

Action Summary:

Agenda Item	Item Description	Action
#1	Consideration of the Arby's Conditional Use Permit Located in the CN zoning.	Approved
#2	Consideration of a proposed amendment to Chapter 20 Sign Regulations of the Grantsville City Land Use and Management Code.	Approved

MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION, HELD ON AUGUST 25, 2025 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UTAH AND ON ZOOM. THE MEETING BEGAN AT 7:00 P.M.

Commission Members Present: Vice-Chair Derek Dalton, Trent Stirling, Debra Dwyer

On Zoom:

Commission Members Absent: Jason Hill, and Sarah Moore

Appointed Officers and Employees Present: Zoning Administrator Shelby Moore, City Attorney Tysen Barker, City Manager Michael Resare, City Council Member Rhett Butler, Mayor Neil Critchlow, Planning and Zoning Administrative Assistant Nicole Ackman.

On Zoom:

Citizens and Guests Present: Gary Pinkham, Roger Hale, Jana Hale, Jeanie Weignar, Jeneena Warburton

Citizens and Guests Present on Zoom: Unknowns

Commission Vice-Chairman Derek Dalton called the meeting to order at 7:00 PM.

PUBLIC NOTICE

The Grantsville City Planning Commission will hold a Regular Meeting at 7:00 p.m. on Thursday, August 25, 2025 at 429 East Main Street, Grantsville, UT 84029. The agenda is as follows:

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

a) Consideration of the Arby's Conditional Use Permit Located in the CN zoning.

Email Received 08/25/2025

To whom it may concern

I am writing to express my deep concern regarding the conditional use permit for Arby's in the CN zone, specifically at the corner of Race and Main Street.

Over the past year, I have actively opposed this zoning change that allows for a drive-in fast food restaurant to be established right in the heart of our residential community. Previously, the initial vote against the new zoning was successful, maintaining the area as residential commercial zoning. However, I was taken aback to discover that a subsequent vote, which I was unaware of, resulted in a blanket zoning change permitting this fast food establishment.

As a resident living just two houses down from the intersection, I already struggle with heavy traffic on Main Street, and the addition of a drive-in restaurant will exacerbate these issues. It is crucial that we reassess this zoning change and take into account the concerns of residents who will be significantly impacted by these developments.

I am eager to understand the implications of this conditional use permit and am committed to voicing my concerns, along with those of my neighbors. It is vital that our voices are heard in this matter, and I appreciate any guidance on how we can collectively make our concerns known to the appropriate authorities.

Thank you for your attention to this critical issue. I look forward to your response.

Best regards,
Jineena Warburton

Email Received 8/18/2025

I have some concerns that I would like brought up in the public hearing. We live directly across the street on Race Street from the proposed site. Why is the city not requiring Arby's or whoever is building to put curb and gutters, and Sidewalks down all of Race street on both sides of the road? Our street is already so busy with people literally racing down it. My kids ride their bikes on the side of the street currently because we don't have sidewalks. Now you are adding all the traffic to go into the Arby's onto our street and there is no safety for any kids that live on the street.

Another point, why can't they just have access on Main Street only? There is plenty of room to have a one way in and one way out on Main Street. Why do they have to have an access on Race Street?

We would really like these concerns brought up in the meeting. I for one feel so abandoned by our city and their representatives at this time. I'm not opposed to growth but everything is being done with such poor planning or consideration for those that already live here, that have made a home here, and that want a quiet simple life.

Sincerely a concerned citizen, neighbor, and mother of Grantsville,

Rebecca Brown

Emailed 08/25/2025

Agenda item 1,

August 25, 2025

It appears that work has already began on this project because a building permit was issued.

1. This should have never happened before the conditional permit was approved.
2. This item should be tabled until it can be determined how and under what circumstances this occurred.

This needs to be reported to the city council. Then reheard once findings are determined. How this happened and if there were pressures to do so are important.

Personally I have no issues with the project. If an ignorance of the code exists it needs to be corrected. Possibly consequences may be necessary.

If this is not tabled the issue will not be determined. Transparency was and is a campaign slogan that is and was used. It is also important.

Gary Pinkham: Gary Pinkham was present to comment on this item. He stated that he had looked at the drawings and the layout for the project and compared it to the proposal from about a year to a year and a half ago on the same property. He noted that the current layout was much better and addressed the traffic issues previously encountered by moving the driveways further away from the intersection. He mentioned that it provided plenty of space for cars to line up without causing congestion, like what had occurred in front of the soda shop. He concluded that overall, he thought it was a good plan and expressed support for having Arby's in town, saying it was something he had been missing. Gary Pinkham also raised a question regarding the permitting process. He asked if the city had not issued a conditional use permit, how the building was already under construction and who had issued a building permit for a project that was not legally permitted within the city limits. He expressed concern that the process might be out of order and suggested the issue should be investigated further.

