

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for **Wednesday, February 25, 2026** at the hour of 7:00 p.m. The meeting will be held in the City Council Chambers of Tooele City Hall, located at 90 North Main Street, Tooele, Utah.

*We encourage anyone interested to join the Planning Commission meeting electronically through Tooele City's YouTube channel by logging onto www.youtube.com/@tooelecitey or searching for our YouTube handle **@tooelecitey**. If you would like to submit a comment for any public hearing item you may email pcpubliccomment@tooelecitey.gov any time after the advertisement of this agenda and before the close of the hearing for that item during the meeting. Emails will only be read for public hearing items at the designated points in the meeting.*

AGENDA

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Recommendation** on a proposed text amendment to Tooele City Code 7-9-2; Recreational Vehicles and Recreational Vehicle Parks, regarding the accommodation of recreational vehicles in parking lots of non-profit 501-c3 organization whose purpose is to assist persons who are unhoused (tabled from February 11, 2026 Planning Commission Meeting).
4. **Public Hearing and Decision** on a Conditional Use Permit request by Dave Stapel, on behalf of PH Utah Holdings, LLC (property owner), for approximately 2.81 acres located in the Light Industrial (LI) zoning district to authorize the use of a warehouse that may consist of office and industrial/ warehouse uses, located approximately at 1121 West Utah Avenue.
5. **Public Hearing and Decision** on a consider a Conditional Use Permit request by Tim Fries, on behalf of Tooele 1000, LLC (property owner), for approximately 1.04 acres located in the General Commercial (GC) zoning district to authorize the operation of an accessory drive-thru facility, located approximately at 975 North Main Street.
6. **City Council Reports**
7. **Review and Decision** – February 11, 2026 Planning Commission meeting minutes.
8. **Adjourn**

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

STAFF REPORT

February 19, 2026

To: Tooele City Planning Commission
Business Date: February 25, 2026

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard – Community Development Director

Re: Flex Space Tooele – Conditional Use Permit Request

Application No.: 2026010
Applicant: Dave Stapel
Project Location: 1121 Utah Avenue
Zoning: LI Light Industrial Zone
Acreage: 2.81 Acres (Approximately 122,403 ft²)
Request: Request for approval of a Conditional Use Permit in the LI Light Industrial zone to authorize the use of “warehouse” to occur on the subject property.

BACKGROUND

This application is a request for approval of a Conditional Use Permit for approximately 2.81 acres located at approximately 1121 Utah Avenue. The property is currently zoned LI Light Industrial. The applicant is requesting that a Conditional Use Permit be approved to authorize the use of “Warehouse” on the site which will enable the construction of a flex office / warehouse facility.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Light Industrial land use designation for the subject property. The property has been assigned the LI Light Industrial zoning classification. Properties to the north are zoned RR-1 Residential. Properties to the south are also zoned RR-1 Residential with a couple of parcels being zoned LI Light Industrial. Properties to the west are zoned LI Light Industrial and property to the east is zoned RR-1 Residential. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

The applicant is requesting the conditional use permit to authorize the construction of three buildings divided into individual units to be used as warehouse / office space for various businesses. The City code currently does not have a category that includes a “flex space” type of use. Typically, these flex spaces are utilized by contractors and builders who need the spaces to operate a small office, store vehicles and materials but don’t need a large building or site to operate. The flex spaces tend to attract smaller businesses. Because this particular use is not directly authorized on the City’s table of commercial uses, Staff has interpreted the use to be primarily a warehouse use as most of these spaces will be utilized for the storage of materials. The office uses, if they occur, are permitted uses in the LI Light Industrial zoning district.

By obtaining the conditional use permit for warehousing, staff is confident the proposed flex space use can be achieved on the property. Uses other than office and warehouse that may occur on the site would need to be reviewed on a case by case basis. If a proposed use requires a conditional use permit the applicant would need to submit a new application and have that particular use approved by the Planning Commission.

Site Plan Layout. The applicant has submitted a site plan that shows a conceptual layout of the property. Please keep in mind that this application is only to consider and approve the use of the property as “warehouse” and to

consider any impacts the use may impose upon adjacent properties and to mitigate those impacts with appropriate conditions. The site plan itself will need to be reviewed and approved once the site plan application has been submitted.

Subdivision Layout. This is an existing parcel of record and is not a platted subdivision lot.

Fencing. The property to the south west of the subject property is currently zoned RR-1 Residential and is currently vacant, undeveloped land. This is a residential zoning district that requires 1 acre, or larger, lots. The applicant has not proposed any fencing along the southern property line but was made aware by staff during a meeting that fencing may be required along this property line as part of the Conditional Use Permit if the Planning Commission determines that fencing is necessary to mitigate any impacts generated by the new development.

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 engineering 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, particularly for connection into the City's public infrastructure, 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 Public Works Department plan review, permitted, and inspection processes.

3. 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.
4. 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.
5. 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 all requirements of the geotechnical report.

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 comment:

1. Staff recommends approval of the proposed application with the five basic "catch-all" conditions. These conditions relate to the construction of the facility and are intended to catch anything staff or the Commission may have missed.

Engineering Review & Public Works Review. The Tooele City Engineering Division and Public Works Division have completed their review of the Conditional Use Permit submission and have not issued any comments.

