 Residential and properties to the east are zoned MU-G Mixed Use General. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Site Plan Layout. The applicant has submitted a site plan application in conjunction with this Conditional Use Permit application and is currently in the review process for that site plan application. The plans are proposing the construction of a 6500 square foot (approximate) commercial building. The tenants for the building have not been announced by the applicant. The site plan has been provided as a reference for the Planning Commission only. This agenda item is not to review the particulars of the site plan but to determine if the proposed uses create any impacts to adjacent properties that need to be mitigated by conditions of approval. Please focus your review on the proposed uses of the building and the impacts they generate, not on the site plan itself.

Proposed Uses. Within the MU-G zoning district, nearly all uses that can occur in that zone require a Conditional Use Permit approved by the Planning Commission after a public hearing. The applicant has indicated on the application that they intend to utilize the building as a commercial retail space. Commercial retail space is permissible in the MU-G zoning district as long as the retail spaces do not exceed 3,000 square feet. The building proposes 5 tenant spaces, each space is between 1,100 and 1,600 square feet. Staff has also included in the Conditional Use Permit request the uses of “Professional Office” and “Personal Services” as

multi-tenant buildings of this type tend to see these types of uses as well as small retail. Any other use that is permissible in the MU-G zone but does not qualify as “Professional Office,” “3,000 square foot Retail,” or “Personal Services” will require a separate Conditional Use Permit.

Shared Access. The applicant is proposing to utilize the existing access along the north side of the dental business just to the south. This is Lawson Family Dental and the applicant has provided a fully executed easement agreement with Dr. Lawson. That executed agreement is in the City’s files.

With the access being shared with Lawson Family Dental there are no new points of access proposed for Main Street or for 50 West.

Adjacent Land Uses and Potential Impacts. There are some residential uses to the north of the subject property, however, most of the parking will be on the south side of the building and will be separated from those properties by the building itself. Staff does not anticipate any significant detrimental impacts to those residents that will be generated by any of the three proposed uses.

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 identified detrimental effects this application, should it be approved, may impose upon adjacent and nearby persons and property :

1. This application presents the likelihood of construction and development resulting from its approval. Construction and development presents the necessity for work to be done properly and safely for those doing the work as well as those employees and citizens that may patronize the business. As such, it is

imperative that all construction and development activities comply with property regulations which can be assured through the City's engineering plan review, permitted, and inspection processes.

2. This application presents the likelihood of construction and development resulting from its approval. Construction and development presents the necessity for work to be done properly and safely, particularly for connection into the City's public infrastructure, for those doing the work as well as those employees and citizens that may patronize the business. As such, it is imperative that all construction and development activities comply with property regulations which can be assured through the City's Public Works Department plan review, permitted, and inspection processes.
3. This application presents the likelihood of construction and development resulting from its approval. Construction and development presents the necessity for work to be done properly and safely for those doing the work as well as those employees and citizens that may patronize the business. As such, it is imperative that all construction and development activities comply with property regulations which can be assured through the City's building plan review, permitted, and inspection processes.
4. This application presents the likelihood of construction and development resulting from its approval. Construction and development presents the necessity for work to be done properly and safely for those doing the work as well as those employees and citizens that may patronize the business. As such, it is imperative that all construction and development activities comply with property regulations which can be assured through the City's Fire Department plan review, permitted, and inspection processes.

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 comment:

1. Staff cannot anticipate all the uses that may or may not occur in the tenant spaces of this building. Any and all uses that do not fall under the three uses proposed with this Conditional Use Permit, such as a restaurant, will be required to obtain their own Conditional Use Permit for that specific use.

Engineering & Public Works Review. The Tooele City Engineering and Public Works Divisions are currently reviewing the proposed site plan and have not issued any comments regarding the proposed Conditional Use Permit.

Tooele City Fire Department Review. The Tooele City Fire Department is currently reviewing the proposed site plan and has not issued any comments regarding the proposed Conditional Use Permit.

Noticing. The applicant has expressed their desire to obtain the Conditional Use Permit 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 approval of the request for a Conditional Use Permit by Matthew Cozad, application number 2025096, subject to the following conditions:

1. That all requirements of the Tooele City Engineering Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
2. That all requirements of the Tooele City Public Works Development shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
3. That all requirements of the Tooele City Building Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
4. That all requirements of the Tooele City Fire Department shall be satisfied throughout the development of the site and the construction of all buildings on the site.

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 proposed uses for this structure do not generate any immediate, significant impact to neighboring properties that need mitigation with specific conditions of approval.
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 Permit request by Matthew Cozad, to authorize the uses of “Professional Office,” “Personal Services,” and “Retail Store with a maximum of 3,000 square feet” to occur at the subject property, application number 2025096, based on the findings and subject to the conditions listed in the Staff Report dated November 5, 2025:”

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

Sample Motion for Denial – “I move we deny the Conditional Use Permit request by Matthew Cozad, to authorize the uses of “Professional Office,” “Personal Services,” and “Retail Store with a maximum of 3,000 square feet” to occur at the subject property, application number 2025096, based on the following findings:”

1. List findings of fact ...

EXHIBIT A

**MAPPING PERTINENT TO THE
COZAD DEVELOPMENT CONDITIONAL USE PERMIT**

Cozad Development Conditional Use



Aerial View

Cozad Development Conditional Use



Current Zoning

EXHIBIT B

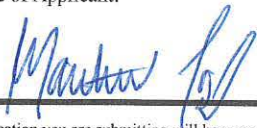
**PROPOSED DEVELOPMENT PLANS &
APPLICANT SUBMITTED INFORMATION**

Conditional Use Permit Application

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



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						2025096	
Date of Submission: 10/30/2025		Current Zoning: G-MU		Parcel #(s): 2-57-21			
Project Name: Cozad Development				Acres: .633			
Project Address: 220 S Main St Tooele ut 84074				Units:			
Project Description: Commercial retail space							
Current Use of Property: Empty lot.							
Property Owner(s): Matthew Cozad			Applicant(s): Same as property owner				
Address: 2286 N dapple Dr			Address:				
City: Tooele	State: UT	Zip: 84074	City:	State:	Zip:		
Phone: 801-455-8394			Phone:				
Contact Person: Same as property owner			Address:				
Phone:			City:	State:	Zip:		
Cellular:	Fax:		Email:		Performance Glass 2@yahoo.com		
Signature of Applicant: 						Date 10-30-25	

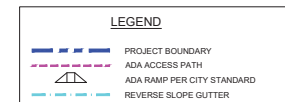
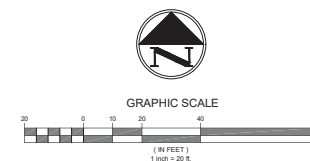
*The application you are submitting will become a public record pursuant to the provisions of the Utah State Government Records Access and Management Act (GRAMA). You are asked to furnish the information on this form for the purpose of identification and to expedite the processing of your request. This 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.

