

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for **Wednesday, January 28, 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. **Public Hearing and Decision** to a Conditional Use Permit request by H & G Auto Repair to authorize the uses of "Automobile Service and Repair" and "Automobile Sales and Rental" to occur at the property located at 355 North Garden Street in the GC General Commercial zoning district on approximately .55 acres.
4. **City Council Reports**
5. **Review and Decision** – January 14, 2026 Planning Commission meeting minutes.
6. **Adjourn**

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify Andrew Aagard, Community Development Director, prior to the meeting at (435) 843-2132.

STAFF REPORT

January 21, 2026

To: Tooele City Planning Commission
Business Date: January 28, 2026

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard Community Development Director

Re: H & G Auto Repair – Conditional Use Permit Request

Application No.: 2026004
Applicant: Abner Santos
Project Location: 355 North Garden Street
Zoning: GC General Commercial Zone
Acreage: .55 Acres (Approximately 23,958 ft²)
Request: Request for approval of a Conditional Use Permit in the GC General Commercial zone regarding authorizing the uses of “Automobile Service and Repair” and “Automobile Sales and Rental” to occur at the site.

BACKGROUND

This application is a request for approval of a Conditional Use Permit for approximately .55 acres located at 355 North Garden Street. The property is currently zoned GC General Commercial. The applicant is requesting that a Conditional Use Permit be approved to allow an automobile repair and automobile sales business to occur at the property.

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. Properties to the north, the west and the south are all zoned GC General Commercial, however, all of the adjacent properties are not utilized as commercial. Properties to the west are considered by Tooele City Code as legally non-conforming residential uses in a General Commercial zoning district. Meaning, these uses are legal and may continue on in perpetuity but they do not conform to the requirements of the General Commercial zoning district. Properties to the east are all zoned R1-7 Residential. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

The property has historically been utilized as an automobile repair business in some form or another for some time. However, staff has not been able to verify that a Conditional Use Permit was ever obtained by previous business or property owners. The property has also sat vacant for more than 1 year before the applicant obtained the property. Therefore, if there was a Conditional Use Permit issued for the property that permit has since expired.

The application provided by the applicant shows that the applicant wishes to operate a business that will sell vehicles, repair vehicles, and store vehicles brought to the site by towing companies. First, staff must emphasize that vehicle storage yards or impounds yards are not permitted in the GC zoning district. Staff also acknowledges that all vehicle repair businesses have some ancillary vehicle towing and vehicle storage needs due to the nature of inoperable vehicles needing to be towed and stored at the site. Staff anticipates that these uses will occur. However, using the site specifically as a vehicle storage yard or an impound lot cannot occur in this zone and is **NOT A PERMITTED USE**. The first and foremost use of the property must be vehicle repair

and vehicle sales.

Site Plan Layout. The applicant has provided a site plan that shows the building and 12 parking stalls located on the north and east side of the building. The site plan itself is vague in regards to vehicle storage areas, paving improvements and so forth. According to aerial maps and drive by observations the site is largely unimproved. There is no paving on the site other than crushed gravel that was brought to the site in the past. The owner has made some improvements to the building itself, but the site has not received any improvements.

Vehicular Access. The site currently does not have access directly onto Main Street. The property does have access to Garden Street on the east, however, the lot is not improved on the eastern or northern half other than gravel base that has been by past owners. This portion of the lot can be subject to muddy conditions during winter months and during periods of intense rain. Improvements to the site should be made to the eastern and northern half of the site in order to facilitate appropriate vehicular access for employees and customers.

Parking. The submitted site plan shows 12 designated parking spaces, however, the site itself is not paved and does not clearly indicate parking areas. Other areas in the site are unimproved and do not indicate vehicle storage areas, parking, etc.

Tooele City Code 7-4-4, Number of Parking Spaces, does not provide parking guidelines for automobile dealerships and automobile service and repair. When a number is not specifically specified in the table the ordinance grants parking approval authority to the Community Development Director. It is anticipated that this site is going to require site plan approval before the dealership and repair business is permitted to commence operations at the site. During site plan review a parking study will need to be provided by the applicant and necessary parking will be evaluated and approved at that time.

Fencing. There is older fencing located to the south of the subject property and a hedge located to the west of the subject property. There is no additional fencing on the north side of the site and no fencing to screen unsightly views from the public.