Tooele City Fire Department Review. The Tooele City Fire Department has completed their review of the Conditional Use Permit submission and has not issued any comments.

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 Dave Stapel, application number 2026010, subject to the following conditions:

1. That all requirements of the Tooele City Engineering Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
2. That all requirements of the Tooele City Public Works Development shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
3. That all requirements of the Tooele City Building Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.

4. That all requirements of the Tooele City Fire Department shall be satisfied throughout the development of the site and the construction of all buildings on the site.
5. That all requirements of the geotechnical report shall be satisfied throughout the development of the site and the construction of all buildings on the site.

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
2. The proposed development plans meet the requirements and provisions of the Tooele City Code.
3. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
4. The proposed development conforms to the general aesthetic and physical development of the area.
5. The public services in the area are adequate to support the subject development.
6. The 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 Dave Stapel, to authorize the use of “warehouse” to occur on the subject property located at 1121 Utah Avenue, application number 2026010, based on the findings and subject to the conditions listed in the Staff Report dated February 19, 2026:”

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

Sample Motion for Denial – “I move we deny the Conditional Use Permit Request by Dave Stapel, to authorize the use of “warehouse” to occur on the subject property located at 1121 Utah Avenue, application number 2026010, based on the following findings:”

1. List findings of fact ...

EXHIBIT A

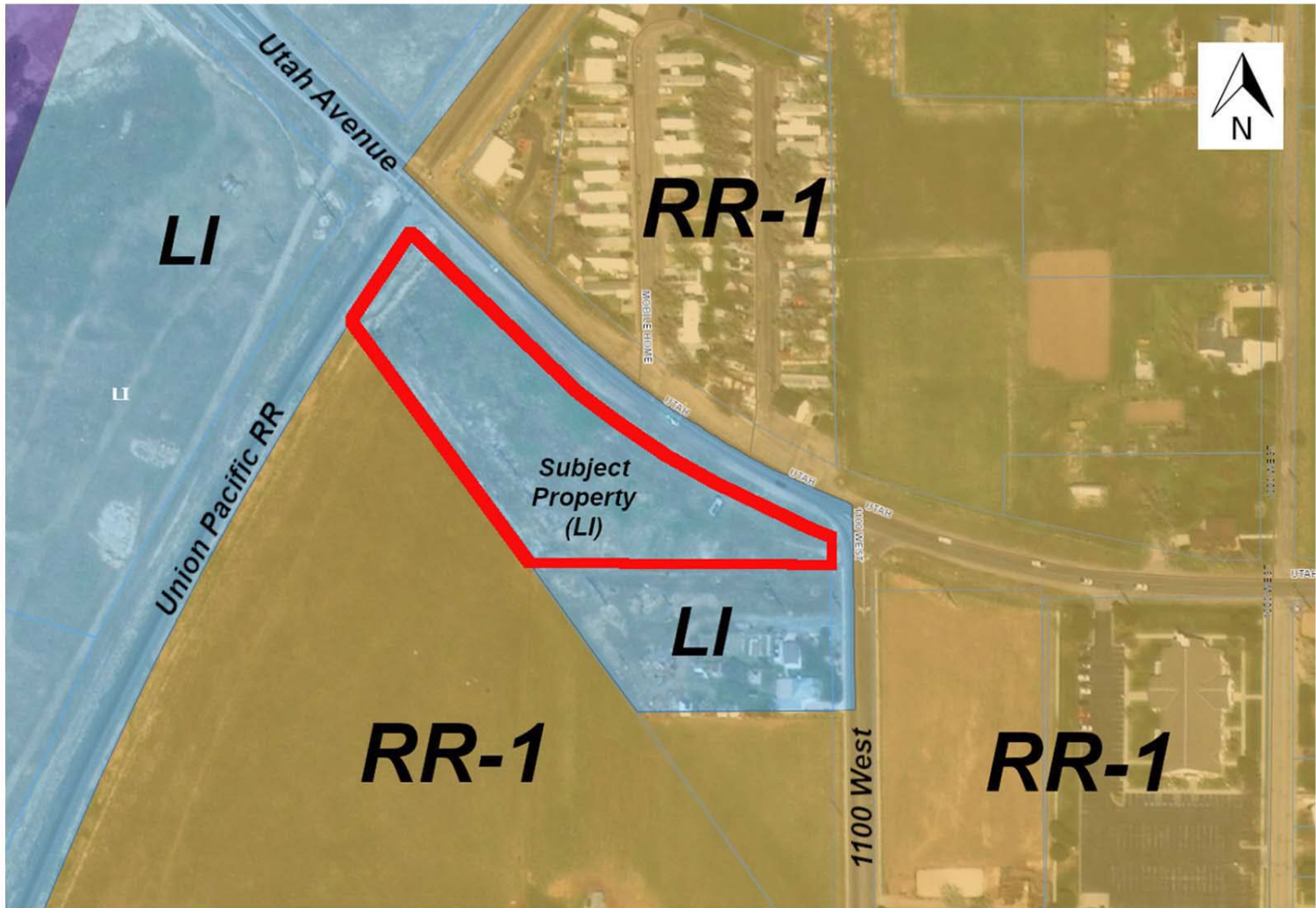