6501

2250398

For Office Use Only			
Fee: 600 ⁰⁰ (213)	Received By: Jade	Date Received: 11/3/25	Receipt #: 799606



- GENERAL NOTE**
1. STREET LIGHTING IS BY OTHERS.
 2. SUBDIVISION DEVELOPER TO COMPLETE ALL OFFSITE DEVELOPMENT IMPROVEMENTS.
 3. CONTRACTOR TO INSTALL 3" OF ASPHALT OVER 8" OF ROAD BASE OR 6" OF PORTLAND CEMENT CONCRETE OVER 4" OF DRAIN ROCK PER OR COUNTY STANDARD, WHICHEVER IS GREATER.
 4. ADA CURB RAMPS SHALL BE APWA 236, SEE DETAIL DT1.

- ADA NOTES:**
1. ALL ACCESSIBLE ROUTES, INCLUDING SIDEWALKS AND WALKWAYS, MAX WALKING SLOPE 1:20 (5%) AND CROSS SLOPE 1:48 (2%).
 2. ACCESSIBLE PARKING STALL MAX SLOPE AND CROSS SLOPE IS 1:48 (2%). CURB RAMPS MUST COMPLY WITH APWA PLAN NO. 235 AND CITY STANDARDS.
 3. SEE SHEET 02.
 4. ALL EXTERIOR INGRESS / EGRESS DOORS HAVE LEVEL EXTERIOR LANDINGS WITH A 2% MAX SLOPE.
 5. VAN ACCESSIBLE AND ACCESSIBLE PARKING STALL AND IF SUCH SIGNS ARE LOCATED WHERE SUBJECT TO HUMAN IMPACT, RAISES THE BOTTOM OF THE SIGN TO 80 INCHES ABOVE THE WALKING SURFACE.

TOOELE RETAIL
SITE PLAN
TOOELE CITY, UTAH

Scott R. McFarland, PSE
Project Manager
167 East 1375 South
Bryansville, Utah 84037
313.726.6797 (M)
smcf@yahoo.com

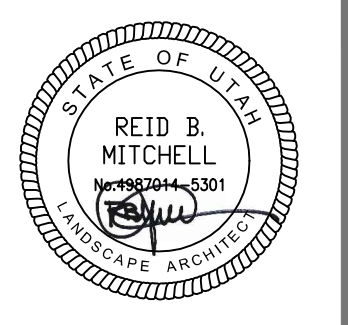


DESIGN:_____SPM

PROJECT: 1780

QUEST:

SP



STAMP
REVISIONS

Tooele Retail
Landscape Plans

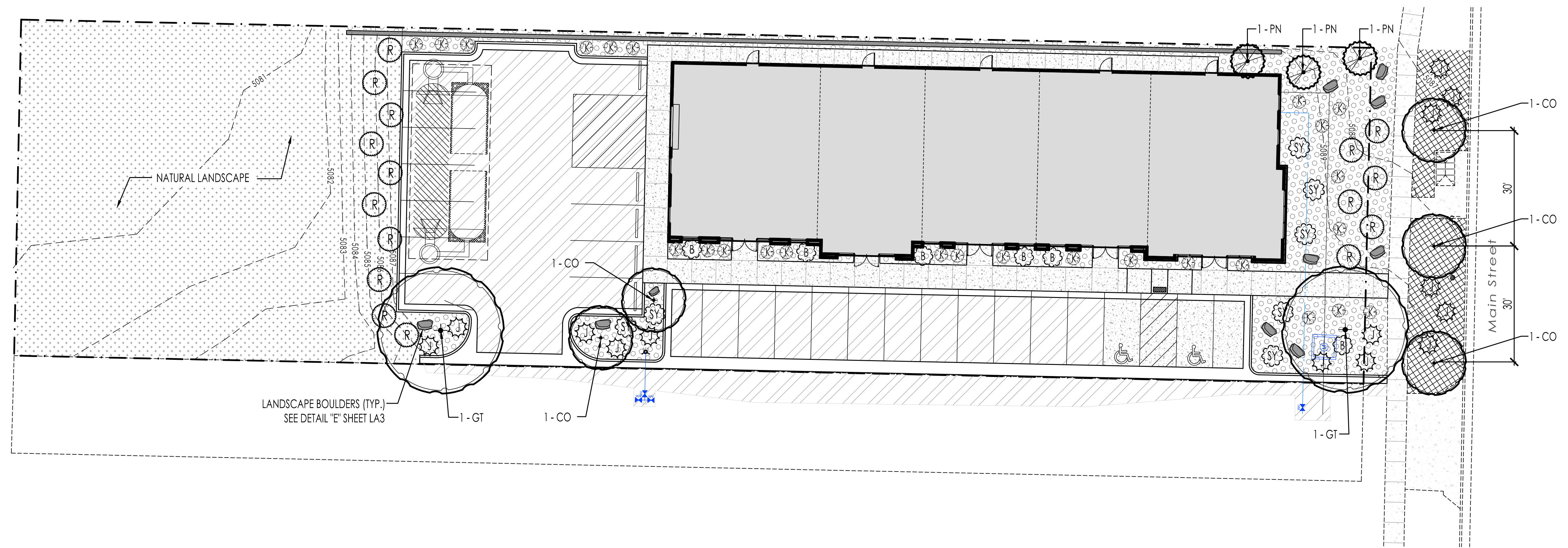
Planting
Plan

SHEET NAME:

LA2

SHEET NO.

DATE: 10/22/2025



Tooele Approved Plant Schedule								
Key	Qty	Type	Botanical Name	Common Name	Value	Size	H	W
K	26	Ornamental Grasses	Calamagrostis	Karl Foerster Feather Grass	7 S.F.	2 GAL	4'	3'
B	6	Shrub	Berberis thunbergii 'BailAnna'	Green Barberry	20 S.F.	2 GAL	3'	5'
R	16	Shrub	Rhus aromatica 'Gro-Low'	Fragrant Sumac	38 S.F.	2 GAL	2.5'	7'
J	14	Shrub	Juniperus communis 'Blueberry Delight'	Juniper	20 S.F.	2 GAL	2'	5'
SY	7	Shrub	Syringa meyeri 'Palibin'	Dwarf Korean Lilac Tree	20 S.F.	2 GAL	5'	5'
GT	2	Deciduous Tree	Gleditsia triacanthos var. inermis 'Shademaster	Honey Locust	962 S.F.	2" cal.	45'	35'
PN	3	Evergreen Tree	Pinus nigra 'Arnold Sentinel'	Columnar Austrian Pine	38 S.F.	6"	25'	7'
CO	5	Deciduous Tree	Celtis occidentalis Prairie Sentinel	Hackberry	176 S.F.	2" cal.	45'	15'

Note: quantity of plants on plan govern over legend, contractor shall inventory plant count on plans prior to ordering

Site Plan Legend

- 964 S.F.
4" THICK - 1" LANDSCAPE ROCK MULCH
(SEE DETAIL "D" SHEET LA3)
OFF SITE
- 3,552 S.F.
4" THICK - 1" LANDSCAPE ROCK MULCH
(SEE DETAIL "D" SHEET LA3)
- 7,831 S.F.
NATURAL LANDSCAPE

Site Tabulations

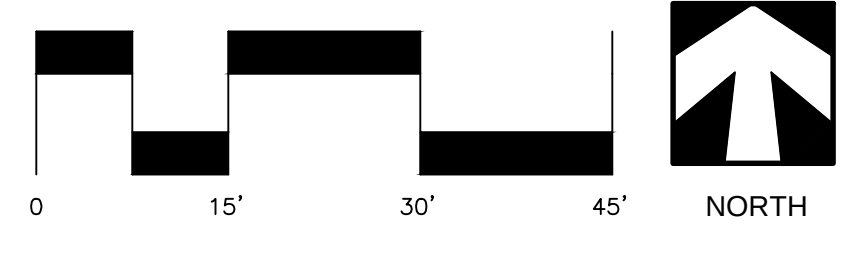
TOTAL AREA : 27,514 S.F. (0.632 ACRES)
TOTAL LANDSCAPE AREA: 3,552 S.F. (13% OF SITE)
NATURAL LANDSCAPE : 7,831 S.F. (28% OF SITE)
TOTAL LAWN AREA (OFF SITE): 964 S.F.

