

## PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for **Wednesday, August 27, 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 [@tooelecitey](https://www.youtube.com/@tooelecitey) or searching for our YouTube handle @tooelecitey. If you would like to submit a comment for any public hearing item you may email [pcpubliccomment@tooelecitey.gov](mailto:pcpubliccomment@tooelecitey.gov) any time after the advertisement of this agenda and before the close of the hearing for that item during the meeting. Emails will only be read for public hearing items at the designated points in the meeting.*

## AGENDA

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Public Hearing and Decision** on a Conditional Use Permit request by Jorge Lino to authorize the use of "Retail Store (located within an existing structure)" to occur in an existing structure located at 59 North Broadway on .07 acres in the MU-B Mixed Use Broadway zoning district.
4. **Public Hearing and Decision** on a Conditional Use Permit request by Frances McClure to authorize the construction of a detached accessory garage structure that exceeds the 8% lot coverage restriction and the 15 foot building height limitation on property located at 166 E Brook Avenue on .27 acres in the R1-7 Residential zoning district.
5. **Decision** on a Preliminary Subdivision Plan request by Holiday Oil for property located at the north east corner of the intersection of 600 West 1000 North in the GC General Commercial zoning district on 2.14 acres.
6. **City Council Reports**
7. **Review and Decision** – Minutes of the Planning Commission meeting held August 13, 2025.
8. **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

August 21, 2025

**To:** Tooele City Planning Commission  
Business Date: August 27, 2025

**From:** Planning Division  
Community Development Department

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

**Re: Four Seasons Flooring Services – Conditional Use Permit Request**

Application No.: 2025074  
Applicant: Jorge Lino  
Project Location: 59 North Broadway  
Zoning: MU-B Mixed Use Broadway Zone  
Acreage: .07 Acres (Approximately 3,049 ft<sup>2</sup>)  
Request: Request for approval of a Conditional Use Permit in the MU-B Mixed Use Broadway zone to authorize the use of “Retail Store (located within an existing structure)” to occur at the property.

### **BACKGROUND**

This application is a request for approval of a Conditional Use Permit for approximately .07 acres located at 59 North Broadway. The property is currently zoned MU-B Mixed Use Broadway. The applicant is requesting that a Conditional Use Permit be approved to allow for a flooring retail business to operate in an existing structure.

### **ANALYSIS**

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

*Site Plan Layout.* This is an existing, older structure that has previously been utilized as a dog grooming business. The building itself fronts onto Broadway Avenue but also has frontage on a narrow alleyway right-of-way to the west. The building rests on its own parcel and the property lines extend, literally, along the exterior walls of the building.

*Customer Parking.* There are currently no designated off-street parking spaces for this structure. The lot to the north of the subject property is currently vacant but is unimproved and is not utilized for vehicle parking. It would appear that businesses in the past have utilized Broadway Avenue for business parking. Although there is nothing in the code that prohibits customers from parking on a public street, the ordinance does require that all businesses provide sufficient off-street parking for customers. This proposed business would fall under the category of furniture sales and is required to provide one parking space for every 600 square feet of floor area. Staff estimates that the building has approximately 1300 square feet of floor space and thus a parking requirement of 3 off street parking stalls.

The vacant parcel to the north, according to county records is under the same ownership as the property with the building that will house the flooring business. There may be sufficient space in that vacant property to

accommodate three off-street parking spaces or more. City ordinance do require that all off-street parking areas for commercial uses shall be paved in asphalt, concrete or other paving methods.

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

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

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

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

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

In response to the City Code requirement for findings of fact, the following are the staff identified detrimental effects this application, should it be approved, may impose upon adjacent and nearby persons and property :

1. This application presents the likelihood of construction and development resulting from its approval. Construction and development presents the necessity for work to be done properly and safely for those doing the work as well as those employees and citizens that may patronize the business. As such, it is imperative that all construction and development activities comply with property regulations which can be assured through the City's building plan review, permitted, and inspection processes.
2. This application presents the likelihood of construction and development resulting from its approval. Construction and development presents the necessity for work to be done properly and safely for those doing the work as well as those employees and citizens that may patronize the business. As such, it is imperative that all construction and development activities comply with property regulations which can be assured through the City's Fire Department plan review, permitted, and inspection processes.
3. It is anticipated that a retail establishment in this existing building will generate the need for customer parking. City ordinances also require that all retail businesses provide sufficient off-street parking for customers and cannot consider on-street parking to satisfy this requirement. Therefore it would be in the best interest of visiting customers, the public, passing traffic and the business to include viable off-street parking.

## **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 needs to provide off-street customer parking, at least 3 parking spaces.

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

Tooele City Fire Department Review. The Tooele City Fire Department has not issued any comment regarding this Conditional Use Permit request.

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 Jorge Lino, application number 2025074, subject to the following conditions:

1. 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.
2. 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.
3. The applicant shall provide at least at least three off-street customer parking spaces and that the parking area shall be paved.

