

Tooele City Planning Commission  
Business Meeting Minutes

**Date:** December 11, 2024

**Time:** 7:00 pm

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

**Commission Members Present:**

Tyson Hamilton

Weston Jensen

Kelley Anderson

Melanie Hammer

Jon Proctor

Jon Gossett

Excused Matt Robinson and Alison Dunn

**City Council Members Present:**

Ed Hansen

Maresa Manzione

**City Employees Present:**

Andrew Aagard, Community Development Director

Roger Baker, City Attorney

Paul Hansen, City Engineer

Kent Page, City Planner

Zack Lawrence, I.T. Intern

Minutes prepared by Alicia Fairbourne

**1. Pledge of Allegiance**

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

**2. Roll Call**

Tyson Hamilton, Present

Weston Jensen, Present

Kelley Anderson, Present

Jon Proctor, Present

Melanie Hammer, Present

Chris Sloan, Present

Alison Dunn, Excused

Matt Robinson, Excused

Before continuing to the agenda, Mr. Aagard took a moment to introduce Kent Page, the new City Planner. Mr. Aagard expressed his gratitude for Mr. Page's addition to the team and highlighted Mr. Page's 20 years of experience in the planning field, including recent work with Saratoga Springs and previous experience with Tooele County. Mr. Aagard emphasized that Mr. Page's familiarity with the city and valley would make him a valuable asset to the community.

**3. Public Hearing and Decision on a Conditional Use Permit request by Wasatch Seasons Properties, LLC, to authorize the use of “Accessory Drive Through Facility” for property located at the SE corner of 600 North Main Street on .53 acres in the GC General Commercial zone.**

Mr. Page presented the proposal, and highlighted concerns about vehicle stacking potentially impeding on-site and adjacent traffic, as well as the possibility of headlights from the drive-through affecting northbound drivers on SR-36. He suggested that vegetation could mitigate the headlight issue.

The Planning Commissioners discussed site access, confirming it would be a right-in, right-out configuration due to an existing median on Main Street. They also deliberated on the potential impact of headlight glare on northbound traffic and the adequacy of vehicle stacking within the site.

There being no further questions from the Planning Commission, Chairman Hamilton opened the floor for public comment at 7:05 pm. There were no public comments.

The applicant’s architect, BJ Lund, addressed the Planning Commission and confirmed the plan for vegetation to mitigate potential headlight glare, and traffic mitigation was for right-in, right-out access. He also explained that the double drive-through design would accommodate adequate vehicle stacking without impeding traffic flow.

**Motion: Commissioner Proctor moved to approve the CUP request by Jasmine Santos, representing Wasatch Season Properties, LLC, for an accessory drive-through facility, application number 2024062, based on the findings subject to the conditions and staff report.** Commissioner Jensen seconded the motion.

City Attorney Roger Baker reminded the Commission of the necessity to explicitly identify any anticipated detrimental effects associated with the project, followed by a discussion of reasonable conditions to mitigate those effects. The Commissioners identified the primary issues as the potential for vehicle headlights from the drive-through to disrupt northbound traffic on Main Street, and the possibility of vehicle stacking causing congestion. To mitigate the headlight issue, the Commission required the installation of vegetation, berms, or other barriers to shield the light. Regarding vehicle stacking, the applicant had already provided a stacking plan designed to prevent congestion from spilling onto public roads.

Additionally, Mr. Aagard noted the need for a lot line adjustment to ensure adequate space for parking and site functionality. He noted that this adjustment was a standard site issue and would be addressed independently of the CUP. He noted the need for cross-access easements or agreements. He also mentioned that the adjacent property, Chartway Federal Credit Union, was open to the use of their parking lot to alleviate parking concerns.

**Amended Motion: Commissioner Proctor amended the original motion to approve the CUP request by Jasmine Santos, representing Wasatch Season Properties, LLC for an accessory drive-through facility, application number 2024062, based on the findings and subject to the conditions, and to include a condition to add vegetation to help block the lights for northbound traveling traffic.** Commissioner Jensen seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye”, Commissioner Gossett, “Aye”, Commissioner Jensen, “Aye”, Commissioner Anderson, “Aye”, Chairman Hamilton, “Aye”. There were none opposed. The motion passed 7-0.