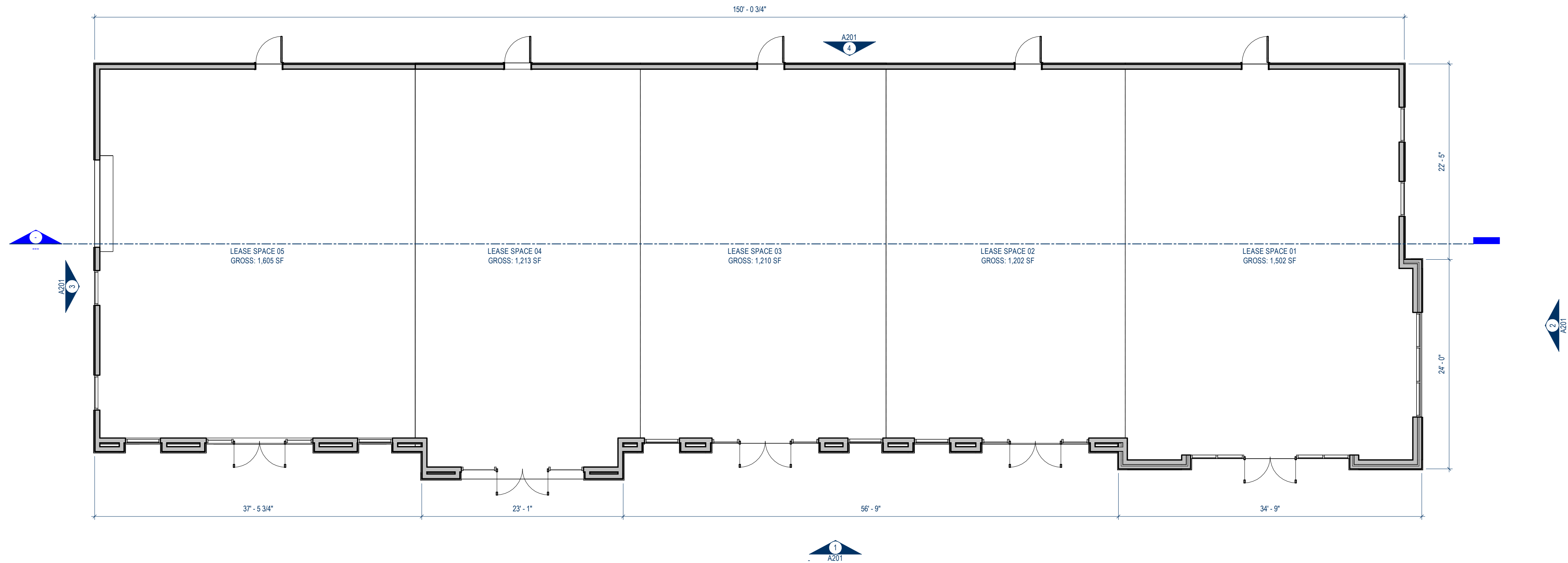
TOTAL LIVE VEGETATION AND LANDSCAPE ROCK (100%)
100% DROUGHT TOLERANT SPECIES

SHEET INDEX

- LA1.....LANDSCAPE SITE PLAN
- LA2.....PLANTING PLAN
- LA3.....LANDSCAPE DETAILS
- LA4.....IRRIGATION PLAN
- LA5.....LANDSCAPE NOTES

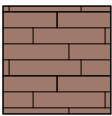
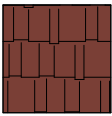
SCALE: 11"x17" 1" = 30'-0"
SCALE: 24"x36" 1" = 15'-0"