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 Jorge Lino, to authorize the use of “Retail Store (located within an existing structure)” for property located at 59 N Broadway Avenue, application number 2025074, based on the findings and subject to the conditions listed in the Staff Report dated August 21, 2025:”

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

Sample Motion for Denial – “I move we deny the Conditional Use Permit Request by Jorge Lino, to authorize the use of “Retail Store (located within an existing structure)” for property located at 59 N Broadway Avenue, application number 2025074, based on the following findings:”

1. List findings of fact ...



**EXHIBIT A**

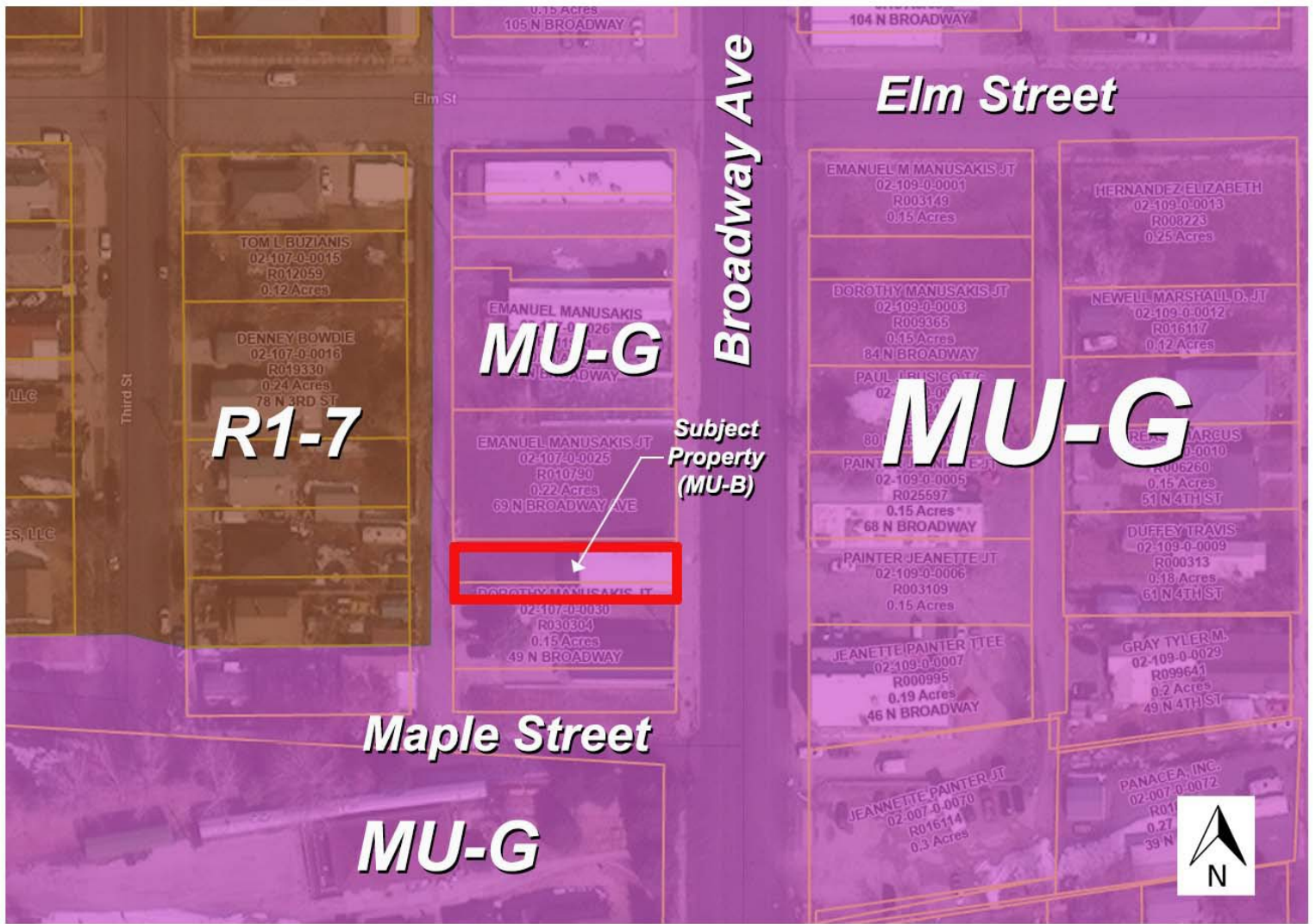
**MAPPING PERTINENT TO THE  
FOUR SEASONS FLOORING SERVICES CONDITIONAL USE PERMIT**

***Four Seasons Flooring Conditional Use***



***Aerial View***

## Four Seasons Flooring Conditional Use









**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						2025074	
Date of Submission: July 31, 2025		Current Zoning: <b>ML-B</b> Commercial		Parcel #(s): Lot 12-BLK 144 Plat C			
Project Name: Four Seasons Flooring Services					Acres: .07		
Project Address: 59 North Broadway, Tooele UT 84074					Units:		
Project Description: <b>Flooring Store</b>							
Current Use of Property: Previously dog grooming currently empty							
Property Owner(s): Emanuel Manusakis				Applicant(s): Jorge Lino			
Address: 469 Sleep Hollow Drive				Address: 1018 Racine St			
City: Tooele		State: UT		Zip: 84074		City: Aurora	
Phone: 435-830-3306				Phone: 435-241-9644		State: CO	
Zip: 80011						Zip: 80011	
Contact Person: Katherine Lino				Address: 1018 Racine St			
Phone: 720-720-7006				City: Aurora		State: CO	
Cellular: 720-720-7006		Fax:		Email: Qualitytimeconstruction30@gmail.com			
Signature of Applicant: 							
Date: 8/14/25							

\*The application you are submitting will become a public record pursuant to the provisions of the Utah State Government Records Access and Management Act (GRAMA). You are asked to furnish the information on this form for the purpose of identification and to expedite the processing of your request. This information will be used only so far as necessary for completing the transaction. If you decide not to supply the requested information, you should be aware that your application may take a longer time or may be impossible to complete. If you are an "at-risk government employee" as defined in *Utah Code Ann.* § 63-2-302.5, please inform the city employee accepting this information. Tooele City does not currently share your private, controlled or protected information with any other person or government entity.

