

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for **Wednesday, March 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 and Decision** on a Conditional Use Permit (CUP) application to authorize the use of a "Private Educational Facility" at 67 E. 1280 N. in the GC (General Commercial) zoning district. Request by Zach Powell. Project name: Nightline Air.
4. **Public Hearing and Decision** on a Conditional Use Permit application for a Commercial Day-Care/Pre-School involving the care of 8 to 16 children in the home located at 237 W. Berra Blvd. in the R1-7 zoning district. Request by Agustina Aguero.
5. **Decision** on a Site Plan Review request by Jasmin Santos representing Wasatch Seasons Properties, LLC to approve the Site Plan application for a Jack in the Box fast-food restaurant on 0.688 acres at the southeast corner of 600 North and Main Street in the GC (General Commercial) zoning district.
6. **Decision** on a Preliminary Subdivision Plan request by Leo Mantes representing WLG, LLC for a one-lot platted subdivision on 2.05-acres located at 2284 N. 470 E. in the IS (Industrial Service) zoning district.
7. **City Council Reports**
8. **Review and Decision** – Minutes of the Planning Commission meeting held February 26, 2025
9. **Discussion**
10. **Adjourn**

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

STAFF REPORT

March 7, 2025

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

From: Planning Division
Community Development Department

Prepared By: Kent Page, City Planner / Zoning Administrator

Re: Nightline Air – Conditional Use Permit Request

Application No.: 2025021
 Applicant: Zach Powell
 Property Owner: L.E. Briggs & Sons, LTD
 Project Location: 67 E. 1280 North
 Parcel Number: 08-046-0-0038 (parcel includes five addresses/businesses)
 Zoning: GC (General Commercial)
 Acreage: 0.73 Acres (parcel size)
 Request: Request for approval of a Conditional Use Permit in the GC (General Commercial) zone authorizing a “Private Educational Facility” to occur on the subject property

BACKGROUND

This application is a request for approval of a Conditional Use Permit to authorize the use of a “Private Educational Facility” to occur on property located at 67 E. 1280 North.

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 to the GC (General Commercial) zoning classification. The adjacent parcel to the north is zoned LI (Light Industrial). The adjacent parcels to the east, south, and west are zoned GC. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Nightline Air is an aviation flight school. Instructors provide primary and advanced aviation training to student pilots under FAA regulations. Training will be provided by appointment only. Anticipated hours of operations will be 2:00 p.m. to 10:00 p.m.; the maximum number of students present at any one time is 15 to 20 during the evening hours of 7:00 p.m. to 9:00 p.m.

Parking is shared with four other businesses. The current or most recent use at this address is Sun Key Realty. The parking requirement for an office is one space per 200 square feet. The parking requirement for Nightline Air, a private educational facility, is determined by the Director. This business address shares 44 parking stalls with the four other businesses.

Here is the parking requirement for the current uses with the proposed use on this property:

Business	Hours of Operation	Parking Requirement
Allstate Insurance	M-Th 9-6; Fri. 9-5, Sat. by Apt	Office: 1 per 200 sq. ft. Approx.. 5 stalls
Dependable Oxygen Co.	M-F 9-5	Retail General: 1 per 300 sq. ft. Approx. 6 stalls

United Slice (Pizza)	M-Th 11-9, Fri & Sat 11-10, Sun 12-9	Restaurant: 1 per 100 (excluding kitchen, storage) Approx. 9 stalls
Nightline Air	By apt (2 to 6 usual; max.20 from 7-9 p.m.)	Private Educational Facility – by Director Approx. 6 stalls 7:00 a.m. to 7:00 p.m.; 20 stalls from 7:00 p.m. to 9:00 p.m.
Remedies Salon	M-Sat 8:30-5	Beauty Shop: 2 spaces for first patron station, 1 space for each additional station 13 stalls required
		Approx. Maximum Total Stalls Required: 39 Usable Parking Stalls: 44

Staff has visited this site at least four times during normal business hours and found adequate parking.

This application presents a possibility of exceeding the required parking; however, staff’s best analysis is that adequate parking will be available. The applicant estimates that two to six parking spaces may be needed during the hours between 7:00 a.m. and 5:00 p.m. and that up to 20 parking spaces will be needed between the hours of 7:00 p.m. and 9:00 p.m. on occasion.

Site Plan Layout. A detailed site plan is presented on Exhibit “B”.

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.

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.

Engineering And Public Works Review. The Tooele City Engineering and Public Works Divisions have not issued any comments regarding this proposed Conditional Use Permit.

Tooele City Fire Department Review. The Tooele City Fire Department has not issued any comments regarding this 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 Zach Powell, representing property owner L.E. Briggs & Sons, LTD, application number 2025021, 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 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 Zach Powell, representing L.E. Briggs & Sons, LTD to authorize the use a “private educational facility” to occur at the subject property, application number 2025021, based on the findings and subject to the conditions listed in the Staff Report dated March 7, 2025:”

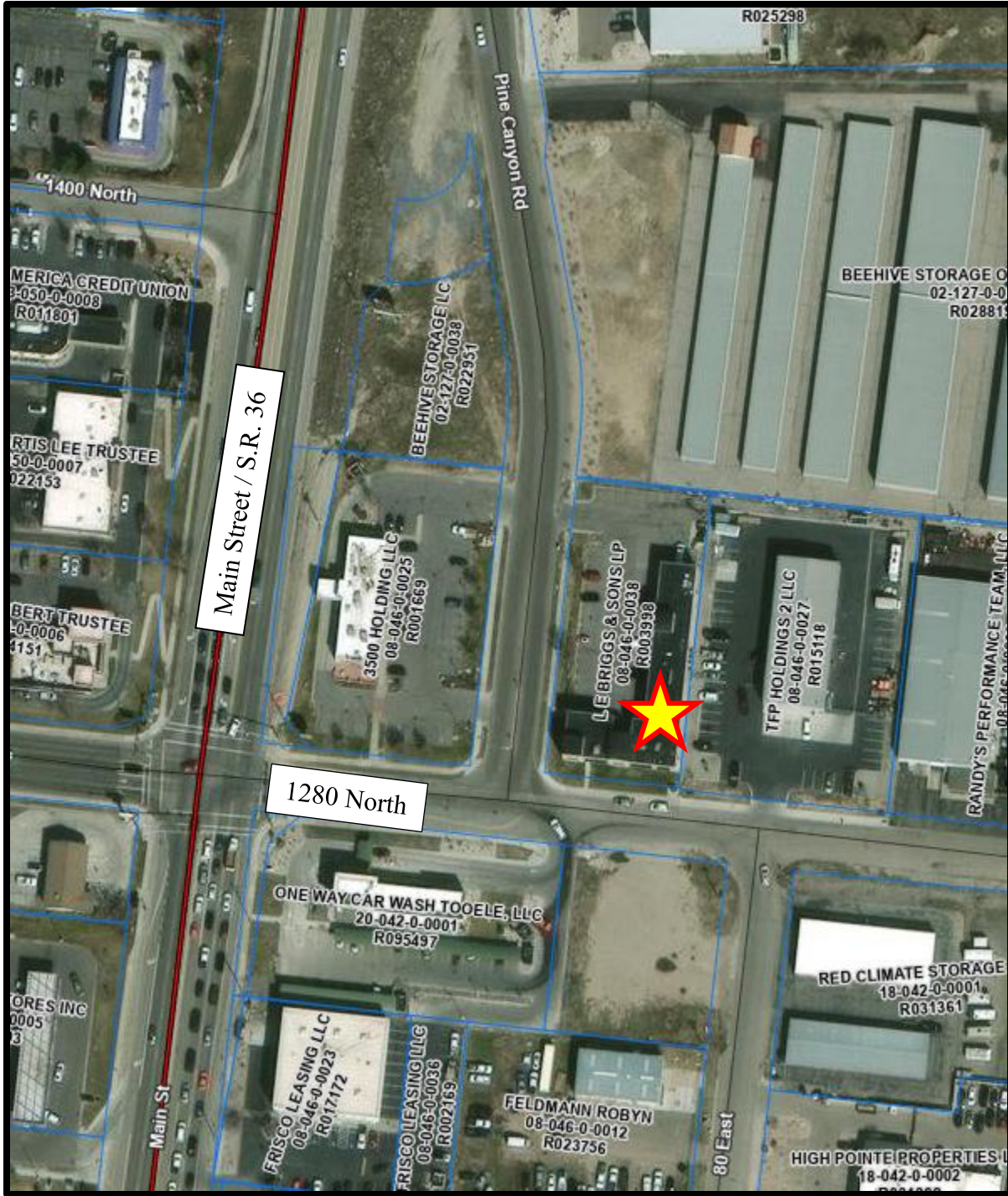
1. List any additional findings of fact and conditions...

Sample Motion for Denial – “I move we the Conditional Use Permit Request by Zach Powell, representing L.E. Briggs & Sons, LTD to authorize the use of a “private educational facility” to occur at the subject property, application number 2025021, based on the following findings:”

1. List findings of fact ...

EXHIBIT A

MAPPING PERTINENT TO THE
NIGHTLINE AIR CONDITIONAL USE PERMIT



Aerial View



GC (General Commercial)

LI (Light Industrial)

Main Street / S.R. 36

1280 North

BEEHIVE STORAGE OF TOOEELE LLC
02-127-0-0054
R028819

3500 HOLDING LLC
08-046-0-0025
R001669

STORAGE CITY LLC
02-127-0-0050
R015322

1280 North

TOOELE FLEX LLC
08-046-0-0008
R020210

Current Zoning

EXHIBIT B
DETAILED SITE PLAN



STAFF REPORT

March 7, 2025

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

From: Planning Division
Community Development Department

Prepared By: Kent Page, City Planner / Zoning Administrator

Re: Tina's Childcare, LLC – Conditional Use Permit Request, In-Home Childcare

Application No.: 2025022
Applicant: Agustina Aguero
Project Location: 237 W. Berra Blvd.
Zoning: R1-7, Residential
Acreage: 0.25 acres
Request: Conditional Use Permit approval to allow a Home Occupation for childcare involving the care of 8-16 children

BACKGROUND

The subject property is a single-family residence located in the R1-7 zoning district. The applicant wishes to operate an in-home childcare for up to 16 children. Such a use can be allowed as a home occupation in the R1-7 zoning district but requires Conditional Use Permit approval by the Planning Commission.