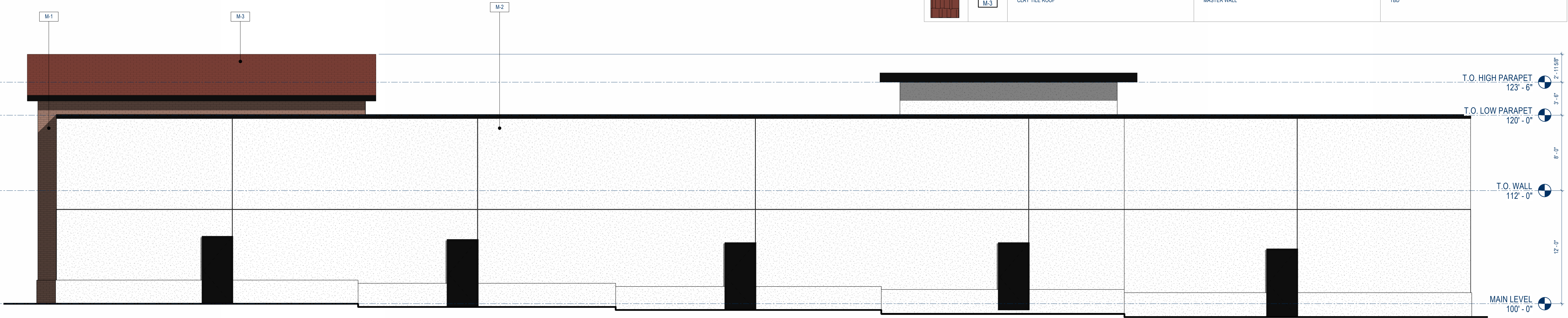




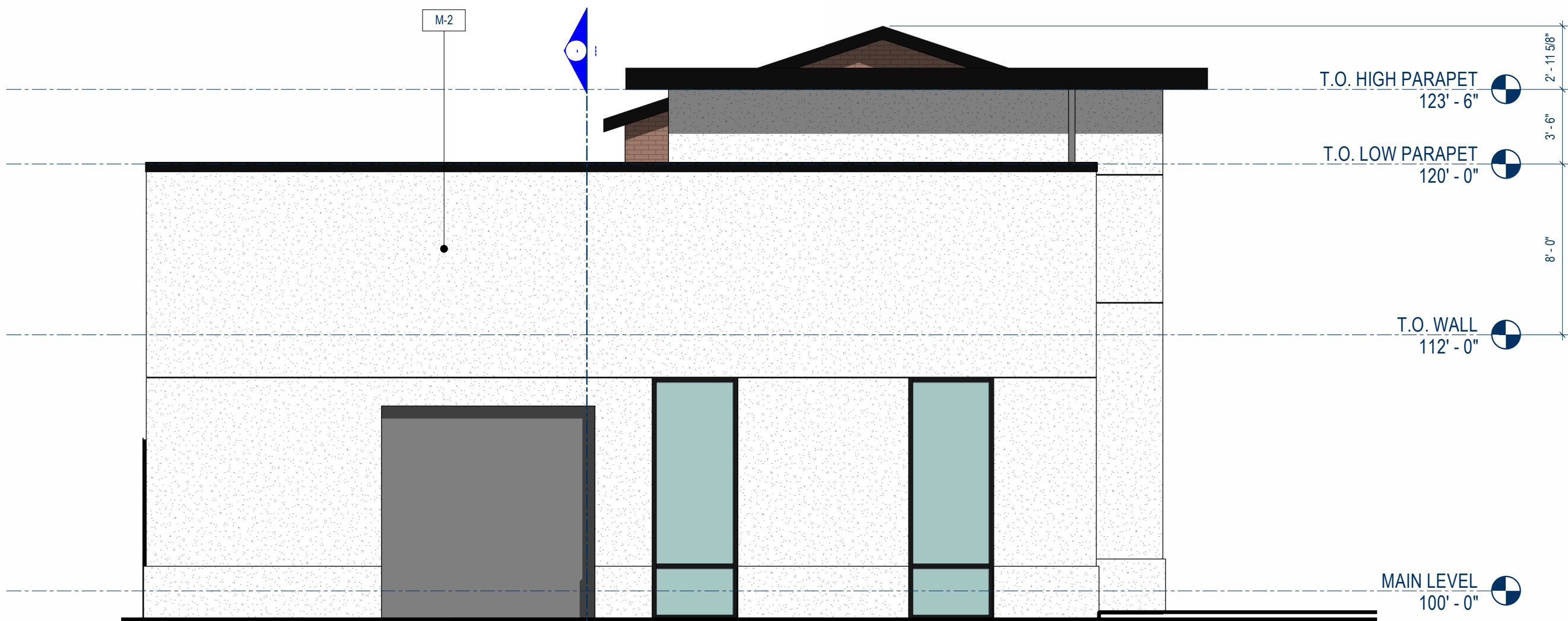
1 FLOOR PLAN
1/8" = 1'-0"

MATERIAL LEGEND

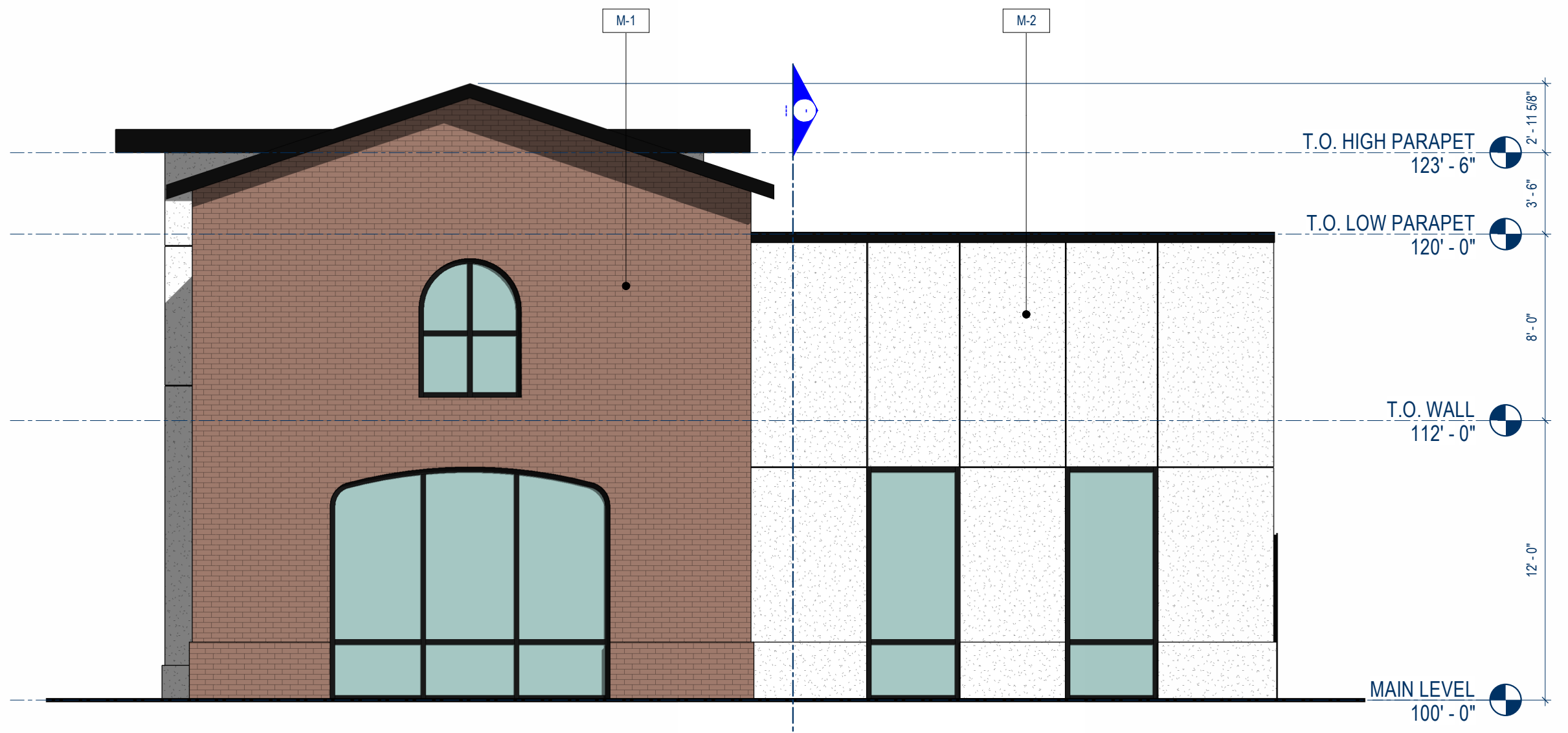
IMAGE	CODE	MATERIAL	MANUFACTURER	COLOR/FINISH
	M-1	MASONRY - BRICK	TBD	TBD
	M-2	STUCCO	MASTER WALL	TBD
	M-3	CLAY TILE ROOF	MASTER WALL	TBD