**MAPPING PERTINENT TO THE
FLEX SPACE TOOELE CONDITIONAL USE PERMIT**

Flex Space Tooele Conditional Use



Aerial View

Flex Space Tooele Conditional Use



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



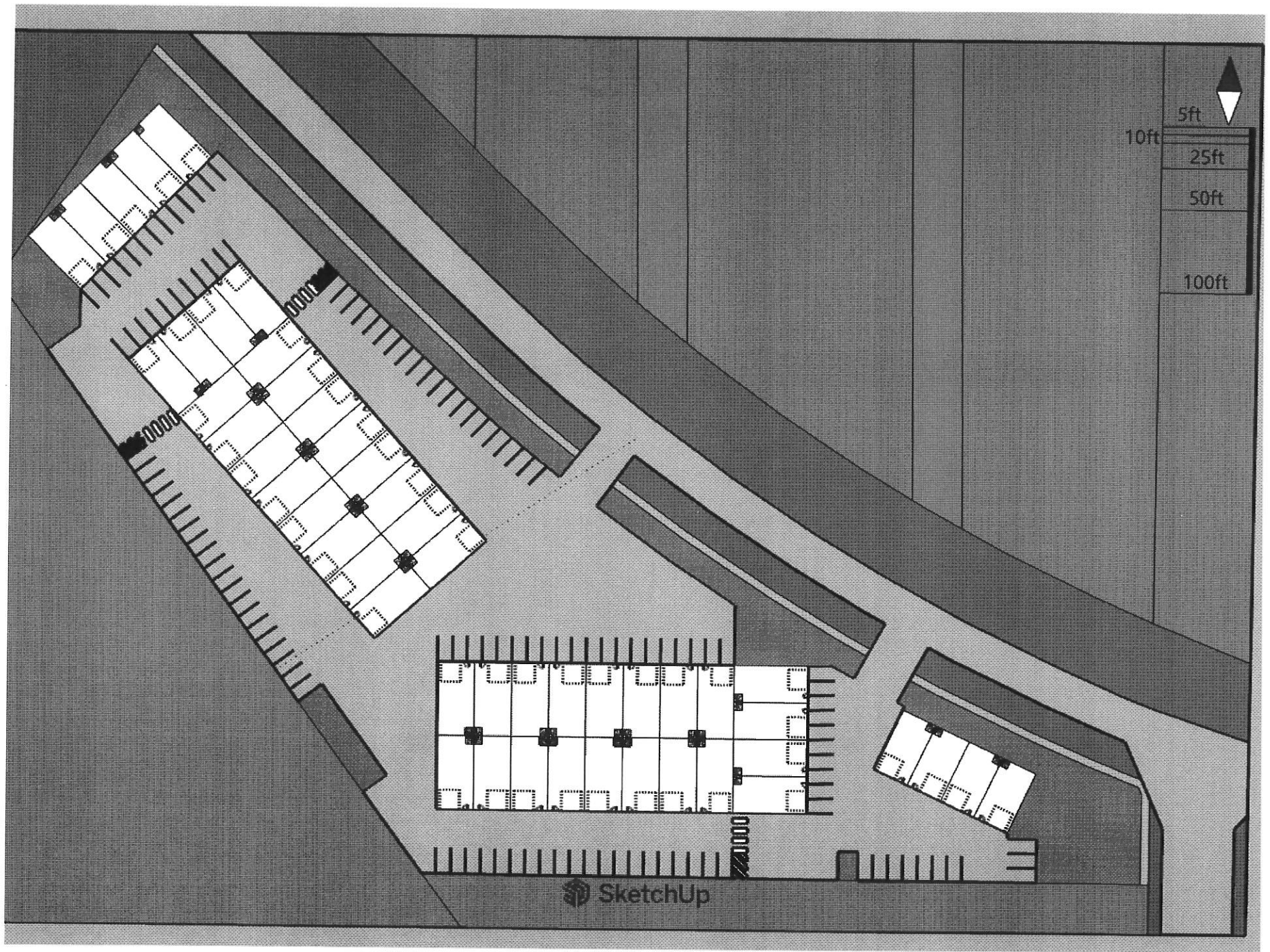
Notice: The applicant must submit copies of the pertinent plans and documents to be reviewed by the City in accordance with the terms of the Tooele City Code. All submitted Conditional Use Permit applications shall be reviewed in accordance with all applicable City ordinances and requirements, are subject 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:	2-9-2026	Current Zoning:	L1
Parcel #(s):	2026010 #02-009-0-0013		
Project Name:	FLEX SPACE TOOELE		Acres:
Project Address:	1121 UTAH AVE. TOOELE UT. 84074		Units:
Project Description:	Proposal is for an Approximately 49 Unit FLEX SPACE Complex. Approx 1000' Units		
Current Use of Property:	VACANT LAND		
Property Owner(s):	PH Utah Holdings LLC		Applicant(s):
Address:	PO Box 805		Address:
City:	Midway	State:	UT
Zip:	84049	City:	Sandy
Phone:	719.357.0768	State:	UT
Contact Person:	DAVE Stapel		Zip:
Phone:	801-598-3283		Address:
Cellular:	801-598-3283	City:	Sandy
Fax:	—		State:
Email:	DAVE.Stapel@gmail.com		
Signature of Applicant:			
Date	2-10-26		

*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	Received By:	2260031
(213)		Date Received:	2-10-26
		Receipt #:	828776



STAFF REPORT

February 20, 2026

To: Tooele City Planning Commission
Business Date: February 25, 2026

From: Planning Division
Community Development Department

Prepared By: Anna Anglin - City Planner / Zoning Administrator

Re: 7 Brew Coffee – Conditional Use Permit Request

Application No.: 2026009
Applicant: Tim Fries, representing Ere 7 Brew UT 1000 Tooele, LLC
Project Location: Approximately 975 North Main Street (Parcel #25-002-0-0003)
Zoning: GC General Commercial and North Gateway Overlay Zone
Acreage: Approximately 1.04 Acres (Approximately 43,560 ft²)
Request: Request for approval of a Conditional Use Permit in the GC General Commercial zone regarding a drive-thru facility.