ANALYSIS

General Plan and Zoning. The subject property is in the R1-7, Single-Family Residential zoning district. "Home Occupation Day Care / Preschool is an allowable use in the R1-7 zoning district but requires Conditional Use Approval when 8-16 children are involved. The purpose of the R1-7 zoning district is "to provide a range of housing choices to meet the needs of Tooele City residents, to offer a balance of housing types and densities, and to preserve and maintain the City's residential areas as safe and convenient places to live." In-home childcare can be an integral part of neighborhoods and communities, and can benefit these areas if operated properly.

The surrounding properties are all used as single-family residences, and all are in the same R1-7 zoning district. With conditions, Staff finds that the proposed use for an in-home daycare is in keeping with the zoning and can be compatible with the overall development pattern in the surrounding area. Mapping pertinent to the subject property can be found in Exhibit "A", attached to this report.

Operations: The applicant has indicated that the childcare will operate Monday through Friday from 6:00 a.m. to 4:00 p.m. and Saturday (with appointment) from 6:00 a.m. to 12:00 noon. Hours of operation are potentially the most impactful aspect of an in-home childcare. Drop offs before 7:00 a.m. may be too noisy for neighbors. Staff suggests that with the Conditional Use Permit, hours be established for earliest drop-offs and latest pick-ups between 6:30 a.m. and 7:00 p.m.

Parking / Circulation: The applicant proposes that an employee can park in the driveway (see Exhibit B) and that children can be dropped off and picked up according to the drop off and picking up plan illustrated in Exhibit C. Staff does not anticipate that this application will negatively impact neighbors' transportation too

adversely; however, staggering arrival and pick up times by just a couple of minutes may be beneficial. Childcares typically have less structured/stringent start and stop times than pre-schools. The applicant should be sensitive to mitigating any negative impacts of traffic congestion and noise by asking patrons to stagger drop off and pick up times if necessary and instruct children and their parents to be cautious of noise.

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

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

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

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

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

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

1. The proposed use is located in a residential area. In order to mitigate potential noise related impacts and disruptions to neighbors, hours of operation should be limited.
2. The applicant should continue visiting with neighbors and asking how this use can minimize any negative impacts to the neighborhood.

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 applicant will need to meet all requirements of the State of Utah for the operation of a childcare facility and receive any needed license.
2. The applicant should set hours of operation that can mitigate impact on adjoining property owners, Staff recommends no earlier than 6:30 a.m. for drop-off and no later than 7:00 p.m. for pick-up.

Engineering Review. The Tooele City Engineer does not anticipate any negative impacts with the width of Berra Blvd. and the density of the neighborhood. The City Engineer is satisfied with the transportation plan that the applicant has provided.

Public Works Review. Public Works has not provided a review of this application.

Tooele City Fire Department Review. The Tooele City Fire Department recommends approval with the condition that the facility must meet and maintain compliance with Building and Fire Codes.

Noticing. Notice of the public hearing has been properly posted and issued as outlined in the City and State Codes. Notices were also sent to adjoining property owners as required. No comments or questions have been received as of the writing of this report, 3/7/25.

STAFF RECOMMENDATION

Staff recommends APPROVAL of the request for Conditional Use Permit to allow an in-home childcare on the property at 237 W. Berra Blvd. in the R1-7 zoning district, subject to the following conditions:

1. The applicant shall meet all State of Utah license requirements for operation of this childcare facility.
2. The applicant shall comply with all Tooele City requirements for Home Occupation Business Licenses.
3. Hours of operation, including drop-off and pick-up, are limited to no earlier than 6:30 a.m. and no later than 7:00 p.m., Monday through Saturday.
4. The facility shall meet all applicable Building and Fire Codes.

This recommendation is based on the following findings:

1. With conditions, the proposed use meets the intent, goals, and objectives of the Tooele City General Plan and the R1-7 zoning district.
2. With conditions, the proposed use will meet the requirements and provisions of the Tooele City Code.
3. With conditions, the proposed use will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
4. Potential impacts of the use have been identified in this report. The recommended conditions are intended to mitigate those impacts as required by Tooele City Code Section 7-5-4.

MODEL MOTIONS

Sample Motion for Approval – “I move we APPROVE the request for Conditional Use Permit, application #2025022 by Agustina Agüero to allow the operation of a Home Occupation Day Care involving the care of eight to sixteen children on the property addressed 237 W. Berra Blvd., located in the R1-7 zoning district based on the findings of fact and subject to the conditions listed in the Staff Report dated March 7, 2025.”

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

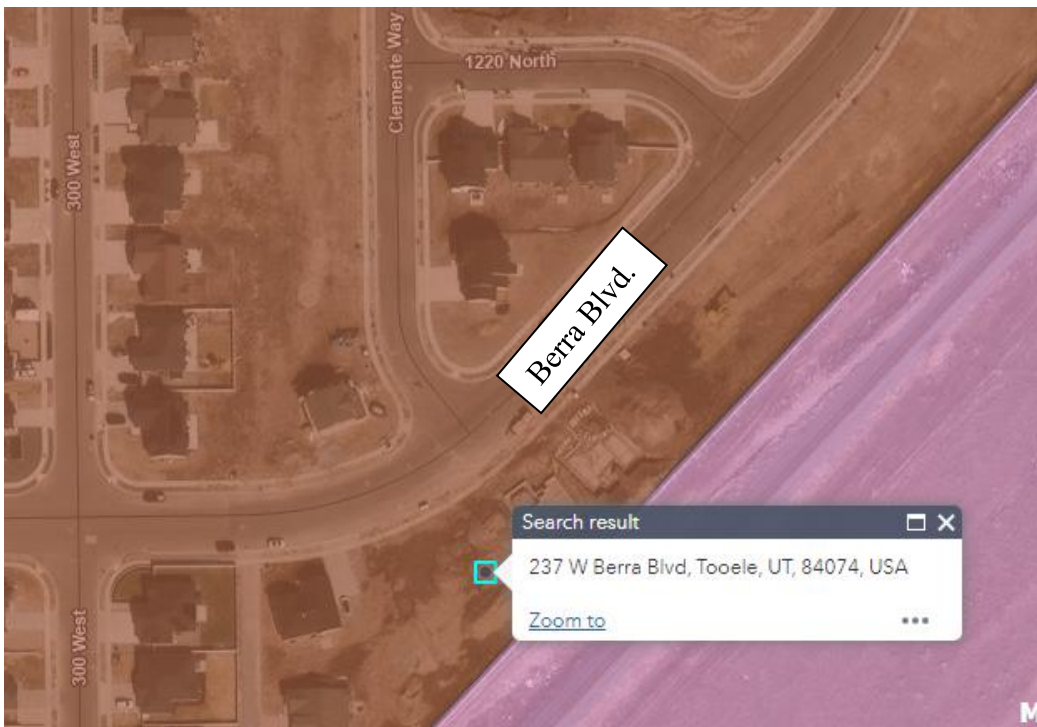
Sample Motion for Denial – “I move we DENY the request for Conditional Use Permit, application #2025022 by Agustina Agüero to allow the operation of a Home Occupation Day Care involving the care of eight to sixteen children on the property addressed 237 W. Berra Blvd., located in the R1-7 zoning district based on the following findings of fact :”

