

## PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for **Wednesday, June 25, 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/@tooelecity](https://www.youtube.com/@tooelecity) or searching for our YouTube handle @tooelecity. If you would like to submit a comment for any public hearing item you may email [pcpubliccomment@tooelecity.gov](mailto:pcpubliccomment@tooelecity.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 request by Happy Place Daycare, a home-based daycare business, to authorize the care of 8 to 16 children at the home located at 647 East 908 North in the R1-7 Residential zoning district on .20 acres.
4. **City Council Reports**
5. **Review and Decision** – Minutes of the Planning Commission meeting held June 11, 2025.
6. **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

June 19, 2025

**To:** Tooele City Planning Commission  
Business Date: June 25, 2025

**From:** Planning Division  
Community Development Department

**Prepared By:** Andrew Aagard, Community Development Director

**Re: Happy Place Daycare – Conditional Use Permit Request**

Application No.: 2025056  
Applicant: Tina Will  
Project Location: 647 East 980 North  
Zoning: R1-7 Residential Zone  
Acreage: .2 Acres (Approximately 8,712 ft<sup>2</sup>)  
Request: Request for approval of a Conditional Use Permit in the R1-7 Residential zone to authorize the use of "Child Care and Preschool involving 8 to 16 Children" to occur at the property.

### **BACKGROUND**

This application is a request for approval of a Conditional Use Permit for approximately .20 acres located at 647 East 980 North. The property is currently zoned R1-7 Residential. The applicant is requesting that a Conditional Use Permit be approved to permit a child day care home occupation involving the care of 8 to 16 children in the home and authorizing one additional non-resident employee to work at the home assisting with the care of the children.

### **ANALYSIS**

General Plan and Zoning. The Land Use Map of the General Plan calls for the Medium Density Residential land use designation for the subject property. The property has been assigned the R1-7 Residential zoning classification, supporting approximately five dwelling units per acre. Properties to the east, west and south are zoned R1-7 Residential and are all utilized as single-family residential. Properties to the north are zoned R1-8 Residential. Mapping pertinent to the subject request can be found in Exhibit "A" to this report.

Tooele City Code 7-2-19: Home Occupations, requires home based daycares involving the care of 8 to 16 children to obtain a conditional use permit after a public hearing is held with the Planning Commission. The applicant is proposing to include up to 16 children in her daycare business and therefore is required to obtain the conditional use permit. The ordinance also permits one non-residential employee to work at the home, however, the applicant has indicated that there will be an additional provider at the home during day-care hours.

Child Drop-off and Pick-up. One of the main driving factors of the requirement for a conditional use permit for child daycares that involve 8 to 16 children is the potential for traffic disruptions and impacts to the neighboring properties due to vehicle queuing as parents drop-off and pick-up their children. Driveways, mail boxes, trash removal and so forth could be blocked or impacts could be created. Staff has raised this potential issue with the applicant and a traffic plan has been submitted and included in this packet. The home has a wide driveway able to accommodate at least 3 parked vehicles as well as enough frontage to accommodate 2 or 3 parked vehicles for a total of about 6 parking spaces.

It should also be noted that child daycare businesses do have different traffic patterns than a preschool would

have. Preschools often utilize sessions that begin at a specific time. Parents arrive at the same time to drop-off and pick-up their children depending upon the beginning and ending of the session. Daycares are not always session oriented and the child drop-off and pick-up is more dependent upon the schedules of the guardians and thereby, more staggered.

There are mail boxes and other driveways in close proximity that should not be blocked by parked cars. The applicant should instruct parents and guardians to avoid parking in front of and potentially blocking these, even if it is for a short period of time.

Fencing. The applicant's rear-yard is enclosed within a 6 foot solid vinyl fence.

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. Home occupations involving the care of 8 to 16 children have a potential of vehicle queuing as parents and guardians drop-off or pick-up their children. Vehicle queuing can block mail boxes, driveways or create problems with trash pick up. Vehicle queuing can also impede roadways and prevent adequate vehicle circulation if not controlled or appropriately managed.

## **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 proposed condition to mitigate the anticipated detrimental effects identified in the finds of fact:

1. The applicant shall instruct their clients to avoid parking in front of or blocking mail boxes and neighboring drive approaches and shall enforce their parking plan as needed.