\*\* By submitting this application form to the City, the applicant acknowledges that the above list is not exclusive and under no circumstances waives any responsibility or obligation of the Applicant and or his Agents from full compliance with City Master Plans, Code, Rules and or Regulations.

For Office Use Only				2250311	
Fee: \$600.00	(213)	Received By: Jade	Date Received: 8/14/25	Receipt #:	777471

## STAFF REPORT

August 20, 2021

**To:** Tooele City Planning Commission  
Business Date: August 27, 2021

**From:** Planning Division  
Community Development Department

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

**Re: Brook RV Garage – Conditional Use Permit Request**

Application No.: 2025072  
Applicant: Frances McClure  
Project Location: 166 E Brook Avenue  
Zoning: R1-7 Residential Zone  
Acreage: .27 Acres (Approximately 11,761 ft<sup>2</sup>)  
Request: Request for approval of a Conditional Use Permit in the R1-7 Residential zone authorizing a proposed detached accessory structure to exceed the 8% lot coverage restriction and the 15 foot building height restriction.

### **BACKGROUND**

This application is a request for approval of a Conditional Use Permit for approximately .27 acres located at 166 E Brook Avenue. The property is currently zoned R1-7 Residential. The applicant is requesting that a Conditional Use Permit be approved to permit the construction of a detached accessory structure that is taller than 15 feet and covers more than 8% of the lot with accessory structures. The structure proposed by the applicant will be a garage that houses a recreation vehicle.

### **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 five dwelling units per acre and is in compliance with the Medium Density Residential designation. All surrounding properties are zoned R1-7 Residential and are utilized as similar single-family residential. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

*Site Plan Layout.* The applicant has provided a site plan showing the proposed plans for the property. The proposal places a 42’ x 30’ detached accessory structure on the east side of the property between the existing home and the property line. The proposal as indicated on the site plan meets all of the building setback and building separation requirements as required by Tooele City Code 7-14-6, Accessory Structure Requirements.

*Lot Coverage by Accessory Structures.* Tooele City Code 7-14-6-2a limits total lot coverage by accessory structures to 8% of the total lot size. The applicant’s lot is 11,761 square feet. 8% of the total lot size is 940 square feet. The square footage of the proposed garage structure is 1,026 square feet. The site plan also indicates a small shed on the western property line that is approximately 100 square feet. With the new structure that will put the total square footage of accessory structures at 1,126 square feet. This results in a total lot coverage by accessory structures of 9.5%.

Tooele City Code 7-14-6-9 grants the Planning Commission the authority to approve Conditional Use Permits that will permit property owners to exceed the 8% lot coverage requirement. Though, the code does not place a maximum coverage restriction. The intent of the code is to provide property owners with a means of flexibility



but to also prevent accessory structures that create nearly total lot coverage and become an eyesore for surrounding properties and the community at large.

**Building Height for Accessory Structures.** Tooele City Code 7-14-6-9 limits the height of an accessory structure to 15 feet as measured at the mid-point of roof pitch between the peak and the eaves of the roof. The applicant has not provided a building elevation to demonstrate building height at the mid-point of roof pitch, however, the site plan does indicate that the applicant is proposing a building that is 23'5" at the peak or ridge of the roof. It is anticipated that at the mid-point of roof pitch the building height would be somewhere between 18 and 21 feet depending upon the slope and length of the roof.

Tooele City Code 7-14-6-9 also grants the Planning Commission authority to approve exceptions to the building height limitation as part of a Conditional Use Permit with a public hearing. The code does place a maximum height requirement as no building in a residential zone is permitted to exceed 35 feet.

**Considerations.** The Planning Commission's responsibility in regards to these requests is to "**determine and consider any adverse impacts the proposed building or structure may have on adjoining properties.**" One thing to consider is if the structure is simply out of place for the subdivision in which it is located. When driving by this property after the structure has been constructed would one with an untrained eye be able to observe that this property has 9.5% lot coverage by detached accessory structures instead of 8%, or, would the untrained eye be able to accurately assess the excess building height over 15 feet?

In observing aerial maps of the subdivision and surrounding properties staff has noted that there are not many large RV garages. It should also be noted that there are not many RV garages because most of the properties don't have sufficient building site yard setbacks that would permit access to an RV garage. This lot has the space and the opportunity to construct one and the ordinance provides a mechanism whereby the applicant can legally construct such a building.

That being said, aerial maps also indicate that there are numerous properties in close proximity to the subject property where detached sheds and structures of various shapes and sizes are constructed. Therefore, such a structure on the applicant's property would not be out of character for the neighborhood.

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

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

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

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

- (1) the reasonably anticipated detrimental effects of the proposed use upon adjacent and nearby persons and properties;

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

In response to the City Code requirement for findings of fact, the following are the staff identified detrimental effects this application, should it be approved, may impose upon adjacent and nearby persons and property :

1. This application presents the likelihood of construction and development resulting from its approval. Construction and development presents the necessity for work to be done properly and safely for those doing the work as well as those employees and citizens that may patronize the business. As such, it is imperative that all construction and development activities comply with property regulations which can be assured through the City's building plan review, permitted, and inspection processes.
2. This application presents the likelihood of construction and development resulting from its approval. Construction and development presents the necessity for work to be done properly and safely for those doing the work as well as those employees and citizens that may patronize the business. As such, it is imperative that all construction and development activities comply with property regulations which can be assured through the City's Fire Department plan review, permitted, and inspection processes.
3. This application represents the likelihood of construction of a structure that will exceed the City's 8% lot coverage restriction by 1.5% and accessory building height restriction by approximately 3 to 5 feet. This essentially maxes out the property owner's ability to construct additional detached accessory structures on the property or add additional height to the proposed structure. Therefore, it is necessary that the Conditional Use Permit be approved with conditions limiting the maximum amount of building height and lot coverage permitted by the CUP in order to ensure compliance with the CUP.