Lighting and Security. The applicant has not provided any information regarding lighting on the sight for security purposes. There is the possibility that parked cars may generate interest of thieves looking for something to steal. Site lighting may be necessary for security purposes but should be conducted in a way that does not create a nuisance to the residentially utilized properties to the north and to the south.

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 site plan and engineering plan review, permitted, and inspection processes. One area of particular concern is the paving of the lot with impervious paving such as concrete. This may result in issues with storm water management. When a lot is paved storm water is no longer able to permeate into the ground or follow established drainages that existed previous to paving. The eastern and northern portion of the lot also needs to be addressed with paving measures for customer and employee access. In order to ensure these improvements are constructed in a manner that complies with City codes and standards, a site plan review is necessary.
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. If the business is to have employees and customers coming to the site current Building Codes require adequate and accessible restroom facilities and so forth. Any renovations to the existing structure shall receive the necessary building permits.
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. The applicant has stated that the intent under this proposed Conditional Use Permit is to operate a vehicle sales and vehicle repair business from this location. Vehicle repair often involves inoperable vehicles. Vehicles from time to time will leak various fluids onto the ground which can, over time, seep down through the soil and eventually pollute the ground water supply. To help mitigate this the applicant should pave the site with asphalt, concrete or some other hard surface material that will help prevent ground water pollution.
6. Auto dealerships have the potential to generate interest of thieves and other unsavory characters. Often a dealership will include site lighting to provide additional security on the site. Properties to the north

and to the south include existing residential uses. Any proposed lighting on the site should utilize cabinetry or other similar mechanisms to prevent excessive light pollution to the adjacent properties. The applicant should consider alternative lighting methods such as bollard lighting in consideration to the adjacent properties.

7. Automobile service and repair businesses often involve the ancillary storage of vehicles awaiting repair pending parts deliver and so forth. There are residential properties immediately adjacent to the subject property and on the adjacent side of Garden Street. A solid, view obscuring fence will help to reduce the visual impact to these properties of those vehicle storage areas.
8. Vehicle storage yards and impound lots are prohibited in this zoning district. The only storage of vehicles is related to the ancillary storage of vehicles awaiting repair.

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

1. The applicant shall obtain Site Plan Approval prior to constructing any improvements to site.
2. Vehicle storage areas should be fenced with solid, view obscuring type fencing.
3. To prevent leaked vehicular fluids from permeating the City's ground water supply, vehicle storage areas should be paved with asphalt, concrete or other similar forms of pavement.
4. Site lighting shall utilize low scale bollard lighting or cabinetry to direct light down and into the site.

Engineering & Public Works Review. The Tooele City Engineering and Public Works Divisions have completed their review of the Conditional Use Permit submission and have issued the following comments:

1. Due to the paving of the lot and the potential of flood water issues generated by newly impervious surfaces the City Engineer has indicated that this business will need to conduct site plan review and approval prior to commencing operations or completing additional improvements on the site.

Tooele City Fire Department Review. The Tooele City Fire Department has not issued any comments in regard to this proposed automobile dealership business in this location.

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 Abner Santos, application number 2026004, subject to the following conditions:

1. That all requirements of the Tooele City Engineering Division shall be satisfied throughout the improvement to the site and shall be verified with a site plan application, if necessary.
2. That all requirements of the Tooele City Public Works Development shall be satisfied throughout the improvement 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 improvement 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 improvement of the site and the construction of all buildings on the site.
5. To prevent leaked vehicular fluids from permeating the City's ground water supply, vehicle storage areas shall be paved with asphalt, concrete or other similar forms of pavement.
6. Site lighting shall utilize low scale bollard lighting or cabinetry to direct light down and into the site

7. Vehicle storage areas shall be fenced with solid, view obscuring type fencing
8. The site may not be used as a vehicle storage yard or an impound lot for tow truck companies. The only vehicle storage permissible on the site shall be those vehicles that are awaiting repair or sale.