BACKGROUND

This application is a request for approval of a Conditional Use Permit for approximately 1.04 acres located on the southwest corner of 1000 North (SR-112) and Main Street, at approximately 975 North Main Street. The property is currently zoned GC (General Commercial) with a North Gateway Overlay Zone.

The applicant is requesting approval of a Conditional Use Permit to allow development of the currently vacant site as a restaurant with a drive-thru facility.

The subject property is part of the 10th and Main Subdivision, which was recorded with the Tooele County Recorder's Office on January 15, 2024, following final approval by Tooele City. Access to the property will be provided via a common driveway easement from 1000 North (SR-112), a public right-of-way.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Regional Commercial land use designation for the subject property. The property has been assigned the GC General Commercial zoning classification. All surrounding properties are zoned GC General Commercial. Mapping pertinent to the subject request can be found in Exhibit "A" to this report. The conditional use approval is only for the drive-thru facility and does not include any other approvals such as site plan approval or landscaping approval.

Site Plan Layout. The applicant has submitted a site plan illustrating the layout and dimensions of the proposed drive-thru facility for 7 Brew Coffee. A preliminary development plan associated with this request is included in Exhibit "B" of this report. It should be noted, however, that the layout remains subject to modification during the Site Plan Review process. As part of that review, the City may work with the applicant to explore potential design adjustments, including relocating the vehicle queuing aisle to the rear of the building rather than positioning it prominently between the building and the public right-of-way. This consideration is due to potential concerns such as headlight glare affecting oncoming traffic and other site-specific conditions that may warrant design modifications.

The proposed drive-thru facility is intended to be accessed via a shared driveway easement located on the west side of the existing lot from 1000 North. The site plan illustrates two proposed access points from the existing easement, designed to circulate in a counterclockwise pattern beginning on the west side of the property and flowing eastward. The drive-thru entrance is proposed on the southern portion of the property and will operate in a single direction serving two drive-thru lanes. On-site customer and employee parking is proposed on the north side of the property, with a two-way driveway providing access to the parking area as well as serving as the exit point for both the drive-thru and parking circulation. Because all access to the property is provided via the shared easement, no direct access to public streets is proposed, and no significant interference with public street traffic is anticipated.

The applicant has not submitted a maintenance agreement for the shared access easement. To ensure the driveway is properly maintained—particularly given the potential for multiple businesses to rely on this shared access in the future—staff recommends that the applicant either provide a copy of any existing recorded maintenance agreement or record a new cross-access and maintenance agreement during the Site Plan Review process as a condition of approval.

North Gateway Overlay. This property rests in the North Tooele Gateway. The gateway has no bearing on the Conditional Use Permit.

Landscaping. The Conditional Use approval applies solely to the drive-thru component of the proposal and is not tied to the specific plans submitted with the application. Verification that the development complies with all applicable Tooele City standards will occur through the Site Plan Review process.

Although not required for the Conditional Use review, the applicant submitted a landscaping plan as part of the application. The proposed plan indicates that the majority of the site will utilize artificial turf as ground cover, with live vegetation provided within the parking aisles. However, the submitted landscape plan (see Attachment B) does not demonstrate compliance with the park strip tree requirements set forth in TCC Section 7-16, Table 2 (F1). This requirement must be met and verified during Site Plan Review. There may be additional landscaping requirements that are needed to mitigate any impact the drive-thru facility might have on the adjacent public streets.

Additionally, there are existing trees located along the south side of the property. It is unclear whether these trees are located on the adjacent 7-Eleven property or on the subject site. If any of these trees are located on the subject property, the applicant shall notify the City of any intent to remove them and provide justification for such removal in accordance with TCC Section 7-11-8(3)(c). Compliance with this requirement and any additional landscaping needed to mitigate impacts should be included as a condition of approval.

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 engineering 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, particularly for connection into the City's public infrastructure, 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 Public Works Department plan review, permitted, and inspection processes.
3. 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.
4. 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.
5. 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 zoning and maintenance regulations which can be assured through the applicant providing any existing recorded maintenance agreement or record a new maintenance agreement during the Site Plan Review process.
6. 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 zoning landscaping so any

existing trees are located on the subject property, the applicant must notify the City of any intent to remove them and provide justification for such removal in accordance with Section 7-11-8(3)(c). Additionally, if supplemental landscaping is necessary to mitigate impacts associated with the proposed drive-through facility, such landscaping may be required and implemented by staff.