## **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. Staff has not been able to determine that such a structure as proposed by the applicant would be out of character in the neighborhood.
2. Staff has not been able to identify any adverse impacts that would result from construction of a building slightly taller than 15 feet and covering 1.5% more of the lot than the 8% lot coverage restriction.

Engineering & Public Works Review. The Engineering and Public Works Divisions have no issued any comments regarding this proposed CUP.

Building Division Review. The Tooele City Building Division will be reviewing the proposed plans during the building permit plan review process.

Tooele City Fire Department Review. The Tooele City Fire Department has not issued any comments regarding this proposed CUP but will be reviewing the proposed construction as part of the Building Permit review and will ensure fire code compliance at that time.

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 Frances McClure, application number 2025072, subject to the following conditions:

1. 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.
2. 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.
3. Square footage of the proposed structure shall be limited to that which is indicated on the submitted site plan and that the proposed structure shall not exceed 21 feet in height as measured at the mid-point of roof pitch.

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 Frances McClure, to authorize construction of a detached accessory structure that exceeds the 8% accessory building lot coverage restriction and exceeds the 15 foot building height restriction on property located at 166 E Brook Avenue, application number 2025072, based on the findings and subject to the conditions listed in the Staff Report dated August 20, 2021:”

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

Sample Motion for Denial – “I move we deny the Conditional Use Permit Request by Frances McClure, to authorize construction of a detached accessory structure that exceeds the 8% accessory building lot coverage restriction and exceeds the 15 foot building height restriction on property located at 166 E Brook Avenue, application number 2025072, based on the following findings:”

1. List any additional findings of fact ...



**EXHIBIT A**

**MAPPING PERTINENT TO THE  
BROOK RV GARAGE CONDITIONAL USE PERMIT**

***Brook RV Garage Conditional Use Permit***



***Aerial View***

## Brook RV Garage Conditional Use Permit



**Current Zoning**







**EXHIBIT B**

**PROPOSED DEVELOPMENT PLANS &  
APPLICANT SUBMITTED INFORMATION**

# Conditional Use Permit Application

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



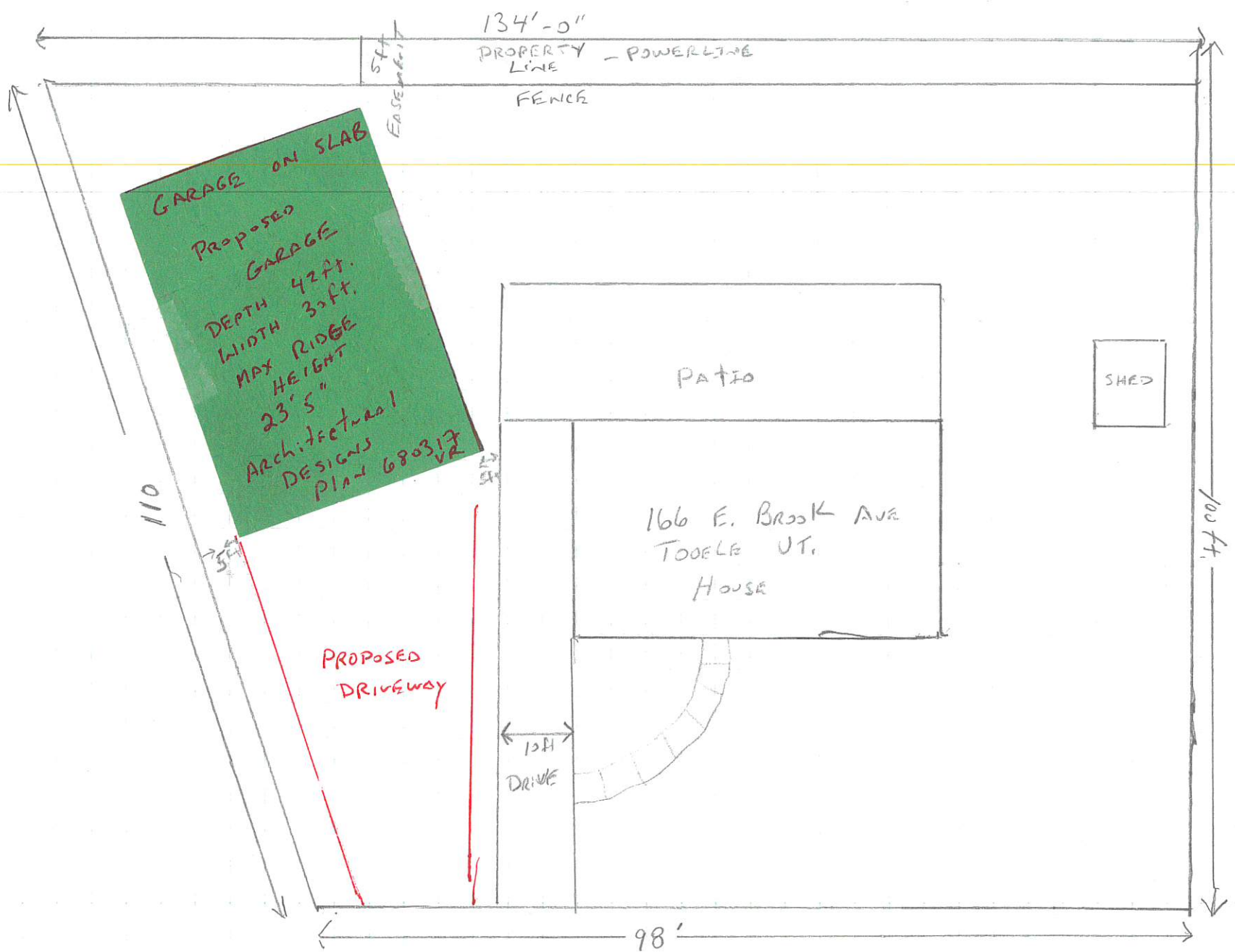
**Notice:** The applicant must submit copies of the pertinent plans and documents to be reviewed by the City in accordance with the terms of the Tooele City Code. All submitted Conditional Use Permit applications shall be reviewed in accordance with all applicable City ordinances and requirements, are 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: 8-1-25		Current Zoning:		Parcel #(s): 2025072 080170011	
Project Name: Brook RV Garage				Acres: .27	
Project Address: 166 E Brook Ave				Units:	
Project Description: RV Garage					
Current Use of Property:					
Property Owner(s): Frances McLane			Applicant(s): Same		
Address: 166 E Brook Ave			Address:		
City: Tooele	State: UT	Zip: 84074	City:	State:	Zip:
Phone: 435-830-9663			Phone:		
Contact Person: Frances McLane			Address: 166 E Brook Ave		
Phone:			City: Tooele	State: UT	Zip: 84074
Cellular: 435-830-9663	Fax:		Email: fslane@hotmail.com		
Signature of Applicant:  Frances McLane					
Date: 8-1-25					