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. It is anticipated that the conditions of approval as included in this staff report will mitigate potential detrimental impacts the proposed business may generate.
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 Abner Santos, representing H & G Auto Repair, to authorize the uses of “automobile sales and rental” and “automobile service and repair” to occur the subject property, application number 2026004, based on the findings and subject to the conditions listed in the Staff Report dated January 21, 2026:”

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

Sample Motion for Denial – “I move we deny the Conditional Use Permit Request by Abner Santos, representing H & G Auto Repair, to authorize the uses of “automobile sales and rental” and “automobile service and repair” to occur the subject property, application number 2026004, based on the following findings:”

1. List findings of fact ...

EXHIBIT A

**MAPPING PERTINENT TO THE
H & G AUTO REPAIR CONDITIONAL USE PERMIT**

H & G Auto Repair Conditional Use



Aerial View

H & G Auto Repair 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.tooelecitey.gov



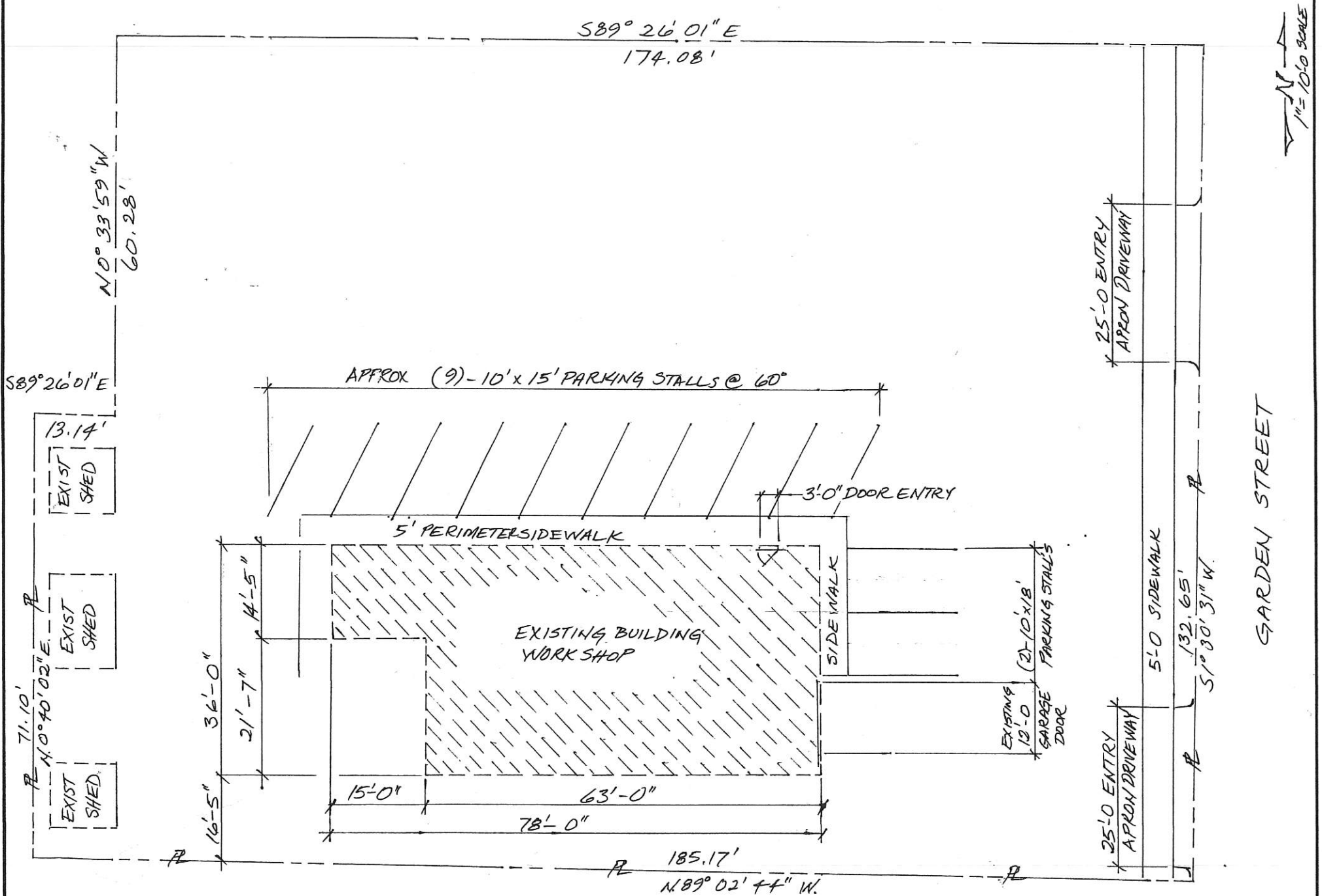
Notice: The applicant must submit copies of the pertinent plans and documents to be reviewed by the City in accordance with the terms of the Tooele City Code. All submitted Conditional Use Permit applications shall be reviewed in accordance with all applicable City ordinances and requirements, are subject 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				2026004	
Date of Submission:		Current Zoning: comertial		Parcel #(s):	
Project Name:		H and G Auto Repair and towing		Acres: 0.55	
Project Address:		355 N Garden St Tooele UT		Units:	
Project Description: Light auto Repair Sales and storage.					
Current Use of Property:					
Property Owner(s):			Applicant(s):		
Address: 5048 W Wood Spring Dr			Address: 355 N Garden St		
City: West Jordan		State: UT	Zip: 84081	City: Tooele	
Phone:		State: UT			
Zip:		84074			
Contact Person: Abner Santos			Address: 355 N Garden St		
Phone:			City: Tooele		
State: UT			Zip: 84074		
Cellular: (801) 347 6232		Fax:		Email: Esdra945@gmail.com	
Signature of Applicant: Abner Santos					
Date: 1/6/26					