**4. Public Hearing and Decision on a Conditional Use Permit request by L & S Ventures to authorize the use of “Auto Impound Yard” to be conducted on approximately 1.65 acres of property located at 480 South Alexander Drive in the Industrial Zoning District.**

Mr. Page presented the proposal and confirmed the site was currently located in an industrial zoning designation. He outlined staff recommendations for conditions to be imposed on the permit to ensure compliance with city regulations and to mitigate potential detrimental effects. These conditions included the installation of a sight-obscuring fence of sufficient height to block views of the impounded vehicles, placement of a sign on the exterior of the fence displaying the business name, phone number, and address, ensuring visibility from 50 feet and compliance with city sign ordinances, maintenance of the exterior portion of the business, keeping it free from debris, oil, waste, or vehicle parts, and ensuring that no vehicle or part thereof is placed closer than two feet from any fence.

Commissioner Hammer inquired about measures to mitigate potential fluid leaks from impounded vehicles, expressing concerns about environmental impacts. Mr. Page noted that vehicles would primarily be intact, impounded vehicles, not necessarily wrecked, which might reduce the likelihood of leaks. However, he deferred to the applicant for specific mitigation plans.

There being no further questions from the Commission, Chairman Hamilton opened the floor for public comment at 7:19 pm. There were no comments. Chairman Hamilton closed the floor at 7:19 pm.

The applicant, Jake Stewart addressed Commission, confirming plans to use a gravel surface treated with roto mill. He also explained that for any vehicles leaking fluids, containment measures such as placing drip pans beneath them would be implemented to prevent environmental contamination.

Mr. Stewart addressed a phasing plan for fencing, noting that the entire 1.65 acre property would not need to be fenced immediately, but he would expand the fence as the business grew and more space was needed. The Commission agreed that all vehicles must be stored within an eight-foot tall, sight-obscuring fence, with the possibility of expanding the fenced area as needed.

**Motion: Commissioner Sloan moved to approve the CUP with the conditions to add the roto mill or equivalent to the surface, to keep all cars stored within a sight-obscuring fence, add signage, and a plan to capture spills with a pan and to dispose of those fluids.** Commissioner Anderson seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye”, Commissioner Gossett, “Aye”, Commissioner Jensen, “Aye”, Commissioner Anderson, “Aye”, Chairman Hamilton, “Aye”. There were none opposed. The motion passed 7-0.

**5. Public Hearing and Recommendation on a Zoning Map Amendment request by Bach Homes, LLC, to amend the conditions of the PUD (Planned Unit Development) overlay regarding building setbacks and lot sizes for approximately 9.06 acres located at approximately 650 North 700 West in the R-17 PUD Zoning District.**

Mr. Aagard explained that the existing configuration, where sewer easements were part of individual lots, restricted homeowners’ use of their property and possessed challenges for city maintenance. To resolve these issues, the proposal recommended deeding the sewer easements to the city, thereby removing them from private ownership. This change would necessitate reducing the minimum lot size from 6,000 to 5,000 square feet and adjusting rear yard setbacks to a minimum of 15 feet from the south property line of the 12-foot sewer easement for the affected lots. These amendments would not alter the overall layout or density of the subdivision but would result in smaller backyards for the impacted properties.

Commissioner Jensen inquired about the width of the sewer easements, noting discrepancies between 10 and 12 feet in the staff report. Mr. Aagard clarified that while earlier phases had 10-foot easements, the current and future phases were planned with 12-foot easements to provide adequate space for maintenance. The applicant, Derek Rindlisbacher, conformed this, stating that the intention was to implement 12-foot easements starting in Phase 7.

There being no further questions from the Commission, Chairman Hamilton opened the floor for public comment at 7:34 pm.