\*The application you are submitting will become a public record pursuant to the provisions of the Utah State Government Records Access and Management Act (GRAMA). You are asked to furnish the information on this form for the purpose of identification and to expedite the processing of your request. This information will be used only so far as necessary for completing the transaction. If you decide not to supply the requested information, you should be aware that your application may take a longer time or may be impossible to complete. If you are an "at-risk government employee" as defined in *Utah Code Ann.* § 63-2-302.5, please inform the city employee accepting this information. Tooele City does not currently share your private, controlled or protected information with any other person or government entity.

\*\* By submitting this application form to the City, the applicant acknowledges that the above list is not exclusive and under no circumstances waives any responsibility or obligation of the Applicant and or his Agents from full compliance with City Master Plans, Code, Rules and or Regulations.

For Office Use Only			
Fee: \$600.00 (213)	Received By: Jade	Date Received: 8/1/25	Receipt #: 2250289 773356



FRANCES McCLURE  
(435) 830-9663  
166 E BROOK AVE

$\frac{1}{4}'' = 4 \text{ ft.}$



## STAFF REPORT

August 7, 2025

**To:** Tooele City Planning Commission  
Business Date: August 13, 2025

**From:** Planning Division  
Community Development Department

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

**Re: Holiday Oil 88 – Preliminary Subdivision Plan Request**

Application No.: 2025013  
Applicant: Brent Neel, Holiday Oil  
Project Location: 600 W 1000 N (NE)  
Zoning: GC General Commercial Zone  
Acreage: 2.14 Acres (Approximately 93,218 ft<sup>2</sup>)  
Request: Request for approval of a Preliminary Subdivision Plan in the GC General Commercial zone regarding creation of one lot platted subdivision.

### **BACKGROUND**

This application is a request for approval of a Preliminary Subdivision Plan for approximately 2.14 acres located at the north east corner of the intersection of 600 W 1000 N. The property is currently zoned GC General Commercial. The applicant is requesting that a Preliminary Subdivision Plan be approved to allow for the development of the currently vacant site as a convenience store with gasoline services. The Preliminary Subdivision Plat will enable a Final Subdivision Plat which will officially divide the 2.1 acre lot from the larger parcel of record and officially dedicate right-of-way along Franks Drive.

### **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 the GC General Commercial zoning classification. The GC General Commercial zoning designation is identified by the General Plan as a preferred zoning classification for the Community Commercial land use designation. Properties located to the east of the subject property are zoned MR-16 Multi-Family Residential and although undeveloped currently, will soon have apartment and town house uses constructed thereon. Property to the south is zoned GC General Commercial. Property to the west and north are zoned NC Neighborhood Commercial and are undeveloped ground. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Subdivision Layout. The subdivision itself is quite simple and proposes the creation of one commercial lot of 2.15 acres which will eventually be the site of a new Holiday Oil convenience store with gasoline services. The lot itself exceeds all lot size and lot width requirements as established in the GC General Commercial zoning ordinance.

Road Dedication. The reason this application is a Preliminary Subdivision Plan for a one lot subdivision is because of road dedication. The subdivision proposes to dedicate approximately a 42 foot wide strip on the east side of Franks Drive totaling .47 acres. This road dedication will provide additional width and improvements along Franks Drive, a road that is becoming increasingly more congested and is currently

inadequate for the amount of traffic at this location.

*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 comment:

1. The new lot greatly exceeds any lot size and lot width requirements for lots in the GC General Commercial zoning district.

*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.

## **STAFF RECOMMENDATION**

Staff recommends approval of the request for a Preliminary Subdivision Plan by Brent Neel, representing Holiday Oil, application number 2025013, 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.