Rodger Hale: Rodger Hale was present to comment on this item. He thanked Gary and then expressed a concern regarding the lighting and the menu board, specifically the decibels from the speaker system, noting that the site was adjacent to residential areas on two sides. He stated that he would like to see night sky lighting standards upheld at that location. He also mentioned that perhaps Shelby would check on the loudness of the speaker.

Jineena Warburton: Jineena Warburton was present to comment on this item. She stated that her residence bordered the back of the proposed Arby's and expressed that she had never wanted the restaurant at that location. She noted that there were other Arby's locations in Lake Point and Tooele, and she felt it was a bad idea to have a drive-thru at the intersection of Race and Main Street. She explained that accessing Main Street from her property was already difficult, describing it as a significant problem. Jineena Warburton asked where the drive-thru would be located and confirmed that vehicles could enter from both Main Street and Race Street. She reiterated her concern about placing a restaurant with a drive-thru near residential areas, emphasizing that her property was just two doors down from the proposed site. She strongly stated that she did not think there should be a drive-thru on Race Street and felt the project had already progressed too far without adequate consideration of residents' concerns. She described the traffic issues on Race Street, particularly during morning and afternoon commutes, noting that she currently had to take a longer route through Clark and Church Streets to access two lanes to exit. She warned that adding a drive-thru at Race Street would worsen traffic problems. She also expressed concern about lighting, noise, and trash potentially affecting her property and suggested a solid wall along the Arby's fence line to prevent debris from reaching residential areas. Jineena Warburton referenced previous city council decisions, explaining that she had opposed the project a year to a year and a half ago and that a subsequent blanket zoning change allowed the project to move forward without her knowledge. She described the process as unfair and expressed that she felt significantly impacted by the project. She concluded by emphasizing that lighting, noise, trash, and increased traffic from the drive-thru would create a major negative impact for nearby residents and asked that these concerns be carefully considered.

Jeanie Wisnar: Jeanie Wisnar was present to comment on this item. She stated that she lived on Main Street next to the location where Arby's was being built and expressed concerns about lighting and noise. She asked whether a sound or privacy wall would be installed, noting that the construction site was visible from her backyard. She mentioned that she had children and grandchildren and worried that if someone became distracted, a vehicle could potentially enter her property, asking if there would be something to prevent that. Jeanie Wisnar also raised concerns about traffic, explaining that it already took 10 to 15 minutes to pull out of her driveway onto Main Street, and sometimes she had to wait in the middle of the street to head east. She feared that the new development

would increase the risk of accidents and further delay her ability to exit her driveway. She questioned why the meeting was being held after construction had already started, noting that for previous projects like the car wash or soda shack, she had received advance notice. She also explained that her work on graveyard shifts was being disrupted by construction noise, affecting her sleep and ability to perform her job. Additionally, she mentioned that dust from the construction had increased the frequency of washing her cars. She concluded by stating that these were her primary concerns.

b) Consideration of the Arby's Conditional Use Permit Located in the CN zoning.

No Comment

AGENDA

1. Consideration of the Arby's Conditional Use Permit Located in the CN zoning.

Sean Cosper was present via Zoom to answer questions regarding this item. Planning and Zoning Administrator Shelby Moore introduced the conditional use request for a restaurant with a drive-thru in the CN zoning district. She explained that the site plan included two accesses to prevent vehicle backup, with access from both Race Street and Main Street. UDOT had restricted the Main Street entrance to right-in, right-out only. Shelby noted that the developer would asphalt along Main Street, maintain the existing sidewalk, and install curb, gutter, and a park strip along both streets. A six-foot fence was proposed along the property boundary, and future development west of the lot could include an office or dental office. Menu boards would face Main Street, and lighting would be downward-facing to comply with dark-sky standards.

Vice Chair Dalton asked for background on the process, questioning why construction had already started. Shelby acknowledged that she had initially misread the zoning code, mistakenly believing the property was in the CS zone where the use is permitted. She explained that the error was discovered when reviewing the electronic sign, which is not allowed in CN zoning. Once she realized the mistake, she immediately informed the city manager, mayor, and attorney and brought the item to the Planning Commission.

Vice Chair Dalton then asked how the already-issued building permit affected potential conditions, denial, or tabling of the conditional use. City Attorney Tysen Barker advised that denial or tabling was not recommended, as the developer had relied in good faith on city approval and had invested in construction. He noted that unless there was an unmitigable detrimental impact, the conditional use should be approved, though design or operational conditions could still be imposed.

Commissioner Stirling referenced Grantsville Land Use Ordinance 16.1 regarding building height and inquired about both building height limits and landscaping requirements. Sean Cosper

confirmed the height was standard and similar to nearby restaurants. Commissioner Stirling raised concerns about buffering under Chapter 9, suggesting a masonry or precast concrete fence rather than vinyl to better protect nearby residences. Sean Cosper indicated the applicant was open to alternatives.