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 conditions comments to mitigate the anticipated detrimental effects identified in the finds of fact:

1. The applicant provides any existing recorded maintenance agreement or record a new maintenance agreement during the Site Plan Review process.
2. If any existing trees are located on the subject property, the applicant must notify the City of any intent to remove them and provide justification for such removal in accordance with Section 7-11-8(3)(c). Additionally, if supplemental landscaping is necessary to mitigate impacts associated with the proposed drive-through facility, such landscaping may be required and implemented by staff.

Engineering Review. The Tooele City Engineering and Public Works Division will review the site plan for the new 7 Brew Coffee restaurant and drive thru once it is submitted according to the City's development standards. No comments concerning the drive through aisle have been provided at this time.

Building Division Review. The Tooele City Building Division will review the site plan for the new 7 Brew Coffee restaurant and drive thru once it is submitted according to the City's development standards. No comments concerning the drive through aisle have been provided at this time.

Tooele City Fire Department Review. The Tooele City Fire Department will review the site plan for the new 7 Brew Coffee restaurant and drive thru once it is submitted according to the City's development standards. No comments concerning the drive through aisle have been provided at this time.

STAFF RECOMMENDATION

Staff recommends approval of the request for a Conditional Use Permit by Tim Fries, representing the Ere 7 Brew UT 1000 Tooele, LLC, application number 2026009, subject to the following conditions:

1. That all requirements of the Tooele City Engineering Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
2. That all requirements of the Tooele City Public Works Development shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
3. That all requirements of the Tooele City Building Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
4. That all requirements of the Tooele City Fire Department shall be satisfied throughout the development of the site and the construction of all buildings on the site.
5. The applicant provides any existing recorded maintenance agreement or record a new maintenance agreement during the Site Plan Review process.
6. That if any existing trees are located on the subject property, the applicant must notify the City of any intent to remove them and provide justification for such removal in accordance with Section 7-11-8(3)(c). Additionally, if supplemental landscaping is necessary to mitigate impacts associated with the proposed drive-through facility, such landscaping may be required and implemented by staff.

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 drive through aisle and queueing areas are situated in a manner that remove or buffer all public rights-of-way from vehicle stacking, visual and lighting impacts.
7. 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 Justin Kimball to authorize an “Accessory Drive Through Facility” for the commercial development located at 973 N Main Street, application number 2026009, based on the findings and subject to the conditions listed in the Staff Report dated February 20, 2026:”

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

Sample Motion for Denial – “I move we deny the Conditional Use Permit request by Tim Fries to authorize an “Accessory Drive Through Facility” for the commercial development located at 975 N Main Street, application number 2026009, based on the following findings:”