## **MODEL MOTIONS**

Sample Motion for Approval – “I move we approve the Franks Drive Holiday Oil Preliminary Subdivision Plan request by Brent Neel, representing Holiday Oil, application number 2025013, based on the findings and subject to the conditions listed in the Staff Report dated August 7, 2025:”

1. List any additional findings and conditions...

Sample Motion for Denial – “I move we deny the Franks Drive Holiday Oil Preliminary Subdivision Plan request by Brent Neel, representing Holiday Oil, application number 2025013, based on the following findings:”

1. List findings...

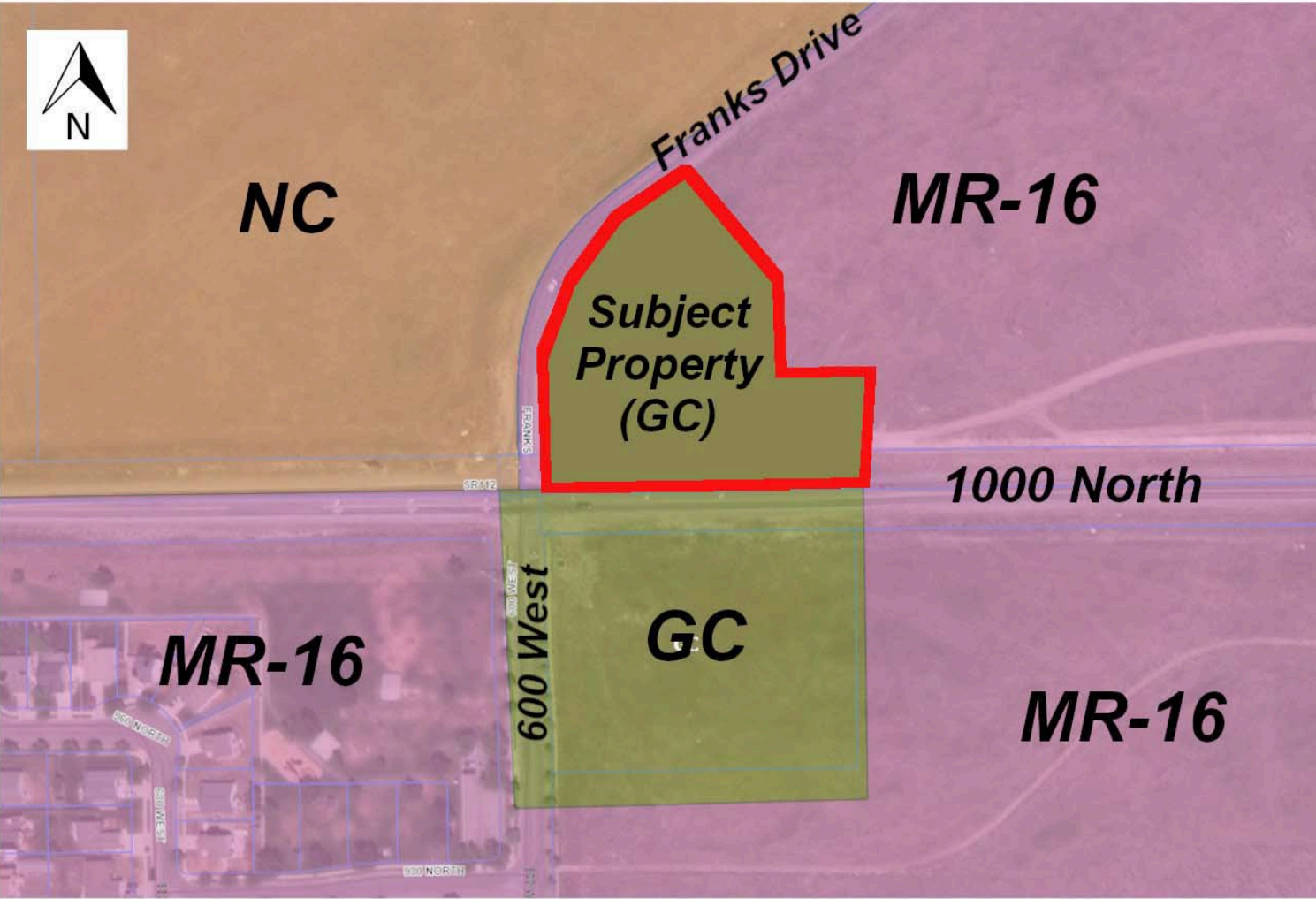
**MAPPING PERTINENT TO THE HOLIDAY OIL 88 PRELIMINARY SUBDIVISION  
PLAN**

[illegible]

### *Aerial View*



**Franks Drive Holiday Oil Preliminary Subdivision Plan**



**Current Zoning**

**EXHIBIT B**

**PROPOSED DEVELOPMENT PLANS &  
APPLICANT SUBMITTED INFORMATION**

# Subdivision - Preliminary Plan 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)



Fee: \$1050

Project Information						2025013	
Date of Submission: 1-21-2025		Submittal #: <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4		Zone: GC	Acres: 2.14	Parcel #(s): 02-128-0-0039	
Project Name: Holiday Oil #88							
Project Address: 600 W. 1000 N. (NE corner) Tooele UT							
Project Description: Gas Station, Fueling Pumps, Car Wash					Phases: 1	Lots: 1	
Property Owner(s): Wagstaff Investments				Applicant(s): Holiday Oil			
Address: 11747 S. Lone Peak Pkwy #201				Address: 11747 S. Lone Peak Pkwy #201			
City: Draper	State: UT	Zip: 84020	City: Draper	State: UT	Zip: 84020		
Phone: 801-631-3434	Email: scott@holidayoil.com		Phone: 801-973-7002	Email: brent@holidayoil.com			
Contact Person: Brent Neel				Address: 11747 S. Lone Peak Pkwy 201			
Phone: 801-687-0842				City: Draper	State: UT	Zip: 84020	
Cellular: 801-687-0842	Fax: —		Email: brent@holidayoil.com				
Engineer & Company: Ensign Engineering				Surveyor & Company:			
Address: 45 Sego Lily Dr. #500				Address: ← Same as Engineer Info			
City: Sandy	State: UT	Zip: 84070	City: ←	State:	Zip:		
Phone: 801-255-0529	Email: cduncan@ensignutah.com		Phone:		Email:		

\*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.