Commissioner Dwyer addressed traffic and neighborhood impacts, noting the design was likely the only feasible way to manage flow without significant congestion. She recognized that Arby's might slightly increase traffic but not beyond existing levels and acknowledged that dust and debris were minor issues. She suggested monitoring property cleanliness to mitigate potential impacts on nearby yards, with City Manager Michael Resare clarifying that code enforcement would address any future complaints.

Discussion turned to operations. Sean Cosper explained hours of operation as 9 a.m. to 11 p.m. during the school year and extended to midnight in summer. Deliveries were typically overnight but could be adjusted to early morning to minimize disruption. Hood cleaning would occur at night, and dumpster services usually operated between 6 a.m. and 11 a.m. Vice Chair Dalton recommended restricting deliveries to daytime or early morning to reduce neighborhood impacts. Cosper agreed to work with the city on scheduling adjustments.

Commissioner Stirling asked if Vice Chair Dalton wanted to make a motion. Dalton declined, stating he preferred to table the item and requested a written explanation addressing the legal and procedural issues regarding the building permit, the implications for the CUP process, and safeguards to prevent bypassing the process in the future. He expressed concern that the permit issuance had disserved the citizens and wanted this information before moving forward.

Attorney Tysen Barker responded to these concerns by explaining that the Grantsville zoning code grants the Zoning Administrator authority to approve commercial CUPs. He acknowledged that an error had occurred in this case because the Zoning Administrator overlooked the provision regarding new construction. Attorney Barker noted that it was a human mistake but emphasized that the process is improving and such errors are less likely to recur.

He further clarified that public comment is not generally appropriate for Planning Commission decisions on conditional uses, as its primary impact occurs during legislative decisions, such as rezoning, which are made by City Council. He noted that public concerns had already been voiced during the zoning process and considered at the appropriate stage. He described the application as a conditional use with mitigatable detrimental impacts and observed that the Planning Commission had effectively addressed mitigation so far. He recommended that, if any additional concerns remain, the Commission could impose reasonable conditions and proceed with a vote, noting that providing a written summary would not add value beyond what was already discussed and recorded.

Trent Stirling made a motion to recommend approval of the proposed Consideration of the Arby's Conditional Use Permit Located in the CN zoning. With the following conditions: All development shall comply with the approved site plan and architectural plans, landscaping and irrigation shall be installed prior to occupancy and maintained thereafter, lighting shall be fully shielded and comply with §11.5, an 8-foot precast concrete fence shall be installed, deliveries shall be restricted to the hours of 6:00 a.m. to 8:00 p.m., garbage collection shall not occur before 8:00 a.m., and any previously issued building permit does not waive or supersede the requirements of this Conditional Use Permit (CUP), with approval of this CUP expressly conditioned upon full compliance with all conditions listed herein. Debra Dwyer seconded the motion. The vote was as follows: Trent Stirling "Aye," Debra Dwyer "Aye," Derek Dalton "Nye." The motion was carried 2 to 1.

2. Consideration of a proposed amendment to Chapter 20 Sign Regulations of the Grantsville City Land Use and Management Code.

Planning and Zoning Administrator Shelby Moore addressed the Commission regarding electronic messaging boards in the CN zoning district, which currently prohibits these signs. She proposed making them a conditional use to allow regulation of size, height, and other specifications, emphasizing the goal of maintaining consistency along Main Street and preventing oversized signs. Shelby noted that electronic signs are permitted in CS and CG zones and conditional in other districts, and that the amendment would help ensure uniform signage while protecting the area's aesthetic character.

Commissioner Stirling requested a zoning map to clarify where conditional electronic signs could be located. Shelby identified the allowed areas as purple, blue, pink, and gray zones along Main Street, with some exceptions. Stirling noted that the conditional use process would allow the Commission to regulate sign size and other impacts to keep signage compatible with Main Street's appearance goals.

City Manager Michael Resare added that the amendment is intended to preserve the City's visual character and maintain a consistent streetscape, explaining that without regulation, varied sign sizes and styles could create a cluttered, unattractive appearance.

The discussion then turned to the broader idea of making all commercial signs a conditional use. Shelby explained that this change could not be implemented immediately, as proper public notice would be required, but could be addressed in the near future.

Debra Dwyer made a motion to recommend approval of the Consideration of a proposed amendment to Chapter 20 Sign Regulations of the Grantsville City Land

Use and Management Code. Trent Stirling seconded the motion. The vote was as follows: Trent Stirling “Aye,” Debra Dwyer “Aye,” Derek Dalton “Aye.” The motion was carried unanimously.

3. Adjourn.

Trent Stirling made a motion to adjourn. Debra Dwyer seconded the motion. The vote was as follows: Deborah Dwyer “Aye,” Derek Dalton “Aye,” Trent Stirling “Aye,” The motion was carried unanimously. The meeting adjourned at 7:47 p.m.