1. List any findings of fact

EXHIBIT A: MAPPING PERTINENT TO THE REQUEST, TINA'S CHILDCARE, LLC



Subject Property - Aerial Map

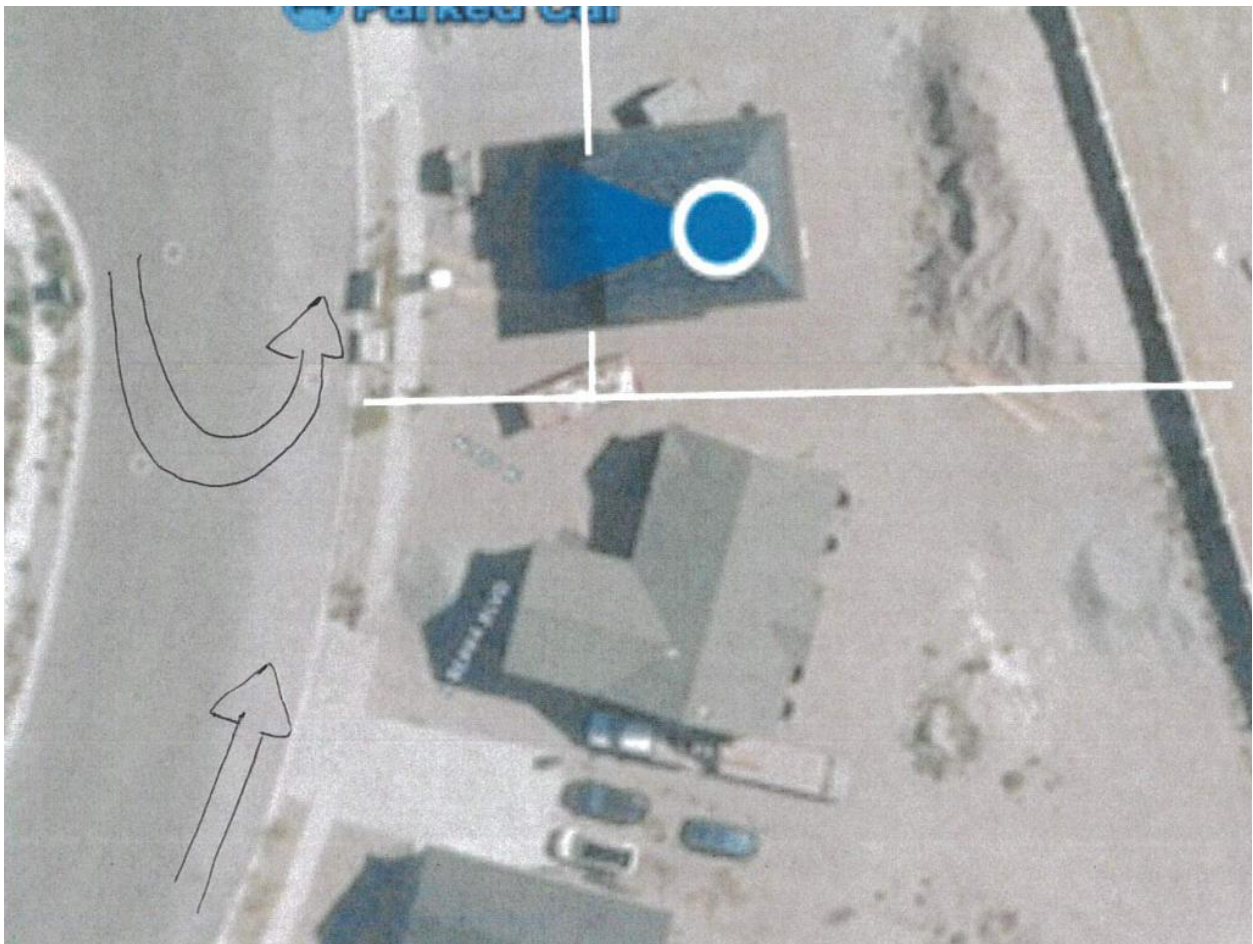
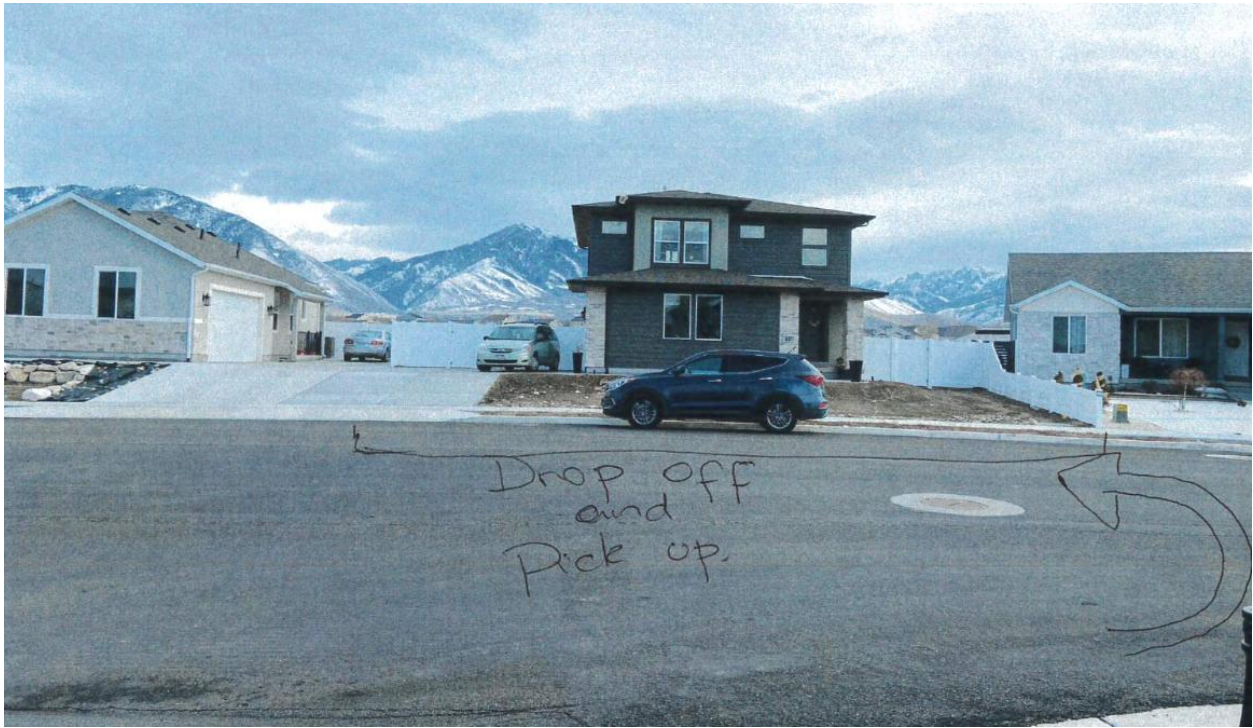


Subject Property - Zoning Map

EXHIBIT B: PHOTOGRAPHS OF PROPERTY



EXHIBIT C: DROP OFF & PICK UP PLAN



STAFF REPORT

March 7, 2025

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

From: Planning Division
Community Development Department

Prepared By: Kent Page, City Planner / Zoning Administrator

Re: Jack in the Box – Site Plan Design Review Request

Application No.: 2024061
Applicant: Jasmin Santos, representing Wasatch Seasons Properties, LLC
Project Location: southeast corner of 600 North and Main Street
Zoning: GC (General Commercial)
Acreage: 0.688 (29,973 sq. ft.)
Parcels: 02-047-0-0016, 02-047-0-0014
Request: Request for approval of a Site Plan for a Fast Food Restaurant in the GC (General Commercial) zone

BACKGROUND

This application is a request for approval of a Site Plan for a Fast-Food Restaurant on 0.688 acres located at the south east corner of the intersection of 600 North and Main Street. The property is currently zoned GC (General Commercial). The applicant is requesting that a Site Plan be approved to allow for the development of a Fast-Food Restaurant. This Fast-Food Restaurant received a CUP from the Planning Commission for an Accessory Drive Through Facility on December 11, 2024. Since this site plan extends across two parcels, a Property Lot Line Adjustment should occur.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Community Commercial land use designation for the subject property. The property has been assigned to the GC (General Commercial) zoning classification. The GC zoning designation is identified by the General Plan as a preferred zoning classification for the Community Commercial land use designation. Adjacent properties to the north, east, south, and west are also zoned GC. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Site Plan Layout. The site plan for this proposed development meets the setback and other development standards for the GC zone. UDOT has approved access off and on to the site from Main Street. The current 600 North access closest to Main Street will be eliminated and will provide greater safety turning into the site off of Main Street. A cross-access easement is established between this site plan and the adjacent parcel to the east. Again, a property lot line adjustment should occur between these two properties because this site plan is on both. (Please see Exhibit “B”)

Landscaping. The proposed landscaping plan meets the minimum requirements. The site is proposed to be developed with 25% of the site as landscaping with approximately 50% deciduous and 50% evergreen mix of trees and shrubs with appropriate spacing and sizes. Existing sod on the park strip will remain while all new landscaping will be drip irrigated with decorative rock over weed barrier. (Please see

Exhibit “B”)

Architecture. The City currently does not have architectural design requirements for commercial buildings.

Parking. The proposed 17 standard parking stalls and the two ADA parking stalls exceeds the eight required. ADA parking is provided closest to the building entrance.

Signage. Signage review and approval will need a Sign Application.

Criteria For Approval. The criteria for review and potential approval of a Site Plan Design Review request is found in Sections 7-11-6, 8 and 9 of the Tooele City Code. This section depicts the standard of review for such requests as:

Section 7-11-6. Approval. The Planning Commission, shall determine whether the proposed architectural and site development plans submitted are consistent with [Chapter 7-11 TCC] and with the general policies and objectives of [Title 7 TCC], and shall give or withhold approval accordingly. Before making this determination, the Planning Commission shall receive the written recommendations of the City Engineer, the Accessibility Committee, and the Fire Chief. Such recommendation may be by letter, memorandum, or signature on the plans.

Section 7-11-8. Considerations in review of applications. The Planning Commission and the Engineering Department shall consider the following matters, among others, in their review of applications:

- (1) Considerations relating to traffic safety and traffic congestion:
 - (a) The effect of the site development plan on traffic conditions on abutting streets.
 - (b) The layout of the site with respect to locations and dimensions of vehicular and pedestrian entrances, exits, drives, and walkways.
 - (c) The arrangement and adequacy of off-street parking facilities to prevent traffic congestion.
 - (d) The location, arrangement, and dimensions of truck loading and unloading facilities.
 - (e) The circulation patterns within the boundaries of the development.
 - (f) The surfacing and lighting of off-street parking facilities.
- (2) Considerations relating to outdoor advertising:
 - (a) The number, location, color, size, height, lighting, and landscaping of outdoor advertising signs and structures in relation to the creation of traffic hazards and the appearance and harmony with neighboring development.
- (3) Considerations relating to landscaping:
 - (a) The location, height, and materials of walls, fences, hedges, and screen plantings to insure harmony with neighboring development, or to conceal storage areas, utility installations, or other unsightly development.
 - (b) The planting of ground cover or other surfacing to prevent dust and erosion.
 - (c) The unnecessary destruction of existing healthy trees.
- (4) Considerations relating to buildings and site layout:
 - (a) Consideration of the general silhouette and mass, including location on the site, elevations, and relation to natural plant coverage, all in relationship to neighboring development.