1. List findings of fact ...

MAPPING PERTINENT TO THE 7 BREW COFFEE CONDITIONAL USE PERMIT



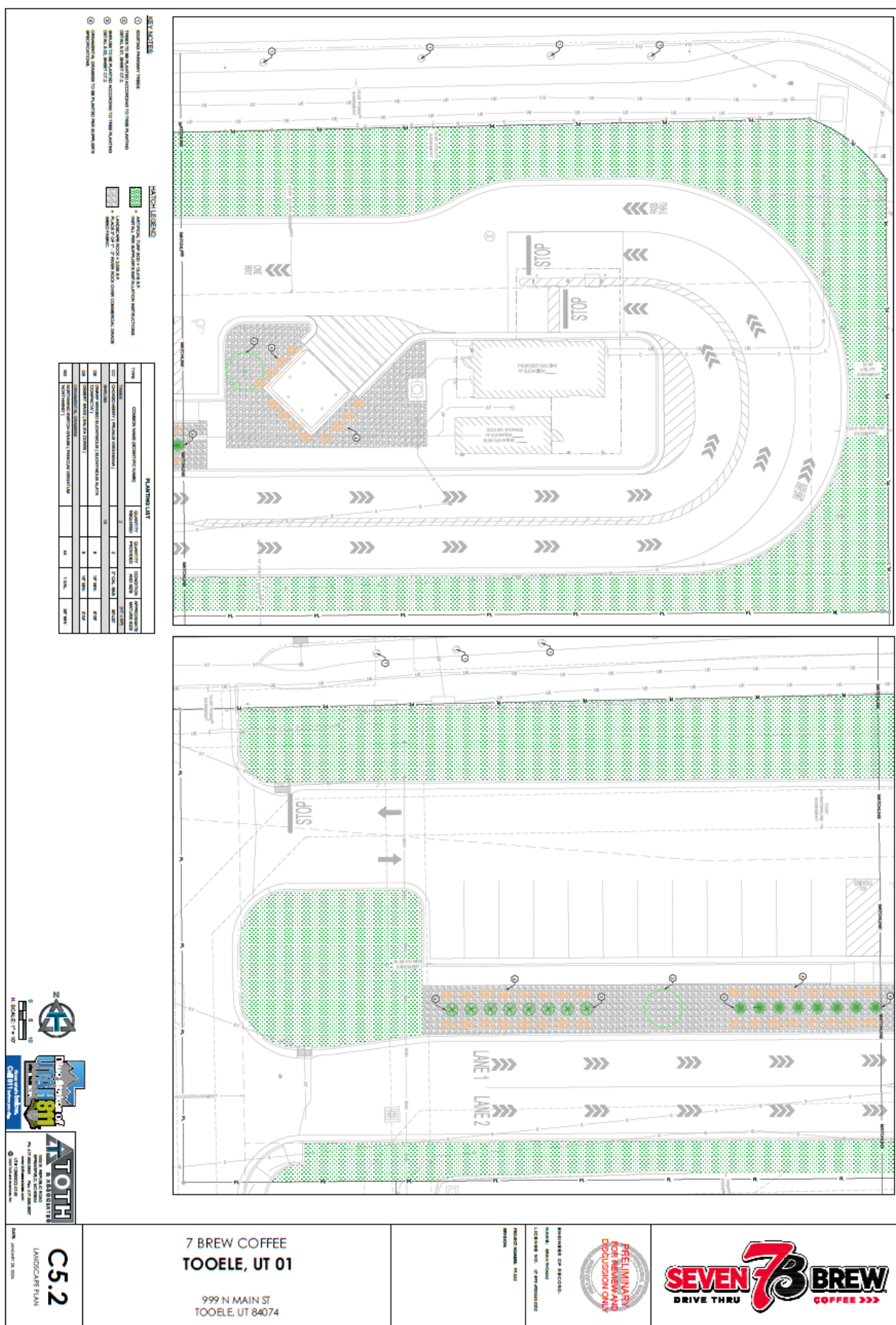
7 Brew Coffee Conditional Use



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



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: 1/15/26		Current Zoning: COMMERCIAL 1		Parcel #(s): 25-002-0-0003
Project Name: 7 Brew Coffee				Acres: 1.04
Project Address: 975 N Main St, Tooele, UT 84074				Units:
Project Description: 500 SF coffee shop				
Current Use of Property: Vacant land				
Property Owner(s): TOOELE 1000, LLC,			Applicant(s): ERE 7 BREW UT 1000 TOOELE, LLC	
Address: 1000 S. Main Street Ste 104			Address: 16980 Dallas Parkway, Suite 200	
City: SLC	State: UT	Zip: 84101	City: Dallas	State: TX Zip: 75248
Phone: 801 355 4300			Phone: 214-259-2417	
Contact Person: Tim Fries			Address: 16980 Dallas Parkway, Suite 200	
Phone: 502-445-1185			City: Dallas	State: TX Zip: 75248
Cellular: 502-445-1185	Fax:		Email: TFries@Encore.bz	
Signature of Applicant: 			Date 01/28/2026	

*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 of his Agents from full compliance with City Master Plans, Code, Rules and or Regulations

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**Tooele City Planning Commission
Business Meeting Minutes**

Date: February 11, 2026

Time: 7:00 p.m.

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

Planning Commissioners Present:

Melanie Hammer
Chris Sloan
Jon Proctor
Tyson Hamilton
Amanda Cordova
Weston Jensen
Kelley Anderson
Amanda Cordova
Sarah Faircloth, Alternate
Frank Linford, Alternate

Council Member Liaisons:

Jon Gossett
Ed Hansen

Staff Present:

Andrew Aagard, Community Development Director
Matt Johnson, City Attorney
Paul Hansen, City Engineer
Trey Allred, IT Technician
Jamie Grandpre, Public Works Director

Minutes Prepared by Teresa Young

1. **Pledge of Allegiance**
Chairman Hamilton called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.
2. **Roll Call**
Melanie Hammer, Present
Chris Sloan, Present
Jon Proctor, Present
Tyson Hamilton, Present
Amanda Cordova, Present
Weston Jensen, Present
Kelley Anderson, Present

3. **Public Hearing and Recommendation on a proposed text amendment to Tooele City Code 7-9-2; Recreational Vehicles and Recreational Vehicle Parks, regarding the accommodation of recreational vehicles in parking lots of non-profit 501-c3 organization whose purpose is to assist persons who are unhoused.**

Mr. Aagard explained that this proposed ordinance amendment modifies Section 7-9-7 of the City Code to allow limited use of recreational vehicles (RVs) as temporary housing on the property of specific nonprofit 501(c)(3) organizations, such as Switchpoint Community Resource Center or Harris Community Village, whose mission is to assist individuals experiencing housing instability.

Mr. Aagard advised that the amendment originated in response to the City's existing ordinance prohibiting camping on public streets and property. When Switchpoint explored establishing a temporary tent city to provide shelter, the current camping prohibition prevented that approach. In coordination with Mayor Winn and Police Chief Day, this amendment was developed as an alternative solution.

The ordinance would allow up to three recreational vehicles on-site at any given time, with a maximum stay of six months per vehicle. Participating nonprofits must provide residents with access to daily meals, showers, and restroom facilities. The proposal was properly noticed as a public hearing, and no public comments have been received. Mr. Aagard clarified that the proposed amendment was initiated by the Police Department and is not a staff-generated proposal.

During the discussion, Planning Commissioners raised a number of operational, enforcement, and policy concerns regarding the proposed ordinance amendment. Questions focused on site management issues such as garbage disposal, access to potable water and electricity, heating and winter safety, and whether RV occupants would be permitted to store items or expand beyond the vehicle footprint. The Planning Commissioners also discussed whether additional standards—such as cold weather screening, rodent control, licensing, insurance requirements, and overall site appearance—should be incorporated, similar to requirements applied to RV parks.