Engineering and Public Works Division Review. The Tooele City Engineering and Public Works Divisions have not issued any comments regarding this conditional use permit application.

Tooele City Fire Department Review. The Tooele City Fire Department 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. The home occupation will be subject to and need to pass a fire inspection prior to operation. This inspection will be conducted in conjunction with the business license approvals.

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 denial of the request for a Conditional Use Permit by Tina Will, representing the , application number 2025056, subject to the following conditions:

1. The applicant shall instruct their clients to avoid parking in front of or blocking mail boxes and neighboring drive approaches and shall enforce their parking as needed.

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 Tina Will, to authorize the use of a “Child Care and Preschool involving 8 to 16 Children” to occur at 647 East 980 North, application number 2025056, based on the findings and subject to the conditions listed in the Staff Report dated June 19, 2025.”

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

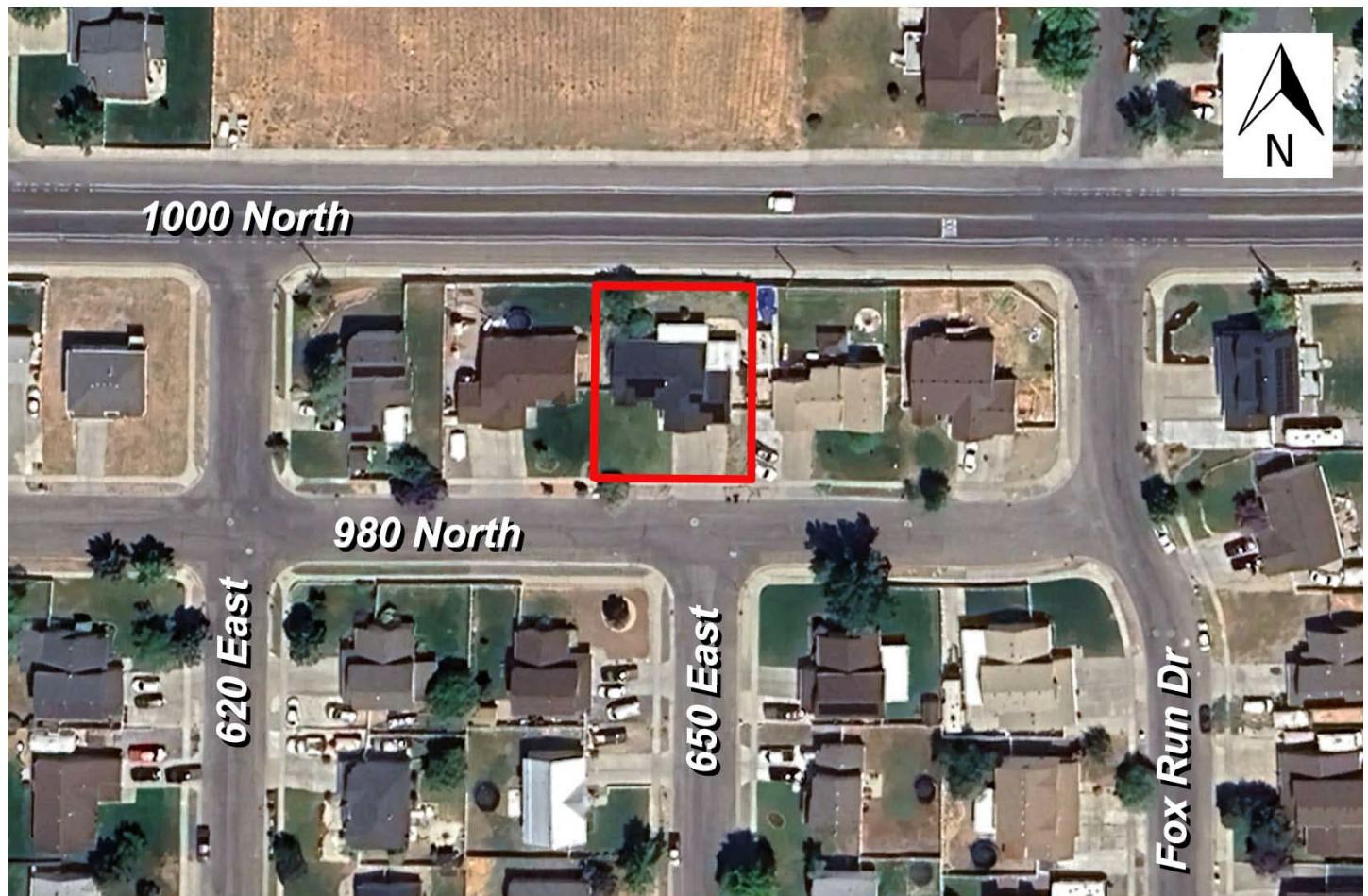
Sample Motion for Denial – “I move we deny the Conditional Use Permit Request by Tina Will, to authorize the use of a “Child Care and Preschool involving 8 to 16 Children” to occur at 647 East 980 North, application number 2025056, based on the following findings.”