For Office Use Only						2250047	
Land Use Review:	Date:	Water Superintendent Review:	Date:	City Engineer Review:	Date:		
Planning Review:	Date:	Reclamation Superintendent Review:	Date:	Director Review:	Date:		
Fire Flow Test							
Location:		Residual Pressure:	Flow (gpm):		Min. Required Flow (gpm):		
Performed By:		Date Performed:	Corrections Needed: <input type="checkbox"/> Yes <input type="checkbox"/> No		Comments Returned: Date: <input type="checkbox"/> Yes <input type="checkbox"/> No		







Tooele City Planning Commission  
Business Meeting Minutes

**Date:** August 13, 2025

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

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

**Planning Commissioners Present**

Melanie Hammer  
Jon Proctor  
Chris Sloan  
Matt Robinson  
Tyson Hamilton  
Jon Gossett (alternate)  
Kelley Anderson  
Weston Jensen

**Council Member Liaisons**

Maresa Manzione (excused)  
Ed Hansen

**Staff Present**

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

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**

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

3. **Public Hearing and Recommendation on a request by Amy Johnson to amend the Land Use Map designation of 4.91 acres of property located at approximately 105 East 1000 North from Mixed Use to Light Industrial.**

Mr. Aagard explained that the property had gone through several development proposals. It was originally designated as Regional Commercial in the General Plan, but a subsequent Land Use Map amendment changed the designation to Mixed Use in support of a proposed townhouse project. That project stalled after the applicant was unable to secure sufficient water rights for the residential portion, and although the zoning map was never amended, leaving the property zoned RR-1 Rural Residential, the land use designation remains Mixed Use. The applicant has since revised the proposal and is now requesting that the designation be changed from Mixed Use to Light Industrial, which would allow the property to be rezoned for a proposal of contractor staging yards. Mr. Aagard also noted that although the applicant had a clear intention for the property's use, rezoning would not bind the property to that specific use. He reminded the Commission to consider the full range of uses permitted under the Light Industrial land use designation and whether those would be appropriate for the area. He also stated that notices had been sent to surrounding property owners and that no public comments had been received.

There being no immediate questions from the Commission, at 7:03 p.m., Chairman Robinson opened the floor for any members of the public to speak. There were no comments. The floor was closed.

Chairman Robinson invited the applicant to come forward and discuss the proposal.

Applicant Amy Johnson addressed the Commission, describing the evolution of the property's development plans and the challenges in marketing the site for commercial use. She explained that a previous effort to bring in a Texas Roadhouse had fallen through due to infrastructure costs, and the mixed-use townhome concept was abandoned after water shares fell through. Ms. Johnson said the property was marketed through top commercial brokers, but access constraints and site configuration discouraged potential tenants. In response, her team identified light industrial contractor storage yards as a more viable solution for the site.

She explained that the proposed development would serve local small businesses – such as landscapers, electricians, and plumbers – by providing secure, individually fenced yards with controlled access, good lighting, and a clean, managed environment. She emphasized that the use would not include RV or boat storage, nor the storage of hazardous or flammable materials. The facility would be owner-operated and held as a long-term asset by her company, which specializes in light industrial properties. She also expressed that currently, the site was in disrepair and would benefit visually and functionally from the proposed improvements. Ms. Johnson concluded by affirming the project's compatibility with surrounding properties, many of which are designated as Regional Commercial on the Land Use Map and developed with light industrial uses, and offered to answer questions from the Commission. There were none.

**Motion: Commissioner Anderson moved to forward a positive recommendation to the City Council for the Desert Rose Business Lofts Land Use Map Amendment request by Amy Johnson, for the purpose of re-assigning the land use designation for 4.91 acres from Mixed Use to Light Industrial, application number 2025067, based on the findings listed in the Staff Report dated August 5, 2025.** Commissioner Sloan seconded the motion.

**Discussion on the motion:** Commissioner Hammer stated that she appreciated the applicant's proposal but expressed concern about what other Light Industrial uses could occur on the property if the project did not proceed. She raised the idea of requiring a development agreement to ensure the intended use was carried out and asked whether conditions could be placed to limit the approval to a specific use. In response, it was clarified that the Commission was only considering a Land Use Map amendment at this stage, and that questions about specific uses or conditions would be addressed later during the zoning process.

Chairman Robinson confirmed that zoning considerations would follow if the Council approved the land use amendment. With no further discussion, the Commission proceeded to vote on the motion.

**The vote was as follows:** Commissioner Hammer, “Aye”; Commissioner Proctor, “Aye”; Commissioner Sloan, “Aye”; Commissioner Hamilton, “Aye”; Commissioner Jensen, “Aye”; Commissioner Anderson, “Aye”; Chairman Robinson, “Aye”. There were none opposed. The motion carried 7-0.