*Jeremy Bolton*, a property owner from an earlier phase of the development, expressed concern about potential impacts on his property. Mr. Aagard assured him that the proposed changes would only apply to new properties in the forthcoming phases and would not affect existing lots.

Mr. Aagard noted he had also received an emailed comment from an individual in the affected area, who inquired about the specifics of the amendment. After receiving an explanation regarding the sewer line easement involved, the individual acknowledged the information without expressing support or opposition.

There being no further public comments, Chairman Hamilton closed the floor at 7:36 pm.

Mr. Baker clarified that, upon approval of the proposal, the areas currently designated as sewer easements within the new phases would be deeded to the city. This change would transform these sections into city-owned property lines, eliminating the concept of easements in these areas. By making this distinction, clear ownership and maintenance responsibilities for the sewer line and the property above it would be ensured.

**Motion: Commissioner Jensen moved to make a positive recommendation to City Council for the Copper Canyon PUD zoning map amendment request by Derek Rindlisbacher, representing Bach Homes, LLC, for the purpose of amending the conditions of the PUD overlay, as described in the staff report, application number 2024066, based on the findings listed in the staff report dated December 3, 2024.** Commissioner Hammer seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye”, Commissioner Gossett, “Aye”, Commissioner Jensen, “Aye”, Commissioner Anderson, “Aye”, Chairman Hamilton, “Aye”. There were none opposed. The motion passed 7-0.

**6. Decision on a Preliminary Subdivision Plan request by David Lewis IV, representing D.R. Horton for Western Acres Phase 2C to create 44 town house style residential lots on approximately 5.8 acres located at approximately 1700 North 300 East in the MR-16 PUD Multi-Family Residential zoning district.**

Mr. Aagard presented the subdivision area and noted it was zoned as MR-16 PUD, which was approved several years back. A significant aspect of the plan was the extension of Copper Canyon Road, an 84-foot right-of-way, which would eventually connect to 1000 North, aligning with the city’s Transportation Master Plan. Additionally, the development incorporated the Middle Canyon drainage on its west side, where D.R. Horton had invested in improvements, including a trail system designed to link with the trail network in England Acres Park and extend to Smelter Road. After reviewing the proposal, Mr. Aagard confirmed that it met all relevant standards and ordinances, and recommended approval with the conditions outlined in the staff report. There were no questions from the Commission.

**Motion: Commissioner Anderson moved to approve the preliminary subdivision plan request by David Lewis IV, representing D.R. Horton for Western Acres Phase 2C, application number 2024053, based on the findings and subject to the conditions listed in the Staff Report dated December 4, 2024.** Commissioner Proctor seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye”, Commissioner Gossett, “Aye”, Commissioner Jensen, “Aye”, Commissioner Anderson, “Aye”, Chairman Hamilton, “Aye”. There were none opposed. The motion passed 7-0.

**7. Decision on a Preliminary Subdivision Plan request by Travis Sutherland to subdivide approximately 17 acres of property into 36 single-family residential lots located at approximately 600 South Oakridge Drive in the R1-12 Residential zoning district.**

Mr. Aagard presented the proposal and highlighted that the subdivision was located in Bison Ridge, which was in a Sensitive Area Overlay Zone which followed specific grading requirements. The lots met or exceeded the standards of the R1-12 Zoning District and sensitive area regulations. The subdivision connected to existing stub streets and Deer Hollow to the southeast. The roads would be public streets, and two stormwater detention basins would be transferred to the city for ownership and maintenance.

Commissioner Proctor raised a concern regarding the water line located within 10 feet of two lots. City Engineer Paul Hansen clarified that the issue would be resolved during construction by ensuring sufficient setbacks to protect the water line and homes.

Mr. Baker provided the city's history of acquiring the surrounding land as part of an open space initiative, with portions deemed suitable for development. The sale of these portions helped recover costs for the city's open space acquisition of property located immediately to the south.