1. List findings of fact ...

EXHIBIT A

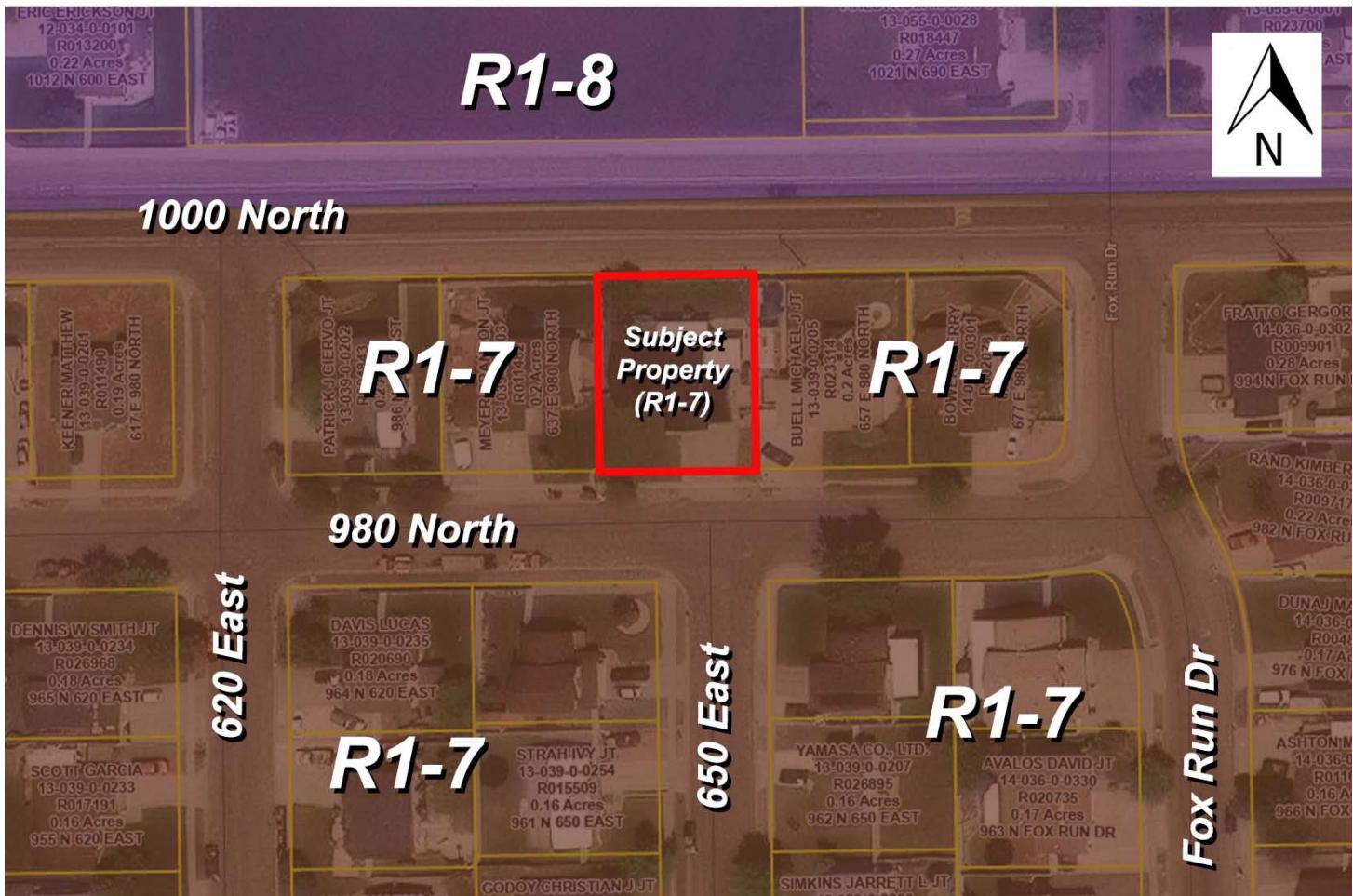
MAPPING PERTINENT TO THE  
HAPPY PLACE DAYCARE CONDITIONAL USE PERMIT

***Happy Place Daycare Conditional Use***



***Aerial View***

## Happy Place Daycare Conditional Use



**Current Zoning**

## ***Happy Place Daycare Conditional Use***



***Site Image Front***

## ***Happy Place Daycare Conditional Use***



***Site Image Front***

## ***Happy Place Daycare Conditional Use***



***Site Image Back***

**EXHIBIT B**

**APPLICANT SUBMITTED INFORMATION**

# Conditional Use Permit Application

Community Development Department  
 90 North Main Street, Tooele, UT 84074  
 (435) 843-2132 Fax (435) 843-2139  
[www.tooelecity.gov](http://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			
Date of Submission: 5-28-2025	Current Zoning: Single-family	Parcel #(s): 1303900204	202505b
Project Name: HAPPY PLACE DAYCARE		Acres: 0.2	
Project Address: 489 647 E 980 N. Tooele UT 84074		Units: 1	
Project Description: Run a Home daycare out of our Home which is our Primary Residence. Two providers for up to 16 children.			
Current Use of Property: Primary Residence			
Property Owner(s): Tina Will + Steven Will		Applicant(s): Tina Will	
Address: 647 E 980 N. Tooele		Address: 647 E 980 N.	
City: Tooele	State: UT	Zip: 84074	City: Tooele
Phone: (501)548-7686		Phone: (501)548-7686	
Contact Person: Tina Will		Address: 647 E 980 N	
Phone: (501)548-7686		City: Tooele	State: UT
Cellular: SAME		Zip: 84074	
Fax:		Email: tina.will.68@live.com	
Signature of Applicant: 			
Date 5-28-2025			

\*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			
Fee: \$600.00 (213)	Received By: 	Date Received: 6/13/25	Receipt #: 756807



Outlook

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## Parking Plan for 647E980N Tooele, Utah 84074

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From Tina Will <ms.tinashappyplace@gmail.com>

Date Thu 6/5/2025 12:24 PM

To Kent Page <kentp@tooelecity.gov>

[External Email]