There was significant concern centered on the six-month occupancy limit. The Planning Commissioners questioned how the timeframe would be tracked and enforced, whether occupants could leave and return to reset the six-month period, and whether a formal registration system should be required. Several planning commissioners noted that six months exceeds the 30-day limit typically permitted in RV parks under existing code and expressed hesitation about creating an exception without clearer structure.

Enforcement responsibility was another key topic. Commissioners discussed whether compliance would rest with individual RV occupants or the nonprofit organization and generally favored placing clear accountability on the 501(c)(3) entity to reduce strain on City code enforcement resources. Additional concerns included whether the amendment could unintentionally apply to other qualifying nonprofits beyond Switchpoint, whether emergency access could be affected by RV placement, and whether the ordinance language should be further tightened to prevent unintended consequences.

The Planning Commissioners expressed support for the ordinance's intent to assist individuals experiencing housing instability but agreed that additional clarification and refinement are needed before moving forward. Planning Commissioners recommended further discussion with Police Chief Day to address enforcement and operational details prior to forwarding a recommendation to City Council.

Chairman Hamilton opened the public hearing at 7:20 p.m. Seeing no members of the public coming forward, Chairman Hamilton closed the public hearing at 7:20 p.m.

Motion: Commissioner Proctor moved to table this item until there is further information provided considering garbage, running water, power, the cold weather screening, rodent prevention, time frame, what other 501(c)(3) this will apply to. Will the facility maintain the code and emergency responses, permitting registration forms, licensing on vehicles? As well as Medicaid funding.

Commissioner Anderson seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”; Commissioner Sloan, “Aye”; Commissioner Proctor, “Aye”; Commissioner Cordova, “Aye”; Commissioner Jensen, “Aye”; Commissioner Anderson, “Aye”; and Chairman Hamilton, “Aye”. Motion passed 7-0.

4. **Public Hearing and Decision on a Conditional Use Permit request by Tooele City to authorize the use of “Public Use” to facilitate a new salt storage shed on property located at approximately 1145 West Rogers Street on approximately 20 acres in the RD Research and Development zoning district.**

Mr. Aagard explained the City is proposing to construct a dedicated road salt storage facility to support winter operations. Currently, the City shares a salt storage site with UDOT and the County near SR-36, which can become congested during winter storm events. To improve efficiency and access, the City intends to build its own facility on a 20-acre parcel near 1145 West Rogers Street. The property is zoned Research and Development (RD), as are the properties to the east and west, with Light Industrial (LI) zoning to the north and south and General Commercial (GC) to the northwest. The nearest residential properties, zoned RR-1, are located approximately 900 feet to the southeast. The proposed site plan shows paved asphalt access from Roger Street on the north side, with the storage structure centrally located on the southern portion of the property. The facility will be a simple structure consisting of a 10-foot masonry foundation wall with a metal building above, reaching a total height of 28 feet, which complies with the RD zone’s 50-foot height limit. Public notice was sent to property owners within 200 feet, and no comments were received. Staff recommends approval of the Conditional Use Permit subject to the standard housekeeping conditions outlined in the staff report.

Commissioner Sloan raised a question regarding access to the proposed facility, specifically the condition of Roger Street. He noted that the road has fallen into disrepair and has not seen significant use in recent years. Commissioner Sloan expressed concerns about whether improvements would be necessary to ensure the roadway is safe and capable of supporting the anticipated traffic, particularly the weight of large, heavy Public Works trucks that would be accessing the site. Mr. Aagard advised he would need to defer to the Public Works Department.

Chairman Hamilton opened the public hearing at 7:25 p.m. One member of the public came forward.

Jacob Clegg, speaking as a family member and property owner for the land surrounding the proposed facility, raised concerns about access via Rogers Street. He noted that the road is narrow and in disrepair and questioned whether there is adequate space and design relief for large trucks, such as double-belly trucks delivering road salt, to safely enter and exit the site without further damaging the road. Mr. Clegg also confirmed that the proposed facility does not appear to encroach on his family’s fence line, but emphasized the importance of ensuring safe turning and access to avoid impacts on the surrounding property.

Public Works Director Jamie Grandpre was present for the Public Hearing. Mr. Grandpre provided public comment explaining the need for the proposed salt shed, noting that the City currently shares a facility with UDOT and the County, which can lead to delays during snow events. The new facility will help reduce wait times and improve efficiency for snow removal operations. He confirmed that improvements

to Rogers Street are planned to accommodate truck access, and also noted that a production well is being drilled on the site with a well house to be constructed. A water line will be installed from the well along Rogers Street to Glen Eagles, and road improvements will follow completion of that project.

During continued public comment, Jacob Clegg and staff discussed the condition and future improvements of Rogers Street. Planning Commissioners' questions focused on whether the road would simply be repaired or also widened to accommodate large trucks. Mr. Grandpre indicated that the current plan is likely a mill-and-overlay of the existing roadway, with the possibility of modest widening where right-of-way allows, though final details may require further review.

Questions about the project timeline were also raised. Mr. Grandpre explained that road improvements will follow the construction of a production well and installation of a water line on the site, which could take several months to a year to design, bid, and complete. Mr. Grandpre emphasized that the road must ultimately be made safe for both City vehicles and the public once construction is finished.