**Motion: Commissioner Sloan moved to approve a positive recommendation to City Council for the Hidden Hollow preliminary plan subdivision request by Travis Sutherland, for the purpose of creating 36 single-family residential lots, application number 2024039, based on the findings and subject to the conditions listed in the staff report dated December 4, 2024.** Commissioner Anderson seconded the motion. The vote was as follows: Commissioner Hammer, "Aye", Commissioner Proctor, "Aye", Commissioner Sloan, "Aye", Commissioner Gossett, "Aye", Commissioner Jensen, "Aye", Commissioner Anderson, "Aye", Chairman Hamilton, "Aye". There were none opposed. The motion passed 7-0.

**8. City Council Reports**

Council Member Manzione stated she had nothing to report and wished the Planning Commissioners happy holidays.

**9. Review and Decision – Minutes of the Planning Commission meeting held November 13, 2024**

Council Member Manzione noted she was not listed on the attendance list, but was present.

**Motion: Commissioner Hammer moved to approve the November 13, 2024 Planning Commission minutes with the noted correction.** Commissioner Sloan seconded the motion. The vote was as follows: Commissioner Hammer, "Aye", Commissioner Proctor, "Aye", Commissioner Sloan, "Aye", Commissioner Gossett, "Aye", Commissioner Jensen, "Aye", Commissioner Anderson, "Aye", Chairman Hamilton, "Aye". There were none opposed. The motion passed 7-0.

**10. Review and Approval – Planning Commission meeting schedule for 2025.**

Mr. Aagard presented the proposed 2025 meeting schedule, noting that it followed the standard practice of holding meetings on the second and fourth Wednesdays of each month, with the exception of November and December, when only one meeting was scheduled due to the holidays.

**Motion: Commissioner Hammer moved to approve the 2025 meeting schedule as presented.** Chair Hamilton seconded the motion. The vote was as follows: Commissioner Hammer, "Aye", Commissioner Proctor, "Aye", Commissioner Sloan, "Aye", Commissioner Gossett, "Aye", Commissioner Jensen, "Aye", Commissioner

Anderson, “Aye”, Chairman Hamilton, “Aye”. There were none opposed. The motion passed 7-0.

**11. Decision – Election of Planning Commission Chair and Vice Chair for 2025.**

Mr. Aagard explained that Chair Hamilton was ineligible to serve a third consecutive term due to the bylaws, which limited the Chair’s role to two consecutive terms. He could, however, return as Chair in 2026. Mr. Aagard acknowledged Tyson's excellent service over the past two years, expressing appreciation for his leadership. The Vice Chair position, on the other hand, had no term limits, allowing the same individual to serve consecutive years.

A nomination was made to elect Commissioner Matt Robinson as the new Chair.

**Motion: Commissioner Sloan moved to nominate Commissioner Matt Robinson to serve as the Planning Commission Chair.** Commissioner Hammer made the second. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye”, Commissioner Gossett, “Aye”, Commissioner Jensen, “Aye”, Commissioner Anderson, “Aye”, Chairman Hamilton, “Aye”. There were none opposed. The motion passed 7-0.

**Motion: Commissioner Anderson moved to nominate Chris Sloan to serve as Vice Chair of the Planning Commission.** Commissioner Hammer seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Nay”, Commissioner Gossett, “Aye”, Commissioner Jensen, “Aye”, Commissioner Anderson, “Aye”, Chairman Hamilton, “Aye”. There were none opposed. The motion passed 6-1.

Commissioner Sloan thanked Chairman Hamilton for serving as the Chair for the last two years.

**12. Planning Commission Training – Planning Commission Bylaws.**

Mr. Aagard presented and reviewed the Planning Commission Bylaws as part of required annual training for Planning Commissioners.

The Commission discussed two updates to the bylaws, which included the procedure for communications of absences, and being more consistent with Council bylaws.

**13. Adjourn**

Commissioner Hammer adjourned the meeting at 8:51 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 January, 2025

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Tyson Hamilton, Tooele City Planning Commission Chair