

**Tooele City Planning Commission
Business Meeting Minutes**

Date: November 12, 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
Tyson Hamilton
Weston Jensen
Kelley Anderson
Jon Gossett (Alternate)

Council Member Liaisons:

Maresa Manzione
Ed Hansen

Staff Present:

Andrew Aagard, Community Development Director
Matt Johnson, City Attorney
Paul Hansen, City Engineer
Shilo Baker, City Recorder

Minutes Prepared by Shilo Baker

1. **Pledge of Allegiance**

Chairman Sloan 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
Jon Gossett, Present
Tyson Hamilton, Present
Weston Jensen, Present
Kelley Anderson, Present
Chris Sloan, Present

3. **Public Hearing & Decision on a Conditional Use Permit request by Kimley-Horn to authorize the use of an "Accessory Drive Through Facility" for property located at approximately 2400 North and SR-36 on approximately 1.23 acres in the GC General Commercial zoning district.**

Mr. Aagard presented the application for a conditional use permit for an accessory drive-through facility at The Peak at Compass Point development. He noted that Smith's Marketplace is located west of the subject property, identified as Lot 9 of the subdivision, and that the site and all surrounding properties are zoned GC – General Commercial.

Mr. Aagard provided the Commissioners with a site plan and explained that a drive-through facility requires a conditional use permit in all General Commercial zones. Staff is currently reviewing the site plan application; however, the conditional use permit may proceed concurrently, as it focuses on the use itself rather than site plan details. Mr. Aagard reminded the Commission that the purpose of the conditional use application review is to evaluate potential impacts to adjacent properties and determine whether conditions are needed to mitigate those impacts. He said for reference, the site has no direct access onto public streets, only internal circulation roads and a cross-connection road to the north. Customers will access the site from the southwest drive, proceed east around the east side of the building and then back toward the west where the queuing lanes and menu boards will be located, with product pickup occurring on the south side of the building facing east toward SR-36. It is anticipated that most vehicle stacking will be along the north side of the building facing west into the Smith's parking lot and along the west side of the building. Mr. Aagard said staff is pleased that the primary drive-through activity is located on the north, west, and south sides of the building, rather than on the east side, which could have required additional landscaping to buffer vehicle stacking from public view.

Staff recommended approval of the conditional use permit and did not suggest any conditions beyond the basic housekeeping items typically included in staff reports.

The Planning Commission did not have any questions.

Chairman Sloan opened the Public Hearing at 7:05 p.m.

Joanna Graham of Kimley-Horn with McDonalds addressed the commission and said she had nothing to add to the presentation but was happy to answer any questions.

Upon no further questions Chairman Sloan asked for a motion.

Motion: Commissioner Jensen moved to approve the Conditional Use Permit request by Joanna Graham representing Kimley-Horn to authorize "Accessory Drive Through Facility" for Lot 9 of The Peak at Compass Point commercial subdivision application 2025-091 based on the findings and subject to the conditions listed in the Staff Report dated November 6, 2025. Commissioner Hamilton made the second. The vote was as follows: Commissioner Hammer, "Aye"; Commissioner Proctor, "Aye"; Commissioner Gossett, "Aye"; Commissioner Hamilton, "Aye"; Commissioner Jensen, "Aye"; Commissioner Anderson, "Aye"; Chairman Sloan, "Aye". There were none opposed. The motion passed 7-0.

Chairman Sloan realized that he had neglected to close the public hearing prior to asking for a motion and calling for a vote. Before moving on to the next item, he closed the public hearing at 7:07 p.m.

4. **Public Hearing & Decision on a Conditional Use Permit request by Matthew Cozad to authorize the uses of “Professional Office,” “Personal Services” and a “Retail Store with a maximum of 3,000 square feet” to occur at the property located at 220 South Main Street in the MU-G Mixed Use General Zoning district on .633 acres.**

Mr. Aagard presented the conditional use permit application for the property located at approximately 220 South Main Street. He noted that many will recall the older home that previously occupied the site. The property is located immediately north of Lawson Family Dental and is positioned between 50 West and Main Street. It is currently zoned MU-G – Mixed Use General, and nearly all uses within the MU-G zone require a conditional use permit. He said that the proposal does not include an accessory drive-through facility, and staff is seeking to anticipate future tenant needs and obtain authorization for potential uses at this time. The site plan application is under review and is progressing in a timely manner. Mr. Aagard presented the site plan, indicating that the building will sit in the northeast corner of the property, with parking areas located on the south and west sides of the property.

The development will share an existing access with Lawson Family Dental, and the applicant has provided a signed and executed access easement with the adjacent property owner. No new access points are proposed. While the applicant initially listed “retail stores” on the application, the building is a multi-tenant structure with six tenant spaces totaling approximately 6,500 square feet. Mr. Aagard explained that such buildings typically attract professional offices and personal service uses; therefore, staff encouraged the applicant to include additional potential uses in the conditional use permit application to avoid requiring future approvals for common tenants such as cosmetologists or realtors.