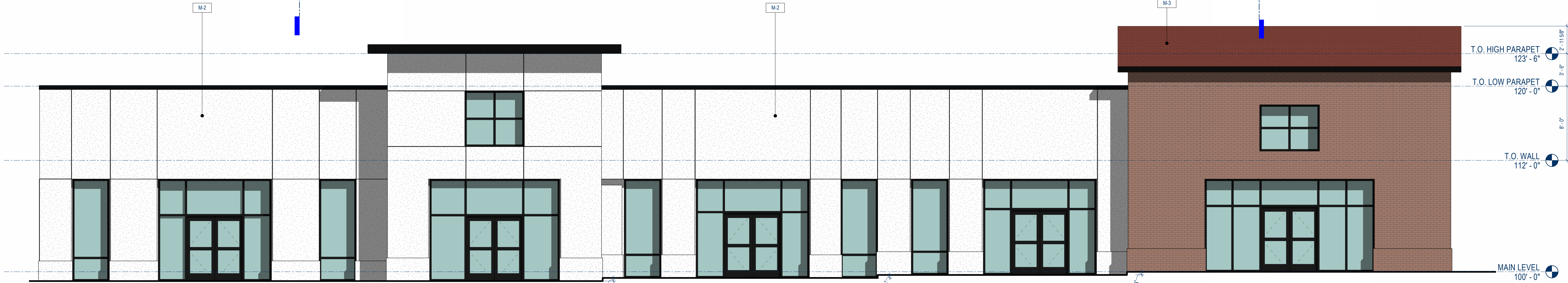
4 NORTH ELEVATION
3/16" = 1'-0"



3 WEST ELEVATION
3/16" = 1'-0"



2 EAST ELEVATION
3/16" = 1'-0"



1 SOUTH ELEVATION
3/16" = 1'-0"

STAMP

REVISIONS
REV. DESCRIPTION DATE

PROJECT NUMBER
25-044

DATE
10/22/2025

SHEET NAME
EXTERIOR ELEVATIONS -
OPTION 02

SHEET NO.

A201

Tooele City Planning Commission
Business Meeting Minutes

Date: October 8, 2025

Time: 7:00 p.m.

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

Planning Commissioners

Melanie Hammer
Jon Proctor
Jon Gossett
Chris Sloan
Tyson Hamilton
Weston Jensen
Kelley Anderson

Council Member Liaisons

Councilwoman Maresa Manzione
Councilman Ed Hansen

Staff Present

Andrew Aagard, Community Development Director
Matt Johnson, City Attorney
Paul Hansen, City Engineer

Minutes Prepared by Alicia Fairbourne

1. Pledge of Allegiance

Vice Chairman Sloan called the meeting to order at 7:00 PM and led the Pledge of Allegiance

2. Roll Call

Melanie Hammer, Present
Jon Proctor, Present
Jon Gossett, Present
Chris Sloan, Present
Tyson Hamilton, Present
Weston Jensen, Present
Kelley Anderson, Present

3. Public Hearing and Recommendation on a Land Use Map Amendment request by Tooele 90, LLC to reassign the Land Use Designation for approximately 10 acres located at approximately 900 South Main Street (south side of SR-36) from Medium Density Residential to High Density Residential.

Mr. Aagard presented the item and explained that the applicant, Tooele 90 LLC, requested a land use map amendment for approximately 10 acres located on the south side of SR-36 at approximately 900 South. The proposed change would reassign the land use designation from Medium Density Residential (MDR) to High Density Residential (HDR) in order to facilitate a future rezone to MR-8 for townhome development. He reviewed the property's history, noting it had previously been rezoned R1-7 and received preliminary subdivision approval for single-family detached homes. However, no further development had taken place aside from a submitted final plat for eight lots. He emphasized that the land use map amendment would apply only to the 10-acre portion in question and was a necessary step before any rezoning could occur. He also noted that several public comments had been received in opposition, citing traffic, infrastructure, and density concerns.

At the request of Commissioner Hamilton, the Planning Commission chose to hear the applicant's presentation prior to opening the public hearing, diverging from their typical order of proceedings. Vice Chair Sloan noted that doing so could help address some of the public's concerns before they were formally raised.

Jason Boal, the applicant's representative, described the proposed development concept, which included cottage homes and townhomes on a portion of the larger 178-acre site. He explained that the proposed density would be offset by open space and the possibility of a conservation easement along the hillside. Mr. Boal stated that the total project density would remain low at approximately 1.5 units per acre when averaged across the entire site. He presented a concept plan including trail networks, potential park amenities, and detailed architectural and layout examples for the proposed housing types. He noted that the townhomes would be platted for individual ownership and that the design included a mix of two- to four-bedroom floorplans. While it had not yet been determined if the project would be for sale or rental, it would offer ownership potential. Parking was planned to meet City requirements, with garages and driveways for each unit.

Mr. Boal also explained the rationale for PUD-related modifications being sought. These included reduced lot widths, adjusted setbacks, and increased lot coverage to accommodate the cottage home format. He stated that traffic and geotechnical studies had been updated to reflect the new layout and that utility easements were under review with Rocky Mountain Power. He emphasized that the product type responded to growing demand for smaller, more affordable single-family homes and that the development aimed to preserve open space and offer public benefits.

Commissioner Anderson inquired about home sizes. Mr. Boal responded that the homes would range from approximately 1,000 to 1,200 square feet. Vice Chair Sloan asked about the status of Rocky Mountain Power easements, whether the lines would be buried, and if parking would be increased. Mr. Boal responded that the previous plan did not involve burying lines and that the current concept included adequate on-site parking. Vice Chair Sloan also asked if the proposal aligned with the property's existing water rights. Mr. Aagard and Mr. Hansen confirmed that the site had approximately 200 acre-feet of water rights and that the increase in density was likely intended to fully utilize that allocation, though no final layout analysis had yet been performed.

At 7:29 p.m., Vice Chair Sloan opened the public hearing.

Wade Hintze expressed opposition to the proposed development, citing concern for wildlife that winters in the area, questioning how a conservation easement would address that issue. He also raised doubts about the city's water availability, noting conflicting messages regarding water shortages. Additionally, he challenged the accuracy of the traffic study, stating that Main Street already experiences significant congestion. He felt that adding more high-density housing in that location would worsen existing problems and was not in the city's best interest.

Rebecca Smith, a nearby resident, expressed serious concerns about the project. She shared that due to drought and water restrictions, her household had removed their lawn, which had become overrun with morning glory and goat heads, and were struggling to maintain a garden. She acknowledged that water

rights might exist for the subject property but questioned the broader issue of overall water availability in the city, particularly given ongoing drought conditions.

Ms. Smith also voiced concerns about speed and safety along SR-36, stating that the speed limit transitions abruptly and remains too high in the area, with drivers often exceeding 50 mph. She referenced a fatal accident at a nearby corner and mentioned large rocks in her yard from previous incidents. She warned that with increased development, the risks of accidents would likely rise.

Additionally, she raised concerns about hillside stability and runoff, particularly in the event of an earthquake. While she acknowledged that a rockfall study had been done, she questioned its adequacy and remained worried about the potential for falling rocks and the impact on wildlife that regularly enters her yard. Ultimately, she opposed the project, stating there was not enough space in the area to support high-density development.

Jennifer Hinton, a long-time resident living near the proposed development, expressed strong opposition to the land use amendment. She noted her deep roots in the area, having lived within a quarter-mile of the property for most of her life. Ms. Hinton, who holds a degree in conservation biology and whose daughter is a mule deer biologist for the state, emphasized the ecological significance of the area, describing it as prime winter habitat for mule deer. She reported a drastic decline in the deer population since nearby development began and raised concerns about increased wildlife-vehicle collisions, which she has tracked over the years.