4. **Public Hearing and Decision on a Conditional Use Permit request by GVI Autogroup, LLC, for 4.89 acres in the Light Industrial zoning district to authorize the use of “Automobile Body and Fender Service and Repair” at 182 Millburn Drive.**

Mr. Aagard presented the proposed Conditional Use Permit (CUP) and stated that the 4.89-acre site contained an existing warehouse. The property was zoned Light Industrial (LI), consistent with the surrounding area except for a small wedge of Research and Development (RD) to the south. He explained that auto service, repair, auto parts, and dealership uses already operated on the site as permitted uses, but expanding into auto body repair required a CUP.

Staff recommended approval with conditions requiring compliance with building and fire codes for any improvements; screening of designated damaged-vehicle storage areas with solid, view-obscuring fencing; paving of any damaged-vehicle storage areas not already paved with asphalt, concrete, or another impermeable surface; and site plan approvals for any future expansions. He noted that the applicant had asked that the word “solid” in condition #2 be reconsidered to allow slats in the existing chain-link fencing.

Mr. Aagard reported that mailed notices generated no comments, though Mayor Winn relayed a concern from Tooele Technical College regarding unsightly outdoor storage of damaged vehicles. Commissioner Sloan asked whether slatted chain-link would satisfy the intent of the solid, view-obscuring fencing requirement. Mr. Aagard responded that the current chain-link was not view-obscuring but that inserting slats would meet the intent if acceptable to the Commission.

There being no further questions from the Commission, Chairman Robinson opened the public hearing at 7:21 p.m. There were no comments. The floor was closed.

Roman Gurlov, representing GVI Autogroup, stated the business intended to keep most damaged vehicles inside the warehouse and, where outdoor parking was unavoidable, to screen views with slatted fencing installed in the chain link. He also described procedures to drain vehicles to prevent fluid leaks and expressed interest in working with Tooele Technical College to provide student experience in auto body repair. In response to a question, he stated sales activity would be directed wholesale to other dealers rather than retail from the site. The Commission discussed tailoring the fencing condition and, with staff’s suggestion, agreed that striking the word “solid” would allow slatted chain-link to satisfy the view-obscuring requirement.

**Motion: Commissioner Jensen moved to approve the Conditional Use Permit Request by Roman Gurlov, representing the GVI Autogroup, LLC to authorize the use of “Automobile Body and Fender Service and Repair” to occur at the property located at 182 Millburn Drive, application number 2025070, based on the findings and subject to the conditions listed in the Staff Report dated August 6, 2025, with the word “solid” stricken from Planning Division Review condition #2.** Commissioner Hamilton seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”; Commissioner Proctor, “Aye”; Commissioner Sloan, “Aye”; Commissioner Hamilton, “Aye”; Commissioner Jensen, “Aye”; Commissioner Anderson, “Aye”; Chairman Robinson, “Aye”. There were none opposed. The motion carried 7-0.

5. **Decision on a Preliminary Subdivision Plan request by Holiday Oil for property located at the north east corner of the intersection of 600 West 1000 North in the GC General Commercial zoning district on 2.14 acres.**

Mr. Aagard introduced a preliminary subdivision plan request by Holiday Oil and explained that the item had been placed on the agenda in anticipation of receiving a completed will-serve plan. However, because the applicant had not yet secured all required signatures, he could not request Commission approval. He therefore asked the Planning Commission to table the item until the next meeting, at which time he anticipated having the signed preliminary plan ready for consideration. Chairman Robinson acknowledged the request.

**Motion: Commissioner Sloan moved to table the item until the next regularly scheduled Planning Commission meeting.** Chairman Robinson seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”; Commissioner Proctor, “Aye”; Commissioner Sloan, “Aye”; Commissioner Hamilton, “Aye”; Commissioner Jensen, “Aye”; Commissioner Anderson, “Aye”; Chairman Robinson, “Aye”. There were none opposed. The motion carried 7-0.

6. **City Council Reports**

Councilman Hansen reported on recent City Council discussions, including the land use amendment at 105 East 1000 North. He noted that while the Council understood the need for usable development options on the site, there had been concern about the broad range of allowable uses under the Light Industrial designation. Specifically, Council members discussed the potential for incompatible uses – such as a wrecking yard versus a professional office – and expressed interest in creating a new zoning district to provide a narrower range of allowed uses. He stated that although the Planning Commission approved the land use amendment earlier in the evening, the Council would likely continue to discuss whether a new zone or a development agreement could help address those concerns.

Councilman Hansen also referenced ongoing efforts to facilitate residential development on Canyon Road and congratulated candidates running for public office. Commissioner Sloan asked whether the Council had reviewed visual examples of the proposed contractor yard that were shown during the Planning Commission meeting. Councilman Hansen responded that the Council had not seen those renderings and had only discussed the concept in general terms, focusing on whether outside storage would be allowed. He explained that the Council’s concern stemmed from previous approvals where the eventual use had not matched what was initially described, which led to some regrets. He said the Council was considering options such as refining the zoning code to narrow the range of allowable uses within the Light Industrial zone, but acknowledged that such changes would take time.

He concluded by welcoming the new city attorney and expressed confidence in his abilities.

7. **Review and Decision – Minutes of the Planning Commission meeting held July 23, 2025.**

There were no corrections to the minutes.

**Motion: Commissioner Proctor moved to approve the minutes of the July 23, 2025 Planning Commission meeting minutes as presented.** Commissioner Hamilton seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”; Commissioner Proctor, “Aye”; Commissioner Sloan, “Aye”; Commissioner Hamilton, “Aye”; Commissioner Jensen, “Aye”; Commissioner Anderson, “Aye”; Chairman Robinson, “Aye”. There were none opposed. The motion carried 7-0.

8. **Adjourn**

There being no further business, Chairman Robinson adjourned the meeting at 7:35 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 August, 2025

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