*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				2260008	
Fee: \$600.00 (213)		Received By: Jade		Date Received: 1/9/26	
Receipt #:		818975			



PLANS FOR RAMIREZ ABNER SAYL SANTOS AUTOMOTIVE SITE LAYOUT
 PH # (801-347-6272) 355 NORTH GARDEN ST. # 03-035-0-0031 R099581 TOOELE UT 84074

**Tooele City Planning Commission
Business Meeting Minutes**

Date: January 14, 2026

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

Frank Linford

Sarah Faircloth, Alternate

Planning Commissioners Absent:

Amanda Cordova

Council Member Liaisons:

Jon Gossett, Present

Ed Hansen, Excused

Staff Present:

Andrew Aagard, Community Development Director

Matt Johnson, City Attorney

Shilo Baker, City Recorder

Paul Hansen, City Engineer

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

Kelley Anderson, Present

Weston Jensen, Present

Frank Linford, Present

Tyson Hamilton, Present

Chairman Hamilton excused Councilman Hansen and recognized staff members in attendance.

3. **Public Hearing and Recommendation on an ordinance amendment proposed by Tooele City to amend Tooele City Code 4-8-2.6; Table of Substandard Local Street Requirements, to amend the**

table, adding Canyon Road to the list of substandard local streets.

Mr. Aagard presented the ordinance amendment which originated from an application that was received for a subdivision that is planned to occur on Canyon Road. The portion of concern is currently somewhat improved by asphalt.

Mr. Aagard provided an image of Canyon Road showing that there is asphalt but no curb, gutter, or sidewalk. In reviewing the development, staff has been considering issues such as drainage. When a new development comes to the city, it is the responsibility of the developer to install frontage improvements such as curb, gutter, and sidewalk.

Planning Staff has determined that improvements will create more problems. Drainage is a big issue and would create flooding for the homeowners and create more liability for the city. The other issue encountered was in regard to right-of-way, typically it is required with subdivisions that a necessary right-of-way be dedicated in order to facilitate the entire road width. On Canyon Road there is not sufficient width to accommodate a 60-foot or 58-foot road without cutting into the hillside, resulting in additional problems.

Mr. Aagard, Paul Hansen the City Engineer, the Public Works Department, and the Fire Department believe the best solution is to add this road to the city table of local non-standard streets. There is also an issue of not having enough room at the end of the street to accommodate emergency vehicle turnaround that is required on a standard street.

Mr. Aagard is proposing to add this to Tooele City Code 4-8-2.6 Table of Substandard Local Street Requirements, which would exempt Canyon Road from standard improvement. Mr. Aagard advised that this is not the first time the city has allowed this. He is also proposing that the existing right of way width be undetermined. Asphalt requirements will be undetermined as well. Curb, gutter, and sidewalk will not be required and Canyon Road will be exempt from cul-de-sac requirements and may use alternative forms of emergency vehicle turnaround configurations as approved by the Tooele City Fire Marshall.