- (b) Consideration of exterior design in relation to adjoining structures in height, bulk, and area openings, breaks in facade facing on streets, line and pitch of roofs, and the arrangement of structures on the parcel.
- (5) Considerations relating to drainage:
 - (a) The effect of the site development plan on the adequacy of the storm and surface water drainage, retention, and/or detention.

Section 7-11-9. Considerations. The Planning Commission, or the City Engineer, when authorized, shall decide all applications for design review. Design approval may include such conditions consistent with the considerations of [Chapter 7-11 TCC] as the Planning Commission or City Engineer deem reasonably necessary under the circumstances to carry out the intent of [Chapter 7-11 TCC].

REVIEWS

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

1. The site plan as proposed meets or exceeds all use and development standards for the GC (General Commercial) zone as established by Tooele City Code 7-16.

Engineering & Public Works Review. The Tooele City Engineering and Public Works Divisions have completed their reviews of the Site Plan Design Review submission and have issued a recommendation for approval for the request.

Tooele City Fire Department Review. The Tooele City Fire Department has completed their review of the Site Plan Design Review submission and has issued a recommendation for approval for the request.

STAFF RECOMMENDATION

Staff recommends approval of the request for a Site Plan Design Review by Jasmin Santos, representing Wasatch Seasons Properties, LLC, application number 2024061, subject to the following conditions:

1. That all requirements of the Tooele City Engineering and Public Works Divisions 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 Building Division 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 Fire Department shall be satisfied throughout the development of the site and the construction of all buildings on the site.
4. That all requirements of the geotechnical report 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 site plan as proposed meets or exceeds all design guidelines as established by Tooele City Code 7-16.

MODEL MOTIONS

Sample Motion for Approval – “I move we approve the Site Plan Design Review Request by Jasmin Santos, representing Wasatch Season Properties, LLC for the Jack in the Box Fast-Food Restaurant at the southeast corner of 600 North and Main Street, application number 2024061, based on the findings and subject to the conditions listed in the Staff Report dated March 7, 2025:”

1. List any additional findings and conditions...

Sample Motion for Denial – “I move we deny the Site Plan Design Review Request by Jasmin Santos, representing Wasatch Seasons Properties, LLC for the Jack in the Box Fast-Food Restaurant at the southeast corner of 600 North and Main Street, application number 2024061, based on the following findings:”

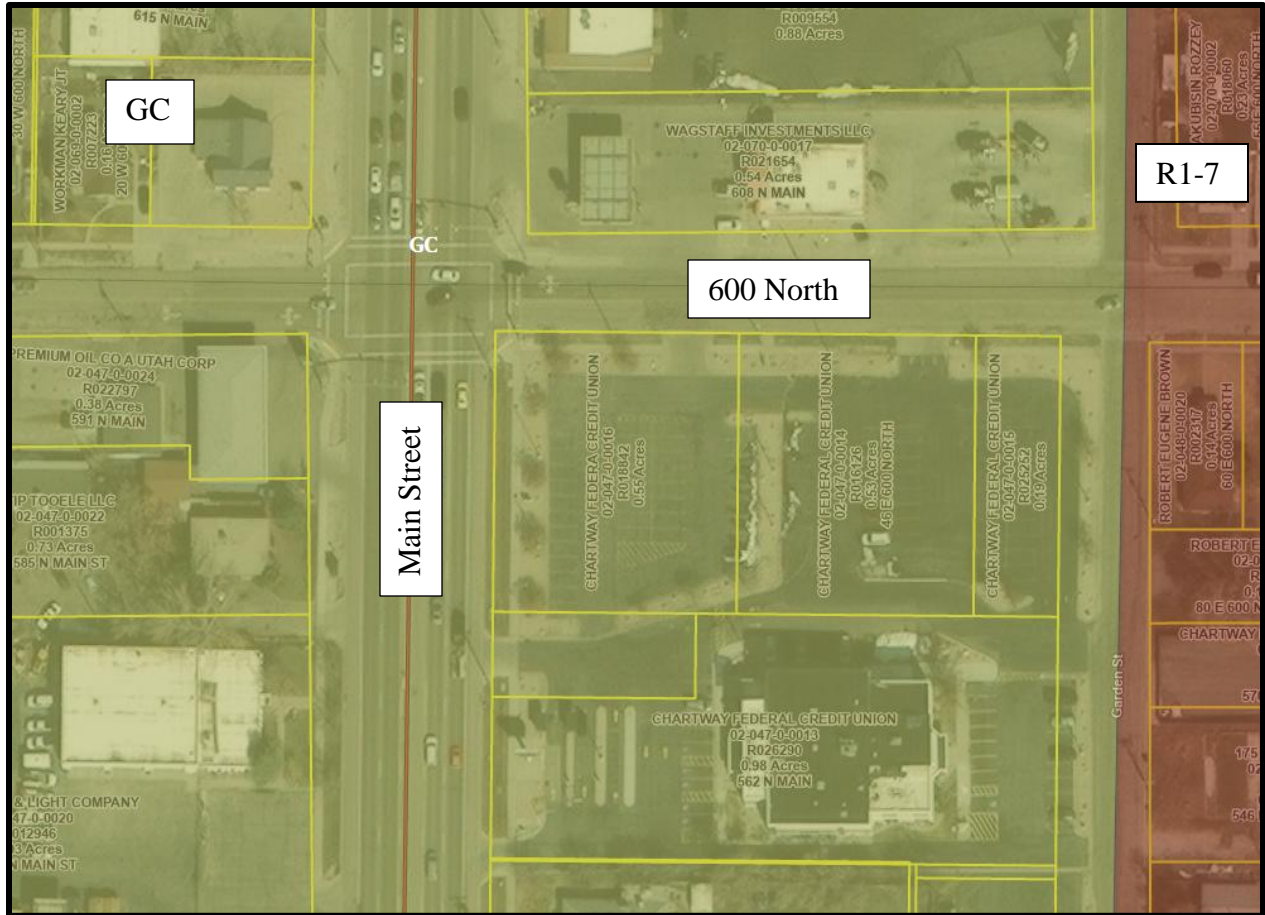
1. List findings...