She criticized real estate developers for lacking long-term investment in the community and urged the Planning Commission to take their responsibility seriously. Ms. Hinton also raised concerns about noise and traffic along SR-36, stating that semi-truck traffic has made it impossible to converse in her own backyard despite the buffer of a cemetery. She invited staff to visit her property to experience the conditions firsthand.

She questioned the validity and scope of the traffic study, asked for clearer details on planned road access, and emphasized the need for a traffic signal at Settlement Canyon Road. Hinton acknowledged that growth is inevitable but stated that high-density development at this location was unwise, even with the proposed conservation easement. She urged the Commission to preserve the character and safety of the community.

Kory Sagendorf a resident who lived near Coleman Street for about ten years, expressed concerns about the impact of the proposed development on wildlife and public safety. He echoed earlier comments regarding the decline of the mule deer population, particularly in winter months, noting an increase in deer being struck by vehicles. He warned that as development replaces wildlife habitat, children living in the new homes could face similar dangers due to the proximity of the highway. Mr. Sagendorf urged the Planning Commission to consider the safety implications of placing homes so close to a high-speed roadway.

Larry Seals a longtime Tooele resident living near 480 South, voiced opposition to the proposed high-density zoning. He recommended postponing any additional high-density development until the Midvalley Highway is constructed, suggesting that its completion could provide valuable insight into future traffic patterns. He expressed concern that the added housing would worsen existing traffic congestion, particularly through downtown and along the southern corridor, likely necessitating a new traffic signal and contributing to further backups on Main Street. Seals stated that the current zoning is more appropriate and would allow for a more desirable neighborhood with quarter- or fifth-acre single-family lots. He also cited safety, noise, and the proximity of the site to an already busy two-lane highway as significant issues.

Ruth Brown, a five-year resident of Tooele who relocated from Hawaii, expressed her appreciation for the community but opposition to the proposed land use amendment. She compared Tooele's limited access routes to the one-road-in, one-road-out situation she experienced in Hawaii, noting it as a major

concern. Brown expressed skepticism toward the project's supporting studies, suggesting they were designed to present an overly optimistic view. She aligned herself with earlier speakers and cited concerns about water availability, traffic, safety, and environmental conservation as reasons for her opposition.

There being no further public comments, Vice Chair Sloan closed the floor at 7:42 p.m.

Following public comment, Mr. Boal returned to the podium and clarified that there would be three access points to the site. Two would be to SR-36 and one to Settlement Canyon Road. All of these access points had been previously approved by UDOT. He also indicated that a future connection to a parcel to the south was contemplated via an access easement to allow for long-term connectivity.

Vice Chair Sloan stated that although he had supported the earlier iteration of the project, he now had concerns about current traffic conditions and whether the proposed 20-foot setback from SR-36 provided sufficient buffer for safety and livability. He emphasized that his perspective had changed based on the realities on the ground, despite his general support for property rights. He acknowledged the credibility of the concerns raised by residents and expressed reservations about the appropriateness of the proposed HDR designation at this time.

Motion: Commissioner Proctor moved to forward a positive recommendation to the City Council for the One O'Clock Subdivision Land Use Map Amendment request by Jason Boal, representing Tooele 90, LLC, to reassign the land use designation for approximately 10 acres from Medium Density Residential to High Density Residential, application number 2025084. Commissioner Jensen seconded the motion. The vote was as follows: Commissioner Hammer, "Nay"; Commissioner Proctor, "Aye"; Commissioner Gossett, "Nay"; Commissioner Hamilton, "Nay"; Commissioner Jensen, "Aye"; Commissioner Anderson, "Nay"; Vice Chair Sloan, "Nay". The motion failed 5-2.

Motion: Vice Chair Sloan moved to forward a negative recommendation to City Council for the One O'Clock Subdivision Land Use Map Amendment request by Jason Boal, representing Tooele 90, LLC, to reassign the land use designation for approximately 10 acres from Medium Density Residential to High Density Residential, application number 2025084. Commissioner Anderson seconded the motion. The vote was as follows: Commissioner Hammer, "Aye"; Commissioner Proctor, "Aye"; Commissioner Gossett, "Aye"; Commissioner Hamilton, "Aye"; Commissioner Jensen, "Nay"; Commissioner Anderson, "Aye"; Vice Chair Sloan, "Aye". The motion carried 6-1.

Mr. Aagard informed the public that the land use map amendment would likely be considered by the City Council at their November 5 meeting and advised residents to monitor upcoming agendas, noting that separate notice would not be issued for the Council public hearing.

4. Public Hearing and Recommendation on a Zoning Map amendment Request by Tooele 90, LLC to reassign the zoning for approximately 38 acres located at approximately 900 South Main Street (south side of SR36) from R1-7 Residential to MR-8 PUD Multi-family Residential and R1-7 PUD Residential zoning districts and to establish the conditions of the One O'Clock Hill PUD.

Mr. Aagard briefly introduced the zoning map amendment request, noting it followed the prior land use item, which had received a negative recommendation from the Planning Commission. He explained that the request involved reassigning zoning on approximately 38 acres to a combination of R1-7 PUD and MR-8 PUD, with conditions established through a planned unit development overlay. He emphasized that the PUD does not alter permitted uses or densities but allows for flexibility in design standards in exchange for a public benefit. In this case, the applicant proposed a conservation easement over the remainder of the 178-acre property and a public trail along the south. He clarified that this proposal would result in approximately 60 additional units beyond what would be allowed under standard R1-7 zoning. Mr. Aagard explained that it was up to the Planning Commission and City Council to determine whether the proposed conservation easement and trail constituted sufficient public benefit to justify the PUD designation.

In response to Commissioner questions, Mr. Aagard explained that a conservation easement would prohibit future development on the designated area, though it was unclear whether public access would be granted since the land would remain privately owned. He noted that past concepts for the site had included commercial development on top of One O’Clock Hill, and a conservation easement would preclude that type of proposal in the future.

There being no further questions from the Commission, Vice Chair Sloan opened the public hearing at 7:55 p.m.

Kalani Mascherino, a resident of Two O’Clock Drive, raised concerns about traffic, parking, and access to the proposed public trail. She questioned where trail users would park and expressed concern that the development's limited on-site parking could not accommodate additional traffic. She referenced existing congestion at nearby intersections and the cumulative impact of recently approved developments, including a Holiday Oil gas station and additional apartments, which she believed would worsen traffic and safety issues along SR-36. She also referenced a personal vehicle accident and expressed skepticism that the current traffic infrastructure could safely support additional density in the area.

Kortnee Smith, a Tooele-based realtor, opposed the rezone, expressing concern about its long-term effects on infrastructure, safety, the environment, and community character. She stated that Tooele’s infrastructure was already strained and that high-density housing would add pressure to schools, emergency services, and utilities. She also raised concerns about erosion and runoff at the base of the hillside, loss of community identity, and the visual and environmental impacts of building near One O’Clock Hill. She urged the Commission to prioritize infrastructure investment and preservation of the city's landmarks over short-term development gains.