Parking plan :Hours of operation will be 7am-5:30 pm .Home is located on a non busy street with a generous six-9 parking space availability .Children will be picked up and dropped off within a timely matter with no parent allowed to linger to avoid drop off and pick up for other parents ,generally half of my parents are dropping off more than one child so the parking space will be good for servicing a large family home daycare with up to 16 children with two child care providers present at all times .Providers have no young children themselves , and have been providing licensed child care for many years in a previous state .It is our plan to be a large family home daycare that will help provide needed child care to the city of Tooele. Thank you .

Tina Will

Tooele City Planning Commission  
Business Meeting Minutes

**Date:** June 11, 2025

**Time:** 7:00 p.m.

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

**Planning Commissioners Present**

Matt Robinson  
Jon Gossett  
Jon Proctor  
Chris Sloan  
Tyson Hamilton  
Weston Jensen  
Kelley Anderson

**Excused**

Melanie Hammer  
Alison Dunn

**Council Member Liaisons**

Maresa Manzione (excused)  
Ed Hansen

**Staff Present**

Chris Nielson, IT Director  
Paul Hansen, City Engineer  
Andrew Aagard, Community Development Director  
Kent Page, City Planner

Minutes Prepared by Alicia Fairbourne

**1. Pledge of Allegiance**

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

**2. Roll Call**

Jon Gossett, 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 Grow Development, LLC, to re-assign the zoning for approximately 11.7 acres located at 249 East 1000 North Street from the RR-5 Residential zoning district to the LI Light Industrial zoning district.**

*Presented by Andrew Aagard, Community Development Director*

Mr. Aagard presented the zoning map amendment request. The property, adjacent to Fire Station No. 3 to the west, and Our House Assisted Living to the southeast, was largely undeveloped. The RR-5 zoning, described as a holding zone, permits single-family homes, accessory dwelling units, agriculture, and low-impact uses. The proposed LI zoning allows light commercial uses such as offices, retail, and flex warehouses, but prohibits heavy industrial activities.