Commissioner Sloan asked why the city accepted the dedication of this street in its condition. Mr. Hansen gave history of the right-of-way in Tooele City giving an explanation to the question.

Chairman Hamilton opened the public hearing at 7:11 p.m. Seeing no one come forward, Chairman Hamilton closed the public hearing at 7:12 p.m.

Motion: Commissioner Proctor moved to forward a positive recommendation to the City Council for the Non-Standard Roads Text Amendment request by Tooele City for the purpose of amending the Tooele City Code to add Canyon Road to the Table of Substandard Local Street Requirements, as found in Tooele City Code 4-8-2.6, and to include with the table the proposed development standards, specific only to Canyon Road. Commissioner Anderson seconded the motion. The vote was as follows: Commissioner Hammer, "Aye"; Commission Sloan, "Aye"; Commissioner Proctor, "Aye"; Commissioner Linford, "Aye"; Commissioner Jensen, "Aye"; Commissioner Anderson, "Aye"; and Chairman Hamilton, "Aye". The motion passed 7-0.

4. **City Council Reports**

Councilman Gossett reported that at the last City Council meeting the major topic was the addition of WinCo coming, along with a proposed gym, full-service restaurant, and a professional building. They were seeking 18.5 feet of water for that development. City Council negotiated that only the WinCo store would

receive the water rights being that it would pay it back within a year through sales tax, based on WinCo's projected sales.

5. **Review and Decision – 2026 Planning Commission Meeting Schedule.**

Mr. Aagard advised that Planning Commission is required by the city bylaws and ordinances to approve a meeting schedule for 2026. As usual, Planning Commission meets the second and fourth Wednesday as needed, however November 11th is Veteran's Day. Mr. Aagard proposed the meeting be held on Tuesday, November 10th, which would satisfy the ordinance requirement that the Planning Commission meet at least once a month.

Motion: Commissioner Sloan moved to accept the schedule for Planning Commission Meetings as presented. Commissioner Linford seconded the motion. The vote was as follows: Commissioner Hammer, "Aye"; Commissioner Sloan, "Aye"; Commissioner Proctor, "Aye"; Commissioner Linford, "Aye"; Commissioner Jensen, "Aye"; Commissioner Anderson, "Aye"; and Chairman Hamilton, "Aye". The motion passed 7-0.

6. **Discussion - Pre-Development Meeting Attendance Assignments.**

Mr. Aagard advised that Planning Staff holds pre-development meetings. They are held on Wednesdays from 3:30 p.m. to 4:30 p.m. This pre-application meeting gives developers an opportunity to talk to the development review committee about proposed developments. This is to inform them of potential pitfalls, costs, issues and such so they are aware before investing money into their proposed development project. The meeting is not required, it is just something offered to the public.

Commissioners volunteered to attend as follows:

January – Commissioner Jensen
February – Commissioner Proctor
March – Commissioner Anderson
April – Commissioner Linford
May – Commissioner Hammer
June – Commissioner Proctor
July – Commissioner Sloan
August – Chairman Hamilton
September – Commissioner Anderson
October – Commissioner Jensen
November – Commissioner Proctor
December – Commissioner Linford

7. **Review and Decision – December 12, 2025 Planning Commission Meeting Minutes.**

There were no corrections to the minutes.

Motion: Commissioner Proctor moved to approve the minutes of the December 12, 2025 Planning Commission Meeting Minutes. Commissioner Jensen seconded the motion. The vote was as follows: Commissioner Hammer, "Aye"; Commissioner Sloan, "Aye"; Commissioner Proctor, "Aye"; Commissioner Linford, "Aye"; Commissioner Jensen, "Aye"; Commissioner Anderson, "Aye"; Chairman Hamilton, "Aye". The motion passed 7-0.

8. **Planning Commission Training – Powers and Duties**

Mr. Aagard presented Planning Commission Training – Powers and Duties. He advised that streaming would remain but staff would be excused. Training started at 7:22 p.m. No further minutes were taken during training. All commissioners were in attendance for the training.

9. **Adjourn**

Training was completed at 7:56 p.m. adjourning the meeting.

***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 January, 2026

Tyson Hamilton, Tooele City Planning Commission Chair