Mr. Clegg additionally asked about seasonal road closures, noting gates at 1000 West and Utah Avenue are typically closed during winter due to wind drifts and lack of maintenance. Mr. Grandpre responded that the plan is to relocate the east gate to the entrance of the Salt Shed, effectively creating a dead-end while maintaining necessary access, though routine winter maintenance will remain limited.

Chairman Hamilton closed the public hearing at 7:34 p.m.

Motion: Commissioner Proctor moved to approve the Conditional Use Permit request by Paul Hansen representing Tooele City to authorize the use of "Public Use" to facilitate the construction of a new salt storage shed on the subject property, application number 2026008, based on the findings and subject to the conditions listed in the staff report dated February 5, 2026. Commissioner Jensen seconded the motion.

The Planning Commission discussed whether to include a time limit on the conditional use approval for the City project. While acknowledging the City's need for the facility and confidence that the project will move forward, concerns were raised about remaining uncertainties, including the lack of finalized designs and unknown construction timelines. Planning Commissioners noted that leaving the approval open-ended would be inconsistent with how other applicants are treated.

An amendment was proposed to add an 18-month completion timeframe. Mr. Hansen, the City Engineer indicated that the project requires state permits and specialized components that may cause delays beyond the City's control, and requested that any time limit include a provision allowing the City to return to the Planning Commission to request an extension if necessary. The Planning Commission expressed general support for this approach and deferred to the maker of the motion regarding inclusion of the extension provision.

Commissioner Proctor amended his motion as proposed to include the 18-month timeframe with a provision allowing the City to return to the Planning Commission to request an extension if necessary. Commissioner Jensen seconded the motion with the amendment. The vote was as follows: Commissioner Hammer, "Aye"; Commissioner Sloan, "Aye"; Commissioner Proctor, "Aye"; Commissioner Cordova, "Aye"; Commissioner Jensen, "Aye"; Commissioner Anderson, "Aye"; and Chairman Hamilton, "Aye". Motion passed 7-0.

5. City Council Reports

Councilman Gossett provided an update regarding a recent City Council meeting, noting that Val Shupe, Executive Director of the Utah Chiefs of Police Association formally accredited the Tooele City Police Department. Only 35 police departments statewide hold this accreditation, reflecting positively on the department and its leadership.

Councilman Gossett reported that Mayor Manzione also appointed Nathan Farrer, who has been sworn in as the new Public Works Director. He officially began his duties on Monday.

Additionally, the City Council discussed the proposed salt shed project, approved a new fee schedule for the police firearm range to help offset maintenance costs, and approved the sale of 2.27 acre-feet of water to Holiday Oil located on 1000 North.

That concluded the City Council business relevant to the Planning Commission.

6. **Discussion – proposed amendments to city code regarding ancillary parking and temporary vehicle storage.**

The Planning Commission held a discussion on a proposed amendment to City Code Title Seven regarding ancillary parking and temporary vehicle storage, introduced by Commissioner Linford. The proposed amendment focuses on off-street parking standards for automotive sales and automotive repair uses, using a formula based on property square footage to establish a maximum number of vehicles allowed on a site. The intent is to provide an enforceable standard to address congestion, health, and safety concerns, drawing from similar regulations used successfully in other Utah municipalities.

The Planning Commissioners discussed the need for clearer enforcement tools, acknowledged that the amendment would not resolve all compliance issues, but agreed it would provide code enforcement with a measurable standard when complaints arise. Questions were raised about how the proposal would apply to alternative business models, such as online-only auto sales without on-site inventory. Commissioner Linford clarified that the language is intended to apply only to on-site automotive sales and repair operations, and agreed that minor clarifications could be added to reduce ambiguity.

Mr. Aagard confirmed that the Planning Commission has authority to recommend amendments to the City Code and explained the process moving forward. If supported by the Planning Commission, Planning staff would draft formal ordinance language, consult with the City Attorney, present the proposal to the City Council for a work session, and then return to the Planning Commission before proceeding through the public hearing process. It was emphasized that revisions could be made throughout the process and that final approval rests with the City Council.

Mr. Aagard expressed support for the concept, noting that having a clear standard would be beneficial for enforcement.

Motion: Commissioner Sloan moved to recommend to Planning Staff that they pursue a proposed text amendment to the City Code regarding ancillary parking and temporary vehicle storage, considering the work that has already been done and bringing back amendments to Planning Commission for further consideration. Commissioner Hammer seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”; Commissioner Sloan, “Aye”, Commissioner Proctor, “Aye”; Commissioner Cordova, “Aye”; Commissioner Jensen, “Aye”; Commissioner Anderson, “Aye”; and Chairman Hamilton, “Aye”. Motion passed 7-0.

7. **Review and Decision – January 28, 2026 Planning Commission Meeting Minutes**

Planning Commission had no corrections to the minutes.

Motion: Commissioner Anderson moved to approve the January 28, 2026 Planning Commission Meeting Minutes. Commissioner Jensen seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”; Commissioner Sloan, “Aye”, Commissioner Proctor, “Aye”; Commissioner Cordova, “Aye”; Commissioner Jensen, “Aye”; Commissioner Anderson, “Aye”; and Chairman Hamilton, “Aye”. Motion passed 7-0.

8. **Adjourn**

Chairman Hamilton moved to adjourn the meeting at 7:54 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 February, 2026

Tyson Hamilton, Tooele City Planning Commission Chair