EXHIBIT A

MAPPING PERTINENT TO THE JACK IN THE BOX SITE PLAN REVIEW



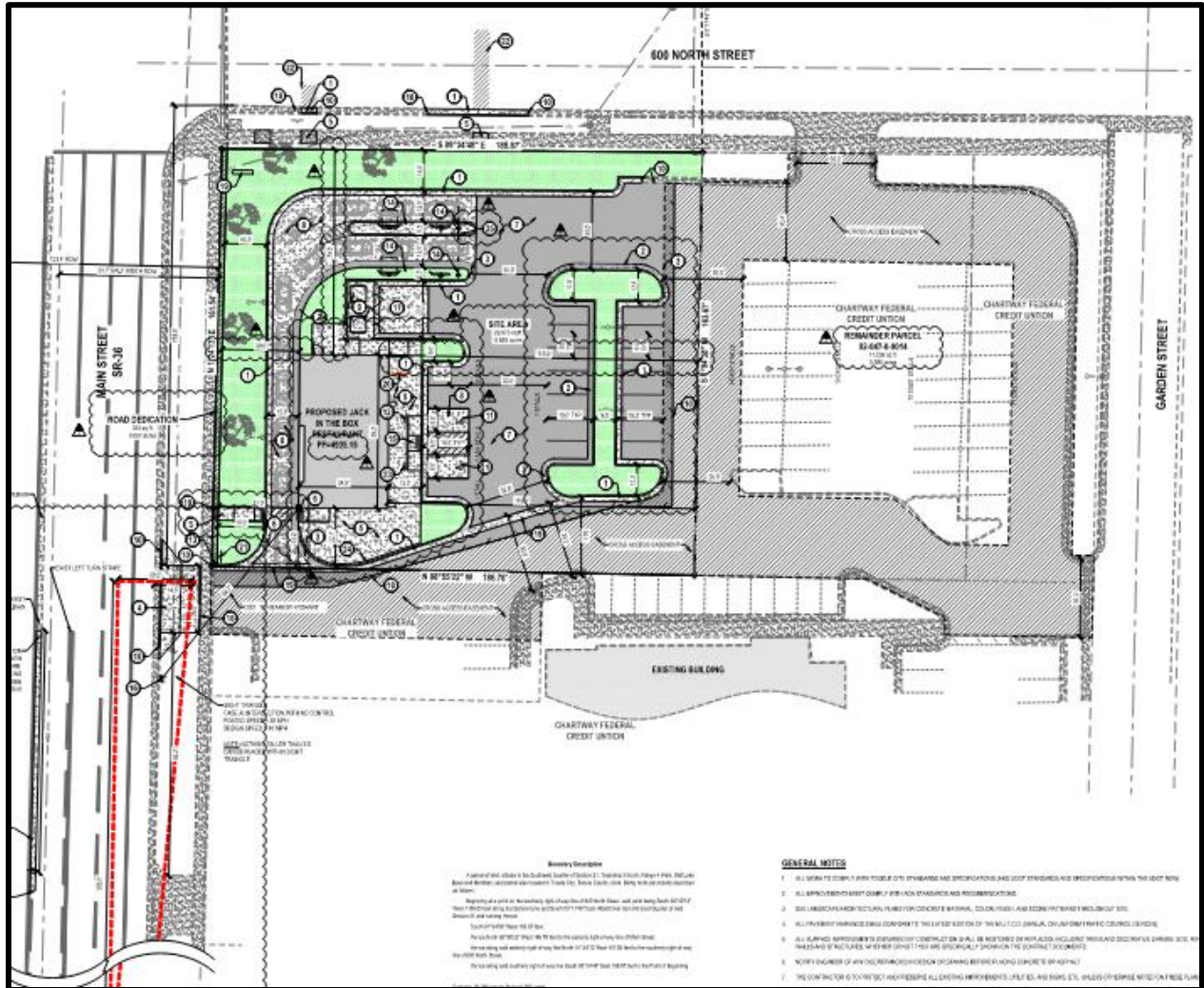
Aerial View

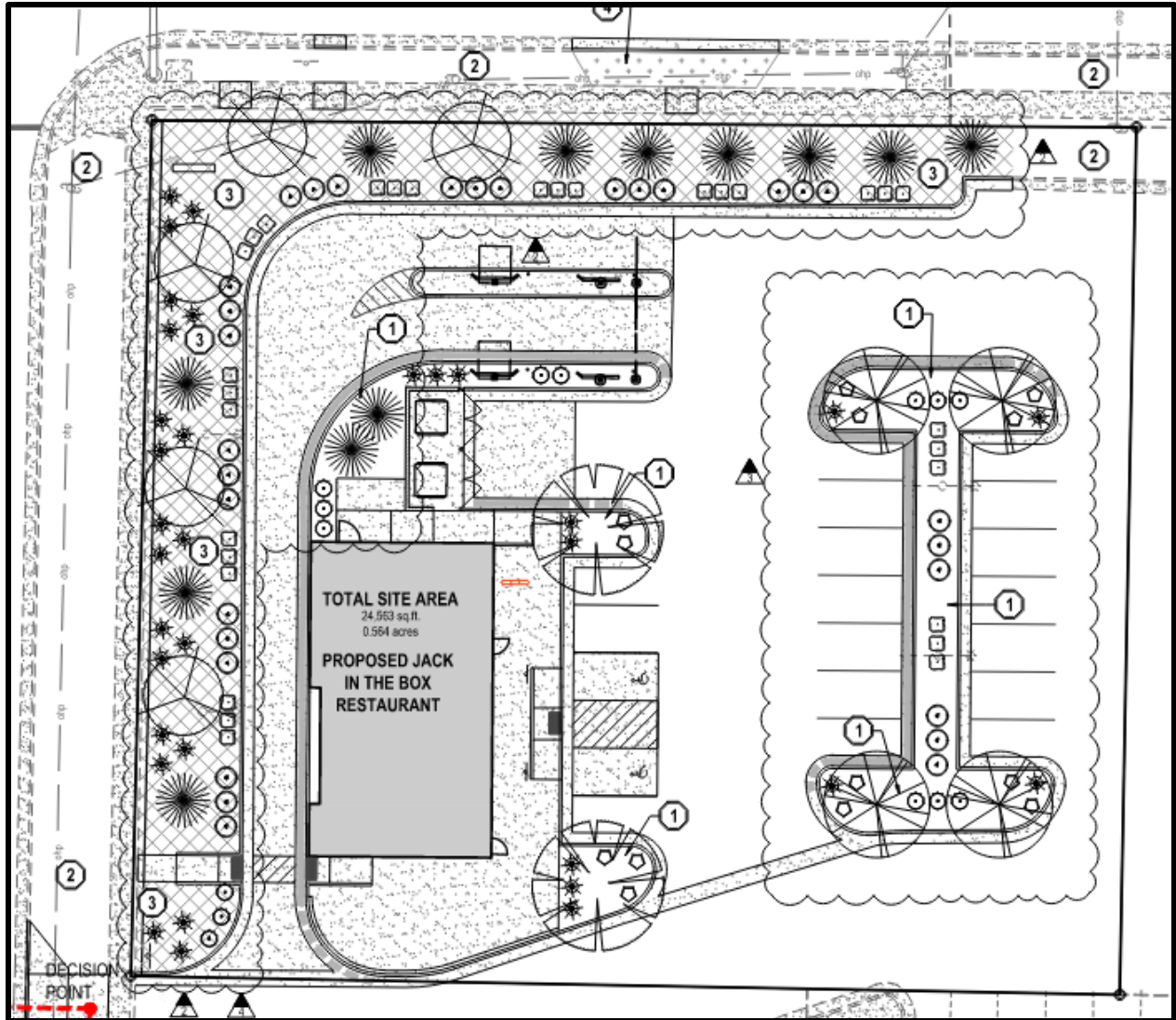


Zoning

EXHIBIT B

PROPOSED SITE PLAN & LANDSCAPING





LANDSCAPE AREA TABLE	
DESCRIPTION	AREA (SF)
EXISTING SOD AREA	3,021
(ADDITIONAL) PROPOSED SOD AREA	230
TOTAL SOD AREA	3,251
EXISTING DRIP AREA	6,310
EXISTING DRIP AREA TO BE REMOVED	1,306
(ADDITIONAL) PROPOSED DRIP AREA	2,550
TOTAL DRIP AREA	7,554

Landscape

Trees

Qty	Symbol	Common Name	Botanical Name	Plant Size	Type
4		Purple Blow Maple	<i>Acer truncatum</i>	2" Cal.	Deciduous
2		Hedge Maple	<i>Acer arpestre</i>	2" Cal.	Deciduous
5		Existing Tree to Remain	N/A	N/A	Deciduous
12		Columnar Blue Atlas Cedar	<i>Cedrus atlantica 'Fastigiata'</i>	5 ft. Min.	Evergreen

Shrubs

Qty	Symbol	Common Name	Botanical Name	Plant Size	Type
14		Barberry, 'Crimson Pygmy'	<i>Berberis thunbergii atropurpurea nana</i>	5 Gallon	Deciduous
30		Boxwood, Littleleaf	<i>Buxus microphylla</i>	5 Gallon	Evergreen
13		Cinquefoil	<i>Potentilla fruticosa 'Abbotswood'</i>	5 Gallon	Deciduous
30		Winged Euonymus	<i>Euonymus alatus 'Grove's Compactus'</i>	5 Gallon	Deciduous
33		Pine, Mugo	<i>Pinus mugo 'Compacta'</i>	5 Gallon	Evergreen

- 1 In all planter bed areas, install 4" deep 2"-3" dia. Nepheli Rock & Gravel color 'Southdown' or equiv. decorative rock over weed barrier, typ.
- 2 Existing landscaping to remain.
- 3 Install decorative rock as needed to tie new improvements into existing landscaping. Match existing type and color.
- 4 Repair and install sod as needed to match surrounding landscaping.

Street Tree Calculations

Main Street: 162 ft of frontage / 30 ft = 5 trees (5 trees provided)
 600 North Street: 150 ft of frontage / 30 ft = 5 trees (5 trees provided)

Plant Calculations

Total number of trees = 23 trees
 Total number of evergreen trees = 12 (52%)

Total number of shrubs = 120 shrubs
 Total number of evergreen shrubs = 63 shrubs (53%)

Tree Size Calculations

Total number of proposed deciduous trees = 6 trees
 Size of deciduous trees = 2" cal. (100%)

Total number of proposed evergreen trees = 12 trees
 Size of evergreen trees = 5 ft. min. (100%)

STAFF REPORT

March 7, 2025

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

From: Planning Division
Community Development Department

Prepared By: Kent Page, City Planner / Zoning Administrator

Re: Microtel Moda Hotel – Preliminary Subdivision Plan Request

Application No.: 23-619
Applicant: WLG, LLC. Contact Person: Leo Mantas
Project Location: 2284 North 470 East
Zoning: IS (Industrial Service)
Acreage: 2.05
Request: Request for approval of a Preliminary Subdivision Plan in the IS (Industrial Service) zone regarding the creation of a one lot subdivision involving the construction of a four-story, 93 room hotel.

BACKGROUND

This application is a request for approval of a Preliminary Subdivision Plan for approximately 2.05 acres (from 6.87 acre parcel) located at 2284 North 470 East. The property is zoned IS (Industrial Service). (A Hotel is a “Permitted” use in the IS zoning district.) This one lot subdivision will be used for a four-story, 93 room hotel and to facilitate road dedication and an emergency vehicle turn-around.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Light Industrial land use designation for the subject property. The property has been assigned to the IS (Industrial Service) zoning classification. The IS zoning designation is identified by the General Plan as a preferred zoning district for the Light Industrial land use designation. Adjacent properties to the north, east, south, and west are all also zoned IS. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Subdivision Layout. Microtel Moda Hotel Subdivision is a 2.05-acre rectangular shaped parcel (from a 6.87 parcel) between 470 East Street and 540 East Street at 2284 North. A four-story, 93 room hotel is planned to be built at the center of the parcel. The IS zoning code does not have a minimum or maximum lot size; it does have a minimum lot width of 60 feet at the front setback line.

The Preliminary Subdivision Plan is required because there is a need for road dedication. At the southeast corner of the proposed subdivision lot there is a section of 540 East, approximately 5,100 square feet that is to be dedicated to Tooele City at the time of recordation of the Final Subdivision.

There is currently an existing emergency vehicle turn-around easement on the subject property that is no longer accessible due to the hotel construction. Therefore, a new, 96 foot diameter paved emergency vehicle turn-around must be constructed, either temporary (easement) or permanent, at the southern end of 540 East Street. This turnaround is essential for snowplows, fire trucks, garbage trucks, stray semi-trucks and others to turn around when on this street. The turn-around can be constructed in an easement

but must be paved with either concrete or asphalt to sustain the weight of a large fire apparatus. The turn-around must be constructed to replace the one being lost to the hotel construction.

Before occupancy of the hotel, the applicant will need to comply with the City's requirements outlined in a letter to Leo Mantas dated February 6, 2025.

Site Plan. The Site Plan was approved in 2023 with the requirement that a cul-de-sac be built on 540 East. This application is not a site plan review but is solely for the purpose of creating a platted lot and dedication of right-of-way.

Criteria For Approval. The procedure for approval or denial of a Subdivision Preliminary Plat request, as well as the information required to be submitted for review as a complete application is found in Sections 7-19-8 and 9 of the Tooele City Code.