There being no further comments, Vice Chair Sloan closed the floor at 8:02 p.m.

Following the public hearing, Mr. Boal addressed the concerns raised. He reiterated that the proposed conservation easement was intended to preserve One O’Clock Hill and could be tailored to include the most heavily used wildlife areas. He emphasized that the overall project density was approximately 1.5 units per acre, which was significantly lower than typical high-density standards. He asserted that the PUD offered a tangible public benefit by preserving open space and offering community amenities such as trails, park space, and playgrounds. Mr. Boal stated that the applicant was open to considering noise mitigation, xeriscaping, and fencing along SR-36 if those elements would improve the project. He clarified that although the land use designation would allow for higher density, the proposal maintained a balanced layout and offered ownership opportunities for young families. He also clarified that the trail system would be accessible by sidewalk connections, not dedicated trailhead parking, and pointed out several areas within the project that were designated for parks and playgrounds.

Following Mr. Boal’s comments, the Commission discussed the implications of forwarding a recommendation on the PUD despite the previous negative recommendation on the land use map amendment. Mr. Aagard explained that a recommendation could still be made on both the MR-8 and R1-7 PUD portions of the request, as the City Council would make the final decision.

Commissioner Jensen inquired if the water rights were transferrable. Mr. Hansen clarified the history of the water rights agreement, noting that water credits had been purchased by the prior property owner and that if the full allocation was not used on site, the city had agreed to repurchase the unused credits.

Motion: Commissioner Anderson moved to forward a positive recommendation to the City Council for the One O’Clock Hill zoning map amendment request by Jason Boal, representing 1290 LLC to reassign the zoning of the subject property to R1-7 PUD Residential and to adopt the One O’Clock Hill PUD standards proposed in the report, application number 2025085.

Commissioner Hammer seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”; Commissioner Proctor, “Aye”; Commissioner Gossett, “Aye”; Commissioner Hamilton, “Aye”;

Commissioner Jensen, “Aye”; Commissioner Anderson, “Aye”; Vice Chair Sloan, “Aye”. The motion carried 7-0.

5. **Public Hearing and Decision on a Conditional Use Permit request by Guaranteed Auto and Sales, LLC, to authorize the use of “Automobile Sales and Rental” to occur on .16 acres located at approximately 375 North Main Street in the GC General Commercial Zoning district.**

Mr. Aagard presented the conditional use permit request and explained that the applicant proposed to use the site for auto sales, with access only from Garden Street and no access from Main Street. The property has double frontage and is adjacent to both commercial and residential uses. The applicant anticipated 15 – 20 cars on site, with only two employees – one being the applicant and the other a family member – and proposed installing a steel building for storage.

Staff recommended approval of the permit with standard conditions and additional stipulations to address site-specific concerns. These included requiring a site plan review to assess paving, stormwater management, utility connections, and restroom facilities. Staff also recommended that any future Main Street access be subject to UDOT approval. Conditions were included to ensure lighting would minimize impact on adjacent residential uses and that the eastern portion of the lot be improved to support customer and emergency vehicle access.

Commissioners asked about the visibility and potential confusion caused by the lack of Main Street access, the building plans, and how parking requirements would be calculated. Mr. Aagard explained that a monument sign could be placed along Main Street to direct customers to Garden Street. He confirmed that the Community Development Director determines parking requirements when uses are not explicitly listed in the ordinance and that a site plan would be required to ensure adequate parking and access for emergency services.

Vice Chair Sloan then opened the public hearing at 8:23 p.m.

Bob Johnson, a nearby resident, expressed two primary concerns. First, he noted increasing traffic on Garden Street and suggested the possibility of restricting parking to one side to maintain traffic flow. He referenced another nearby business that experiences tight conditions due to large truck deliveries and limited parking. Second, he raised a fire safety concern, asking whether emergency vehicles – particularly in the case of an electric vehicle fire – could adequately access the property from both Garden Street and Main Street. Mr. Aagard responded that on-street parking would not be permitted and all required parking must be accommodated on-site. He also explained that emergency access and pavement standards would be addressed during the required site plan review and confirmed that the Fire Marshal would ensure compliance with safety regulations. Mr. Johnson concluded by thanking staff for addressing many of his concerns.

There being no further public comments, Vice Chair Sloan closed the floor at 8:27 p.m.

Applicant Karen Martinez, speaking on behalf of her father, clarified that the intent was to operate an auto sales lot – not a body shop – with 15 - 20 vehicles and limited staffing. She confirmed that they did not plan to access Main Street, would place a sign to direct customers, and planned to improve the property and add utilities. Vice Chair Sloan sought clarification on the use, and Ms. Martinez confirmed it would be strictly auto sales.

Motion: Commissioner Hamilton moved to approve the Conditional Use Permit request by Guaranteed Auto and Sales, LLC, to authorize the use of “Automobile Sales and Rental” to occur at the subject property, application number 2025081, based on the findings and subject to conditions 1 through 4 listed in the Staff Report dated October 1, 2025. Commissioner Hammer seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”; Commissioner Proctor, “Aye”; Commissioner Gossett, “Aye”; Commissioner Hamilton, “Aye”; Commissioner Jensen, “Aye”; Commissioner Anderson, “Aye”; Vice Chair Sloan, “Aye”. The motion carried 7-0.

6. **Decision on a Preliminary Subdivision Plan request by Entellus, Inc. for the Sage Flats Subdivision consisting of two lots proposed to be located at approximately 3100 North 250 East in the GC General Commercial and MR-20 Multi-Family Residential zoning district on 37.3 acres.**

Mr. Aagard presented the request by Entellus Inc. for preliminary subdivision plan approval for the Sage Flat Subdivision. The property consisted of 37.3 acres and was split between the GC General Commercial and MR-20 Multi-Family Residential zoning districts. The subdivision would create two lots – Lot 1 totaling approximately 19.7 acres in the general commercial zone, and Lot 2 totaling approximately 16.7 acres in the MR-20 zone, which had recently received site plan approval for a residential apartment complex.

The subdivision included the dedication of 250 East, a new north-south street through the center of the property. Both lots far exceeded the minimum lot size requirements for their respective zoning districts. Mr. Aagard confirmed that staff recommended approval, subject to the standard conditions outlined in the staff report. Commissioner Anderson inquired about the amount of acreage designated as general commercial, and Mr. Aagard confirmed it was approximately 19.7 acres.

Motion: Commissioner Proctor moved to approve the Preliminary Subdivision Plan Request by Colby Cain, representing Entellus, Inc. for the Sage Flats Subdivision, application number 2025041, based on the findings and subject to the conditions listed in the Staff Report dated October 1, 2025. Commissioner Hamilton seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”; Commissioner Proctor, “Aye”; Commissioner Gossett, “Aye”; Commissioner Hamilton, “Aye”; Commissioner Jensen, “Aye”; Commissioner Anderson, “Aye”; Vice Chair Sloan, “Aye”. The motion carried 7-0.