The City Council approved a land use amendment to Light Industrial on May 21, 2025, aligning with the General Plan. The proposal supported the Master Transportation Plan by facilitating a road connection between the Fire Station and Western Acres.

There being no questions from the Commission, Chairman Robinson opened the public hearing at 7:05 p.m. No public comments were received, and the hearing was closed.

Jake Hone of Grow Development, outlined plans for a light industrial business park, with office buildings (e.g., medical or dental) along 1000 North and flex warehouse spaces further back. The project included a two-story, 10,000–20,000 square foot building. Based on prior feedback, buildings were reoriented to provide a 100-foot buffer from Our House Assisted Living. The applicant was coordinating with landowners for a north-south road (180 East) and an east-west utility connection at 1150 North to mitigate traffic impacts. Some units would be sold, others rented, targeting small businesses and entrepreneurs.

Commissioner Hamilton commended the applicant for addressing concerns about the senior living facility and traffic.

**Motion: Commissioner Sloan moved to forward a positive recommendation to the City Council for the Fire Station Business Park Zoning Map Amendment request by Boyd Brown, representing Grow Development, LLC to rezone 11.7 acres from RR-5 Residential to the LI Light Industrial zoning district, application number 2025054, based on the findings listed in the Staff Report dated June 6, 2025.**

Commissioner Hamilton made the second. The vote was as follows: Commissioner Gossett, "Aye"; Commissioner Proctor, "Aye"; Commissioner Sloan, "Aye"; Commissioner Hamilton, "Aye"; Commissioner Jensen, "Aye"; Commissioner Anderson, "Aye"; Chairman Robinson, "Aye". The motion passed 7–0.

**4. Public Hearing and Decision on a Conditional Use Permit request to authorize the use of "Automobile Sales and Rental" for property located at 950 N Main Street on .18 acres in the GC General Commercial zoning district.**

*Presented by Andrew Aagard, Community Development Director*

Mr. Aagard presented a conditional use permit request by Kenner Fernandez and explained that the property, located in a flex space behind Mountain West Ambulance, would display up to five vehicles inside the facility, with two employees and five dedicated parking stalls. The surrounding area was zoned GC, and the site

complied with the General Plan's Regional Commercial designation. Staff recommended approval with conditions outlined in the June 6, 2025 staff report.

There being no questions from the Commission, Chairman Robinson opened the public hearing at 7:15 p.m. No public comments were received, and the hearing was closed. The applicant did not present additional information.

**Motion:** Commissioner Proctor moved to approve the Conditional Use Permit request by Kenner Fernandez to authorize the use of "Automobile Sales and Rental" at 948 N. Main Street, Suite B, application number 2025052, based on the findings and subject to the conditions listed in the Staff Report dated June 6, 2025. Commissioner Anderson made the second. The vote was as follows: Commissioner Gossett, "Aye"; Commissioner Proctor, "Aye"; Commissioner Sloan, "Aye"; Commissioner Hamilton, "Aye"; Commissioner Jensen, "Aye"; Commissioner Anderson, "Aye"; Chairman Robinson, "Aye". The motion passed 7–0.

## **5. City Council Reports**

Councilman Hansen reported that the most recent City Council meeting addressed routine matters, including library card fees for out-of-town users. Regarding the 249 East 1000 North rezone, approved by the Council on May 21, 2025, Councilman Hansen noted a 4–0 vote with one abstention due to concerns about permitted uses in the LI zone. He expressed support for the project but highlighted the need to monitor allowable activities.

## **6. Review and Decision – Minutes of the Planning Commission Meeting Held May 28, 2025**

There were no corrections to the minutes.

**Motion:** Chairman Robinson moved to approve the May 28, 2025 minutes as presented. Commissioner Sloan made the second. The vote was as follows: Commissioner Gossett, "Aye"; Commissioner Proctor, "Aye"; Commissioner Sloan, "Aye"; Commissioner Hamilton, "Aye"; Commissioner Jensen, "Aye"; Commissioner Anderson, "Aye"; Chairman Robinson, "Aye". The motion passed 7–0.

## **7. Adjourn**

There being no further business, Chairman Robinson adjourned the meeting at 7:18 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 June, 2025

Matt Robinson, Tooele City Planning Commission Chair