REVIEWS

Planning Division Review. The Tooele City Planning Division has completed their review of the Preliminary Subdivision Plan submission and has issued a recommendation for approval for the request with the following proposed comments:

1. This one-lot subdivision complies with the IS (Industrial Service) zoning district's development requirements.
2. An emergency vehicle turn around shall be constructed at the end of 540 South as required by the City Engineer and according to city standards and specifications for emergency vehicle turn-arounds.

Engineering & Public Works Review. The Tooele City Engineering and Public Works Divisions have completed their reviews of the Preliminary Subdivision Plan submission and have issued a recommendation for approval for the request.

Tooele City Fire Department Review. The Tooele City Fire Department has completed their review of the Preliminary Subdivision Plan submission and has issued a recommendation for approval for the request.

Noticing. Preliminary Subdivision plans such as this are not required by State and City Law to have a public hearing. As such noticing is not required for this application.

STAFF RECOMMENDATION

Staff recommends approval of the request for a Preliminary Subdivision Plan by Leo Mantas representing WLG, LLC, application number 23-619 / 2230665, subject to the following conditions:

1. That all requirements of the Tooele City Engineering and Public Works Divisions 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 Building Division 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 Fire Department shall be satisfied throughout the development of the site and the construction of all buildings on the site.
4. That all requirements of the geotechnical report shall be satisfied throughout the development of the site and the construction of all buildings on the site.

5. An emergency vehicle turn around shall be constructed at the end of 540 South as required by the City Engineer and according to city standards and specifications for emergency vehicle turn-arounds.

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 developer will comply with all the occupancy requirements in the February 6, 2025 letter to Leo Mantes. (See Exhibit "C")

MODEL MOTIONS

Sample Motion for Approval – “I move we approve the Preliminary Subdivision Plan Request by Leo Mantes, representing WLG, LLC for Microtel Moda Hotel, application number 23-619 / 2230665, based on the findings and subject to the conditions listed in the Staff Report dated March 7, 2025:”

1. List any additional findings and conditions...

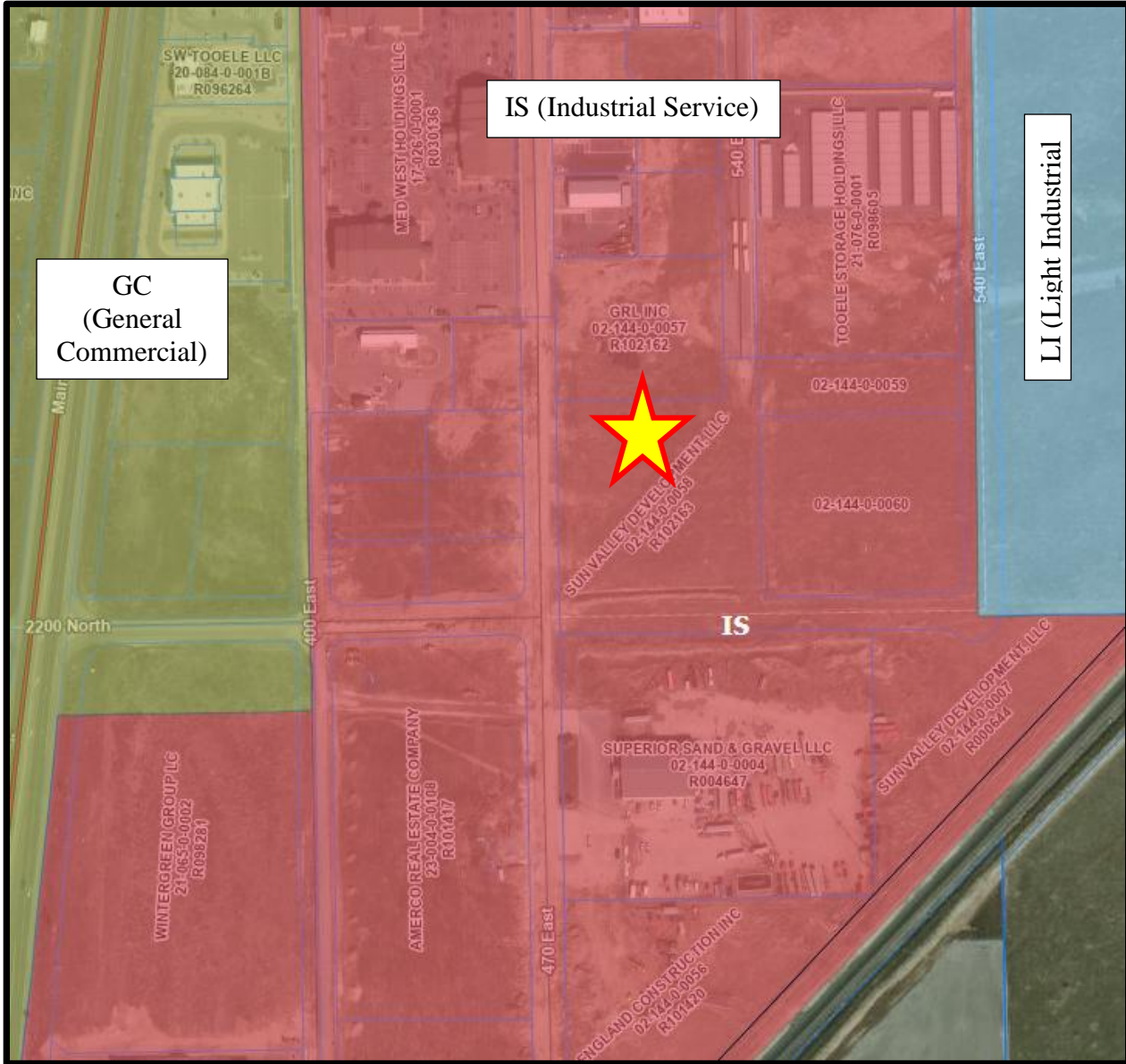
Sample Motion for Denial – “I move we deny the Preliminary Subdivision Plan Request by Leo Mantes, representing WLG, LLC for Microtel Moda Hotel, application number 23-619 / 2230665, based on the following findings:”

1. List findings...

EXHIBIT A
MAPPING PERTINENT TO THE MICROTTEL MODA HOTEL PRELIMINARY
SUBDIVISION PLAT

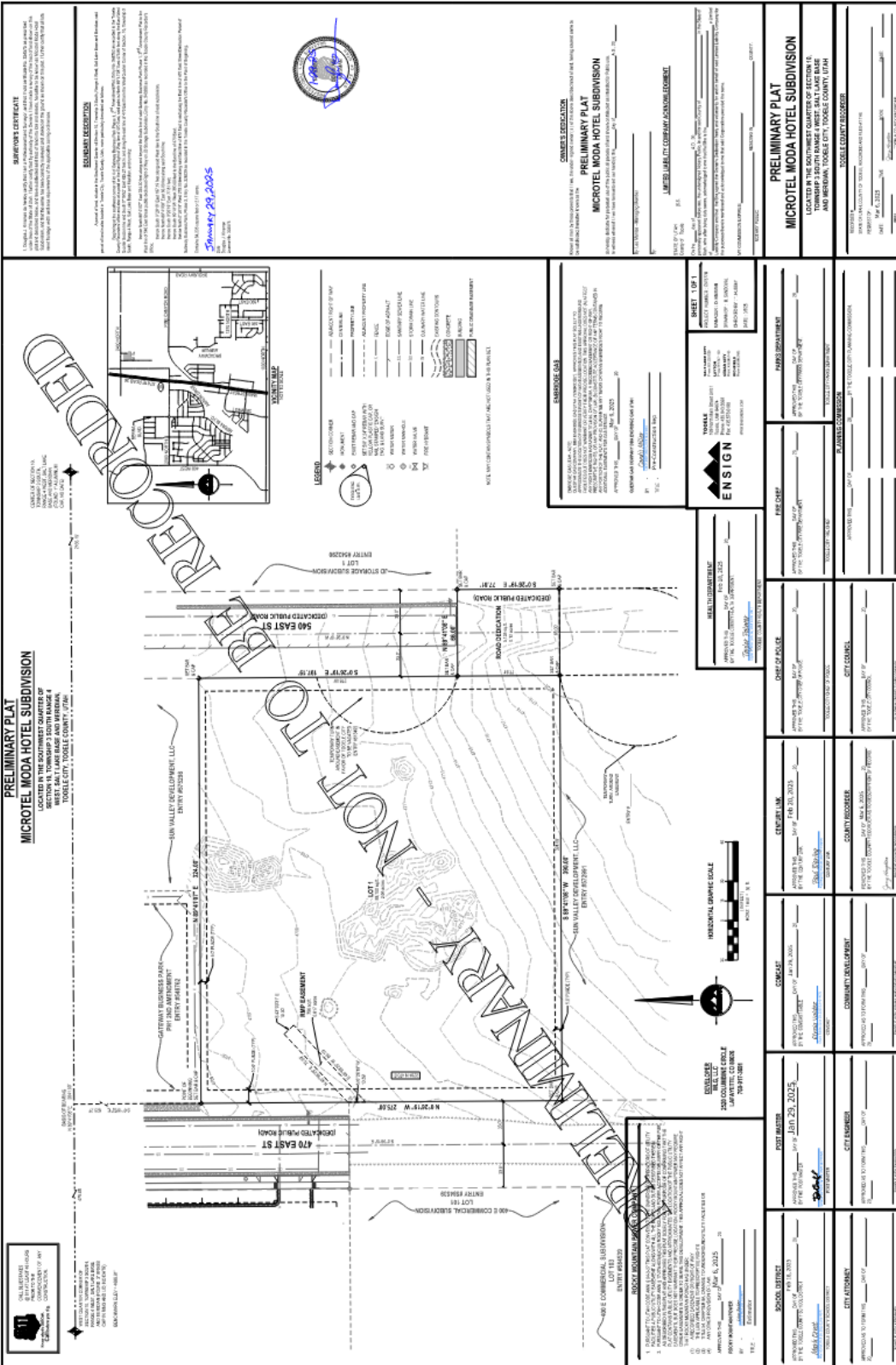


Aerial View



Zoning

EXHIBIT B PRELIMINARY PLAT



PRELIMINARY PLAT
MICROTEL MODRA HOTEL SUBDIVISION
SECTION 15, TOWNSHIP 27 NORTH RANGE 120 EAST, GARFIELD AND WYOMING COUNTIES, COLORADO
APPROVED FOR RECORDATION BY THE COLORADO COUNTY COMMISSIONS ON FEBRUARY 20, 2025