7. **Decision on a request for a six-month site plan approval extension request by Sandroek Development for the 50th Place development proposed to be located at 350 North 50 West in the MR-8 Multi-Family Residential zoning district.**

Mr. Aagard explained that the applicant, Sandroek Development, had requested a six-month extension of a previously approved site plan for the 50th Place development, which was a four-unit townhouse project located at 350 North 50 West in the MR-8 Multi-Family Residential zoning district. The site plan had been originally approved nearly a year ago, and by ordinance, site plan approvals expire after one year if no action is taken. However, the ordinance allows the Planning Commission to grant an extension upon request.

Mr. Aagard noted that the applicant had stayed in contact with staff and still intended to construct the project but was working through some water-related issues. While the ordinance does not specify the length of an allowable extension, Mr. Aagard recommended six months, though the Commission could adjust that period at its discretion. The applicant’s intent was simply to retain their current site plan approval.

Motion: Commissioner Hamilton moved to extend the Site Plan Design Review approval for the 50th Place Multi-Family Residential development for six months from the date of this meeting, October 8, 2025, application number 2024-041. Commissioner Anderson seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”; Commissioner Proctor, “Aye”; Commissioner Gossett, “Aye”; Commissioner Hamilton, “Aye”; Commissioner Jensen, “Aye”; Commissioner Anderson, “Aye”; Vice Chair Sloan, “Aye”. The motion carried 7-0.

8. **City Council Reports**

Councilwoman Manzione reported on the Utah League of Cities and Towns conference, noting that topics like infrastructure, transportation, and housing were recurring themes. She highlighted a session on community gathering centers and discussed whether Tooele has sufficient public spaces for such

use. She also mentioned the concept of “citizen academies” to help residents learn more about city operations.

Commissioner Hammer asked whether planning commissioners should attend similar trainings. Councilwoman Manzione shared that some planning commissioners from other cities had attended. Vice Chair Sloan confirmed that training funds were available and encouraged commissioners to participate in upcoming opportunities, such as the Land Use Institute.

9. Business Item – Election of a new Planning Commission chair for the remainder of 2025.

Vice Chair Sloan noted that Chairman Robinson had stepped down, and Mr. Aagard clarified that Commissioner Hamilton was ineligible to serve as Chair due to having served in that role within the past year, though he could be nominated for Vice Chair.

Commissioner Hamilton nominated Chris Sloan to serve as Chair. Commissioner Hammer seconded. There were no objections. Therefore, by acclamation, Commissioner Sloan was elected to serve as Chair.

Commissioner Proctor volunteered to serve as Vice Chair. Commissioner Gossett seconded. There were no objections. Therefore, by acclamation, Commissioner Proctor was elected to serve as Vice Chair.

10. Review and Decision – Minutes of the Planning Commission meeting held September 24, 2025.

There were no corrections to the minutes.

Motion: Commissioner Hammer moved to approve the minutes of the Planning Commission meeting held September 24, 2025. Commissioner Hamilton seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”; Commissioner Proctor, “Aye”; Commissioner Gossett, “Aye”; Commissioner Hamilton, “Aye”; Commissioner Jensen, “Aye”; Commissioner Anderson, “Aye”; Vice Chair Sloan, “Aye”. The motion carried 7-0.

11. Adjourn

There being no further business, Chairman Sloan adjourned the meeting at 8:41 p.m.

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

Approved this _____ day of November, 2025

Chris Sloan, Tooele City Planning Commission Chair

Tooele City Planning Commission
Business Meeting Minutes

Date: October 22, 2025

Time: 7:00 p.m.

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

Planning Commissioners

Chris Sloan
Tyson Hamilton
Melanie Hammer
Jon Proctor
Jon Gossett
Kelley Anderson
Weston Jensen

Council Member Liaisons

Councilwoman Maresa Manzione
Councilman Ed Hansen (excused)

Staff Present

Matt Johnson, City Attorney
Andrew Aagard, Community Development Director
Chris Nielson, IT Director
Paul Hansen, City Engineer

Minutes Prepared by Alicia Fairbourne

1. Pledge of Allegiance

Chairman Sloan called the meeting to order at 7:00 PM and led the Pledge of Allegiance.

2. Roll Call

Melanie Hammer, Present
Jon Proctor, Present
Jon Gossett, Present
Chris Sloan, Present
Tyson Hamilton, Present
Weston Jensen, Present
Kelley Anderson, Present

3. **Decision on a Preliminary Subdivision Plan request by Grow Development for the Fire Station Business Park Subdivision proposed to be located at 1000 North 145 East in the LI Light Industrial zoning district on approximately 10 acres.**

Mr. Aagard presented the request by Grow Development for a Preliminary Subdivision Plan for the proposed Fire Station Business Park Subdivision located at 1000 North 145 East in the LI Light Industrial zoning district on approximately ten acres. He explained that the property had recently undergone a land use and zoning map amendment and was now being subdivided to facilitate development. The site was described as an inverted L-shaped parcel north of 1000 North and east of Fire Station No. 3, bordered by light industrial uses to the west, general commercial to the east, and RR-5 zoned undeveloped land to the north and east.

The applicant proposed to divide the parcel into two lots fronting 1000 North and two remnant parcels – Parcel A, which would remain undeveloped, and Parcel B, a narrow strip extending north. The applicant would dedicate right-of-way along 1000 North to the City and install the required improvements, which the City would assume after the warranty period. Mr. Aagard noted that the lots exceeded the minimum width required in the LI zone and that staff recommended approval subject to the standard conditions outlined in the staff report.

Chairman Sloan confirmed with Mr. Aagard that no public comments had been received and noted that a few commissioners had been contacted by a potential purchaser, which they disclosed. He then reminded the Commission that this item was a decision rather than a public hearing.

Motion: Commissioner Proctor moved to approve the Preliminary Subdivision Plan request by Wes Graham, representing Grow Development for the Fire Station Business Park Subdivision, application number 2025079, based on the findings and subject to the conditions listed in the Staff Report dated October 20, 2025. Commissioner Hamilton seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”; Commissioner Proctor, “Aye”; Commissioner Gossett, “Aye”; Commissioner Hamilton, “Aye”; Commissioner Jensen, “Aye”; Commissioner Anderson, “Aye”; Chairman Sloan, “Aye”. There were none opposed. The motion carried 7-0.

4. **City Council Reports**

Councilwoman Manzione reported that applications were open for the two vacant Planning Commission seats – one appointed by the Mayor and one by the Council. She stated that the City Council had recently approved the ordinance on construction standards for local streets and had reassigned zoning for the Tooele Business Park. She also shared that the Council received an economic development update for the first quarter, noting that a second Little Caesars location would be coming to Tooele near the new Smith’s. During the work meeting, the Public Works Department provided a detailed report outlining recent accomplishments and future plans for each division. She encouraged commissioners to listen to the recording if interested, describing it as very informative.

5. **Adjourn**

There being no further business, Chairman Sloan adjourned the meeting at 7:06 p.m.

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

Approved this _____ day of November, 2025

Chris Sloan, Tooele City Planning Commission Chair