One public comment was received via email expressing concern about fencing. The commenter had recently installed a chain-link fence and was concerned the City might require a masonry wall adjacent to it. Mr. Aagard clarified that the City does not require fencing unless the Planning Commission determines it is necessary to mitigate an identified impact.

Staff recommended approval of the conditional use permit with the basic conditions listed in the staff report.

Chairman Sloan confirmed with all of the Planning Commissioners that they had received the public comment email, and said there were actually two emails received, but the second one was a revised version of the first.

Commissioner Anderson mentioned he drove by the property and said the fence referenced is closer to Lawson Dental not the house. Mr. Aagard said he believed that there is currently a fence between Lawson Dental and the applicant’s property, but that fence would be removed with the development. He believes the fence in question in the public comment is the fence to the north of the property.

Commissioner Jenson said he thought there was a provision in the code that required commercial property that abuts residential property to have a fence to separate them. Mr. Aagard said there is a provision in the code that states if commercial zones are adjacent to residential zones the Planning Commission may require a fence as part of site plan approval, if necessary, but there isn’t anything in the code that requires a fence in that situation. These properties are all zoned Mixed Use General, so there aren’t any zoning boundaries between the properties.

Commissioner Anderson said that because there is residential use, even though the properties are zoned mixed use, there should be some kind of fence – not necessarily masonry – but privacy. Chairman Sloan

agreed with Commissioner Anderson and said that as Mr. Aagard alluded, the Commission has the ability to require a fence to mitigate potential issues and said the public comment letter mentioned potential issues about privacy, reducing noise, and preserving residential neighborhood character. Mr. Aagard said the Commission needs to identify the issue and identify how the conditions mitigate that issue if they want to include that as a condition for approval.

Mr. Jensen said if the Commission requires a solid fence it would mitigate headlights from shining into residences. Commissioner Hamilton thinks it should require a solid fence along the whole north side of the property. Commissioner Gossett recommends the fence be at least 6 feet tall. Commissioner Jensen said he thought the applicant may already be planning on putting in a fence based on what is on the site plan.

With no further questions from the Commission, Chairman Sloan opened public hearing at 7:14 p.m.

No one came forward. Chairman Sloan seeing Spencer Peck in the audience asked if he was the applicant. Mr. Peck said he is not the applicant, but did say he would want to see a barrier (fence) if he lived in the area.

Seeing no one come forward, Chairman Sloan closed public hearing at 7:15 p.m. and invited further action from the Commission.

Motion: Commissioner Proctor moved to approve the Conditional Use Permit request by Matthew Cozad to authorize the uses of "Professional Office," "Personal Services" and a "Retail Store with a maximum of 3,000 square feet" to occur at subject property application number 2025-096 based on the findings and subject to the conditions listed in the staff report dated November 5, 2025 and require a six (6) foot privacy fence along the entirety of the north side of the property.

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

5. **City Council Reports**

Mayor-Elect and City Councilwoman Manzione reported on one item from the most recent City Council work and business meetings. She said the Council had had lengthy discussions regarding the Land Use designation zoning change near the area of 900 South Main Street by the Masonic Temple. The applicant asked the Council to table the item, but the Council still held the public comment period. She said the comments were similar to what had been expressed in previous Planning Commission meetings. She said the applicant will come back when they're prepared to move forward. Chairman Sloan said he was surprised that the message did not seem to be received by the applicant even though the Planning Commission had forwarded a negative recommendation, and said the applicant did not seem to take the comments into consideration. Councilwoman Manzione said the Council let the applicant know they were not going to increase density, but that they were willing to work with them within the parameters that are already set.

Councilman Hansen reiterated what he said Councilman Brady mentioned during the City Council meetings, which is that the applicant is using 170 plus acres to calculate density, but that is not accurate as it is closer to only 38 acres of developable space. Councilwoman Manzione said 134 single family lots is the maximum that the Council is comfortable with, which they recognize is still a lot of homes. Chairman Sloan said the same issues and concerns raised in previous discussions remain unresolved by the applicant.

6. **Review and Decision on the Minutes of the Planning Commission Meetings held October 8, 2025 and October 22, 2025.**

There were no corrections to the minutes.

Motion: Commissioner Hammer moved to approve the October 8, 2025 and October 22, 2025 minutes as presented. Commissioner Hamilton made the second. The vote was as follows:
Commissioner Hammer, "Aye"; Commissioner Proctor, "Aye"; Commissioner Gossett, "Aye";
Commissioner Hamilton, "Aye"; Commissioner Jensen, "Aye"; Commissioner Anderson, "Aye";
Chairman Sloan, "Aye"; There were none opposed. The motion passed 7-0.

7. **Adjourn**

Chairman Sloan adjourned the meeting at 7:21 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 10th day of December, 2025



Chris Sloan, Tooele City Planning Commission Chair