SECTION 15, TOWNSHIP 27 NORTH RANGE 120 EAST

APPROVED FOR RECORDATION BY THE COLORADO COUNTY COMMISSIONS ON FEBRUARY 20, 2025

CONVEYANCE CERTIFICATE

A preliminary plat has been filed for the Microtel Modra Hotel Subdivision, located in Section 15, Township 27 North, Range 120 East, Garfield and Wyoming Counties, Colorado. The proposed subdivision consists of 15 lots. The plat is subject to the terms and conditions set forth in the accompanying declaration and other instruments filed therewith. This certificate is a preliminary document and does not constitute a guarantee of the accuracy of the information contained herein. It is intended solely for informational purposes and should not be relied upon for any legal or financial decision.

COMMISSIONER'S DECLARATION

WHEREAS, the Colorado State Engineer has approved the preliminary plat for the Microtel Modra Hotel Subdivision, and

WHEREAS, the Colorado County Commissioners have approved the preliminary plat for the Microtel Modra Hotel Subdivision,

IT IS HEREBY DECLARED that the preliminary plat for the Microtel Modra Hotel Subdivision is approved for recordation by the Colorado County Commissioners.

PRELIMINARY PLAT
MICROTEL MODRA HOTEL SUBDIVISION

DECLARED BY: _____
APPROVED FOR RECORDATION BY THE COLORADO COUNTY COMMISSIONS ON: February 20, 2025

PRELIMINARY PLAT
MICROTEL MODRA HOTEL SUBDIVISION

LOCATED IN SECTION 15, TOWNSHIP 27 NORTH RANGE 120 EAST, GARFIELD AND WYOMING COUNTIES, COLORADO

APPROVED FOR RECORDATION BY THE COLORADO COUNTY COMMISSIONS ON: February 20, 2025

ENGIN

REGISTERED PROFESSIONAL ENGINEER
NO. 108376

APPROVED FOR RECORDATION BY THE COLORADO COUNTY COMMISSIONS ON FEBRUARY 20, 2025

PROPERTY TAX

APPROVED FOR RECORDATION BY THE COLORADO COUNTY COMMISSIONS ON FEBRUARY 20, 2025

STATE OF COLORADO

APPROVED FOR RECORDATION BY THE COLORADO COUNTY COMMISSIONS ON FEBRUARY 20, 2025

DECLARATION OF PUBLIC ROAD

APPROVED FOR RECORDATION BY THE COLORADO COUNTY COMMISSIONS ON FEBRUARY 20, 2025

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DECLARATION OF PUBLIC ROAD

APPROVED FOR RECORDATION BY THE COLORADO COUNTY COMMISSIONS ON FEBRUARY 20, 2025

EXHIBIT C

Leo Mantas
World Links Group
2520 Columbine Circle
Lafayette, Colorado 80026

February 6, 2025

RE: Occupancy Requirements for Microtel Moda Hotel (Permit No. 23-819)

We wanted to remind you of the requirements, obligations and options to move forward with the completion of the ROW and public improvements for occupancy of the Microtel Moda Hotel project, as follows:

1. Tooele City Code Title 4-8-2(4) - Dead End Streets, reads as follows:

(4) Dead end streets.

- (a) Dead end streets, including cul-de-sacs, where permitted, shall not be more than 250 feet in length measured from the centerline of the last intersecting street to the centerpoint of the turnaround area.*
- (b) Dead end streets, whether temporary or permanent, great[er] than 150 feet in length, or deeper than one single-family residential lot in depth (whether front-yard frontage or side-yard frontage), whichever is less, shall require a cul-de-sac.*
- (c) Cul-de-sacs shall have a minimum outside right-of-way radius of 60 feet at the closed end, unless the street ends at a point where the subdivider or developer intends to extend a street pursuant to a preliminary subdivision submitted and approved by the City, in which case the turnaround shall have the minimum radius required by the International Fire Code.*

2. Based upon the above City Code, site conditions for this project, and in accordance with the International Fire Code, the City will require a 96' minimum diameter turnaround with an asphalt surface. Curb and gutter were not required. This information was provided to your design team at the concept meeting.
3. The purpose for the City requiring the cul-de-sac is not solely for fire department access, but also to accommodate City snow plows street clearing and maneuvering, and to accommodate a safe turn location for all other public vehicles large and small.
4. The Preliminary Plan for the Microtel Moda Hotel Subdivision was submitted to the City in April 2023. The Preliminary Plan prepared by Ensign Engineering acknowledged an existing temporary cul-de-sac (Entry #5134995) in favor of Tooele City, which encompassed a portion of your hotel development. In order to allow the hotel to be constructed as proposed, the City agreed to vacate the easement provided that a mitigating

cul-de-sac be provided at the south end of the roadway. Formal vacation of the easement will not occur until the final plat is recorded.

5. Re submittal of the Preliminary Plan prepared by Ensign Engineering was provided in August 2023. The Plan continued to show the existing temporary easement, but did not address relocation of the cul-de-sac. The requirement was again marked as a requirement.
6. In August of 2023, Ensign Engineering provided to the City proposed documents which showed the location of a new cul-de-sac easement, along with written easement descriptions, on property to the south of the hotel development.
7. In August 2023, and based upon the information provided by Ensign Engineering, the City allowed construction of the Microtel Moda Hotel to begin, with the notation on the approved site plans that a 96 foot diameter paved cul-de-sac was required on 540 East. The Bond estimate provided by Ensign Engineering also reflected the cost for construction of the temporary cul-de-sac.
8. During the course of construction of the Hotel, the Community Development Department has provided several reminders of the need to complete the required cul-de-sac.
9. It is our understanding that the easements have not yet been executed, that plans for the cul-de-sac have not yet been submitted, reviewed and approved by the City, nor that construction of the cul-de-sac has occurred.
10. The City also does not have record of receiving a Final Plat for the hotel development, which plat includes the dedication of the fronting right of way and public utility easements.

The City is still desirous of working with you in order to allow for occupancy of the hotel, which date is quickly approaching. After discussion with Mayor Winn and staff, and given the current winter conditions, the City proposes that we look to Tooele City Code Title 7 Chapter 22 Certificates of Occupancy, Paragraph 7-22-4. Exceptions, which reads as follows:

Upon a finding of unusual circumstances, the Building Official may certify that the installation of certain required improvements, which are not essential to life, health, and safety, is impractical prior to physical occupancy, and may issue a Temporary Certificate of Occupancy. Prior to such issuance, the applicant shall do the following:

- (1) provide a cash bond in the amount of 200% of the estimated value of the incomplete improvements;
- (2) sign a Temporary Occupancy Bond Agreement on a form acceptable to the City Attorney;
- (3) pay a \$200.00 administrative fee;

(4) agree to allowing the City upon the applicant's property in the event the bond is forfeited and the City completes the bonded improvements; and,

(5) indemnify the City for any injuries or damages arising from the bonded improvements completed by the City.

In accordance with the above, and as a condition of occupancy, the following items must be completed:

1. Completion of all building code items related to development of the hotel site, the structure itself, and all related appurtenances, and;
2. Per Tooele City Code, the Preliminary Plan must be re submitted, and approved by staff and the Tooele City Planning Commission, and;
3. Full construction design plans for the paved cul-de-sac must be provided to the City for review and approval, and;
4. A time line must be submitted to the City by which all remaining public improvements will be installed, and;
5. A cost estimate must be provided to the City for all remaining work within the public way, including the cul-de-sac, which will be used for calculation of the 200% occupancy bond. The Bond must then be executed with the office of the City Attorney, and;
6. A copy of the Final Plat for the Microtel Moda Hotel Subdivision must be submitted to the City for review and approval, then recorded with the Office of the Tooele County Recorder, and;
7. Completion of Tooele City Code 7-22-4, items 1-5, as mentioned above.

Please feel free to contact us should you have any questions.

Jamie Grandpre
Public Works Director

Andrew Aagard
Community Development Director

Paul Hansen, P.E.
City Engineer

Tooele City Planning Commission
Business Meeting Minutes

Date: February 26, 2025

Time: 7:00 pm

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

Commission Members Present:

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

City Council Members Present:

Maresa Manzione
Ed Hansen

City Employees Present:

Kent Page, City Planner
Roger Baker, City Attorney
Andrew Aagard, Community Development Director
Zack Lawrence, I.T. Intern

Minutes prepared by Alicia Fairbourne

1. Pledge of Allegiance

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

2. Roll Call

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

3. Public Hearing and Recommendation on a Zoning Map Amendment request by Brandon and Jenny Nay to re-assign the zoning for approximately 19.3 acres located at approximately 1405 N Conifer Street to the R1-10 Residential zoning district.

Mr. Page presented the item, and explained that this item was first introduced to the Commission during the February 12, 2025 meeting and that the previous request to rezone the property to RR-1 was not approved because it did not align with the city's land use plan, which designates the area for medium-density residential use. The applicants revised their request to zone to R1-10, which complies with the land use designation.

There were no questions from the Commission. Chairman Robinson opened the floor for public comment at 7:02 pm.

Jill Johnston expressed concern about the process, questioning whether the zoning needed to transition from RR-5 to RR-1 before being reduced further. Mr. Page clarified that the previous request had not been approved and that the current application sought to bring the zoning into compliance with the land use map. The Commission reiterated that zoning changes are applicant-driven and must align with the city's established land use plan.

There being no further comment, Chairman Robinson closed public input at 7:05 pm.

Commission members questioned why the applicants chose R1-10 instead of R1-8, which matched nearby zoning. The applicant, Mr. Nay, stated that R1-10 was the largest lot size allowed under the medium-density designation and aligned with the General Plan. He also explained that two neighboring landowners joined the rezoning request at the suggestion of city staff, but currently had no plans for development that he was aware of.

Commissioner Sloan noted that the revised zoning request was a better fit for the area than the previous proposal, as it aligned with the nearby 10,000-square-foot lots. There was no opposition expressed by the Commission, and the discussion concluded.

Motion: Commissioner Jensen moved to forward a positive recommendation to the City Council for the Conifer Rezone Zoning Map Amendment Request by Brandon and Jenny Nay, reassigning the zoning of approximately 19.38 acres to the R1-10 Residential Zoning District, application number 2025010, based on the findings and subject to the conditions listed in the staff report dated February 19, 2025.

Commissioner Proctor seconded the motion. The vote was as follows: Commissioner Anderson, "Aye", Commissioner Hamilton, "Aye", Commissioner Hammer, "Aye", Commissioner Jensen, "Aye", Commissioner Proctor, "Aye", Chairman Robinson, "Aye", Commissioner Sloan, "Aye". There were none opposed. The motion passed.

4. Public Hearing and Decision on a Conditional Use Permit request by Ariane Sanders representing the PM Design Group, Inc., to authorize the use of an "Accessory Drive Through Facility" to occur on property located at 2425 N Main Street in the GC General Commercial zoning district on approximately 1 acre.

Mr. Page explained that the site is within the future Smith's Marketplace area, specifically in the southeast corner of the property at the northwest intersection of 2400 North and Main Street. The zoning for the site and surrounding properties is in the General Commercial (GC) Zone, and the request was specifically for a Conditional Use Permit for the drive-through component of a Chase Bank.

There were no questions from the Commission.

Chairman Robinson opened the floor for public comment at 7:10 pm. There were no comments. The floor was closed.

Motion: Commissioner Proctor moved to approve the Conditional Use Permit Request by Ariane Sanders, representing the PM Design Group, Inc. to authorize the use of an Accessory Drive Through

Facility to occur at 2025 North Main Street, application number 2025020, based on the findings and subject to the conditions listed in the Staff Report dated February 19, 2025. Commissioner Hammer seconded the motion. The vote was as follows: Commissioner Anderson, “Aye”, Commissioner Hamilton, “Aye”, Commissioner Hammer, “Aye”, Commissioner Jensen, “Aye”, Commissioner Proctor, “Aye”, Chairman Robinson, “Aye”, Commissioner Sloan, “Aye”. There were none opposed. The motion passed.

5. Decision on a Site Plan Design Review request by David Lewis IV representing DR Horton to approve the construction Phase 2C of the Western Acres Development proposed to be located at approximately 2000 N Copper Canyon Drive in the MR-16 PUD Zoning district on approximately 5.8 acres.

Mr. Page explained that the request covered approximately 5.8 acres at 2000 North Copper Canyon Road and included 44 townhomes. The site is zoned MR-16 Multi-Family Residential with a Planned Unit Development (PUD) overlay zone attached to it. There was General Commercial Zoning immediately to the west.

He presented an aerial view of the development, the current zoning map, the site plan for Phase 2C, and the overall site plan for the Western Acres Development. He also provided the landscape plan for this phase. He noted that site plans were approved by the Planning Commission under city code, and no public hearing was required.

The Commission had no questions or concerns, and the discussion moved to a motion on the item.

Motion: Chairman Robinson moved to approve the Site Plan Design Review request by David Lewis IV, representing DR Horton for the Western Acres Phase 2C development located at 2000 North Copper Canyon Drive in the MR-16 PUD Zoning District, application number 2024072, based on the findings and subject to the conditions included in the Staff Report dated February 20, 2025. Commissioner Hamilton seconded the motion. The vote was as follows: Commissioner Anderson, “Aye”, Commissioner Hamilton, “Aye”, Commissioner Hammer, “Aye”, Commissioner Jensen, “Aye”, Commissioner Proctor, “Aye”, Chairman Robinson, “Aye”, Commissioner Sloan, “Aye”. There were none opposed. The motion passed.

6. Decision on the Canyon Springs Preliminary Subdivision Plan request by Howard Schmidt to approve a new subdivision consisting of 172 single-family residential lots located at approximately 705 Droubay Road in the R1-8 Residential zone on 61 acres.

Mr. Page stated that Staff had reviewed the preliminary plat and found it compliant with city code. The property is zoned R1-8 and is adjacent to county land to the south. The plat was broken into three sections for detailed review.

Mr. Aagard added that the annexation agreement for the property included a requirement for “sufficient separation” between stormwater detention basins and Droubay Road, though it did not specify what type of separation should be used. He recalled that the City Council had expressed concerns about children playing in the area and potentially running into the street. Since the submitted plans did not include fencing or other barriers, he suggested that the Planning Commission consider requiring fencing as a condition of approval.

The applicant stated that they had anticipated adding a four-foot high fence, possibly vinyl or aluminum metal picket, around at least one of the detention ponds, particularly if it was landscaped for open space. He expressed a preference for an aluminum picket fence over a chain link and was open to having fencing as part of the approval conditions.

Commissioner Hammer asked for clarification on the type of fencing, noting uncertainty about what a “ball catcher” fence referred to. Chairman Robinson compared it to the type of fencing used around Elton Park. With no further questions, the discussion moved toward a motion on the item.

Motion: Commissioner Sloan moved to approve the Preliminary Subdivision Plan Request by Howard Schmidt, for the purpose of creating 172 single-family residential lots located at approximately 750 Droubay Road, application number 2024069, based on the findings and subject to the conditions listed in the Staff Report dated February 20, 2025, to include an additional finding that a picket-type fence no less than four-feet in height was installed around the open space. Commissioner Anderson seconded the motion. The vote was as follows: Commissioner Anderson, “Aye”, Commissioner Hamilton, “Aye”, Commissioner Hammer, “Aye”, Commissioner Jensen, “Aye”, Commissioner Proctor, “Aye”, Chairman Robinson, “Aye”, Commissioner Sloan, “Aye”. There were none opposed. The motion passed.

7. City Council Reports

Councilwoman Manzione provided a brief report, noting that the Council had approved the sale of water for a commercial development and established an annual summer swim pass for the Aquatic Center. She also mentioned an ongoing discussion about animal fencing regulations, which may eventually come before the Planning Commission.

Commissioner Hammer asked for clarification on the animal fencing discussion, specifically whether existing fences would be grandfathered in. Councilwoman Manzione indicated that further discussions were needed before any formal proposal was brought forward.

The Commission briefly discussed the variety of fencing materials seen around the city, acknowledging the complexity of setting regulations. One member pointed out that while some wooden fences are well-constructed, a ban on wood fencing might not address underlying concerns.

8. Review and Decision – Minutes of the Planning Commission meeting held February 12, 2025

There were no corrections to the minutes.

Motion: Chairman Robinson moved to approve the February 12, 2025 Planning Commission minutes as presented. Commissioner Hamilton seconded the motion. The vote was as follows: Commissioner Anderson, “Aye”, Commissioner Hamilton, “Aye”, Commissioner Hammer, “Aye”, Commissioner Jensen, “Aye”, Commissioner Proctor, “Aye”, Chairman Robinson, “Aye”, Commissioner Sloan, “Aye”. There were none opposed. The motion passed.

9. Discussion on possible code amendments regarding the use and location of temporary structures for the purpose of storage in commercial parking lots.

The Planning Commission discussed a possible amendment to the city code regarding temporary and permanent storage structures in commercial parking lots, particularly along Main Street. The topic arose following a recent issue with an unauthorized structure, prompting concerns about aesthetics, safety, and appropriate land use.

Commission members expressed concerns that without regulations, shipping containers and other temporary storage units could become common in parking lots, detracting from the city’s appearance. They noted that developers are held to strict building design standards, and similar expectations should apply to parking areas.

Mr. Aagard shared that when he worked for Riverton City, temporary accessory structures were allowed for specific events, while permanent structures had to be placed behind or to the side of buildings. He explained that defining “temporary” versus “permanent” would need to be part of any code amendment. Mr. Page added that some cities allow temporary storage, and Saratoga Springs was considering an accessory structure for drone deliveries, indicating that such uses could become more common.

The Commissioners acknowledged that seasonal sales operations, like fireworks stands, often use temporary storage and that any new regulations would need to account for such uses. The discussion also covered whether the city could impose a moratorium on new accessory buildings in parking lots while regulations were being

considered. Mr. Baker explained that the City Council could enact a temporary zoning ordinance for up to six months while staff drafted a permanent code amendment.

Commissioners sought input from the attending Council Members on whether there was an interest in pursuing such regulations. Council Member Hansen stated that the issue warranted further discussion but cautioned against unintended consequences, particularly regarding businesses like temporary coffee shops. He supported exploring options while ensuring the city did not overreach.

The discussion concluded with a general agreement that the issue should be studied further and potentially brought before the City Council for consideration.

10. Adjourn

There being no further business, Chairman Robinson adjourned the meeting at 7:34 pm.

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 March, 2025

Matt Robinson, Tooele City Planning Commission Chair