

# Planning Commission Staff Report

## File # 9C26 - CUP-000596-2026

**Public Hearing and Consideration of a  
Nonadministrative Conditional Use Permit to Operate a  
Used Car Dealership at 1661 W 4800 S in Taylorsville,  
Utah.**



### Department of Community Development

<b>Date:</b>	May 7, 2026
<b>Meeting Date:</b>	May 12, 2026
<b>Agenda Item:</b>	Public Hearing and Consideration of a Nonadministrative Conditional Use Permit to Operate a Used Car Dealership at 1661 W 4800 S. in Taylorsville, Utah.
<b>Subject Property Address:</b>	1661 W 4800 S
<b>Applicant:</b>	Bernabe Ojeda Cruz
<b>Applicant Agent:</b>	Bernabe Ojeda Cruz
<b>Author:</b>	Grant Allen, Senior Planner
<b>Parcel #:</b>	21102510020000
<b>Applicable Ordinances:</b>	Including, but not limited to Chapter 13.24 and 13.33
<b>Agenda Item #:</b>	5

#### **Attachments:**

**Exhibit A:** Zoning Map  
**Exhibit B:** General Plan Map  
**Exhibit C:** Subject Property  
**Exhibit D:** Vicinity Map

**Exhibit E:** Owner Affidavit  
**Exhibit F:** Owner Support Letter  
**Exhibit G:** Site Plan  
**Exhibit H:** Parking Tabulation  
**Exhibit I:** Office Floor Plan  
**Exhibit J:** Site Photos

## Summary:

Bernabe Ojeda, applicant, is requesting a nonadministrative conditional use permit to operate a used car dealership at 1661 W 4800 S. The property is owned by Eric Behunin and he has submitted a letter of support for the use included in the exhibits.

## Site Description

The subject property is an existing commercial property near the corner of 4800 S and Redwood Road, comprising a single parcel fronting 4800 South and contains approximately 24,829 square feet. An existing 2,579 square-foot commercial building setback from the roadway contains two suites. The existing site appears to have 36 existing total marked parking spaces. The surrounding zones and uses are as follows:

North	South	East	West
Boulevard Commercial (BC)- Gas Station & RM-S Senior Housing	Boulevard Commercial (BC)- Pet Store, Commercial Building	Boulevard Commercial (BC) - Pump Station & Residential R-2-8 - Twinhome	Redwood Rd, Mixed Use, (MU) - True Value

## General Plan Analysis

The Proposed Land Use Map represents the adopted long-term vision for the city. The General Plan and associated map adopted at the time of application submission designated the subject property as "Community Commercial" described as (pg 3-5):

*"The Community Commercial (CC) classification includes uses intended to serve the needs of the community at large. Automobile service, retail, office, restaurant and similar types of uses are allowed under this designation. Generally, such developments will serve an area of approximately 2 to 5 miles in radius."*

The request is consistent with the intended uses identified for the Community Commercial classification.

## Land Development Code Analysis

A used car dealership is permitted in the Boulevard Commercial zone with the approval of a nonadministrative conditional use permit granted by the Taylorsville Planning Commission. The site plan submitted with the application represents that the leased lot boundary will be marked with striping, posts or signage.

**PARKING**

Section 13.24.080(B) provides parking space requirements by land use:

Land Use Categories	Space Requirements
Office, professional	5.0 per 1,000 square footage of floor area
Auto, truck, RV, and equipment sales and storage	Specific off street parking shall be determined by the planning commission

As part of the application, Staff required the applicant to revise their site plan to address the on-site parking. The applicant also included a parking tabulation with a revised site plan indicating that there are 38 code compliant parking spaces on site, with the following breakdown:

Total Spaces:	38
Stalls allocated to Applicant:	10
Customer/Employee Stalls:	3
Vehicle Display Stalls:	7
Stalls reserved for Other Site Uses:	28

The proposed office space appears to be 1,562 square feet (SF), which would require  $(1,562 \text{ SF} / 1,000 \text{ SF}) * 5.0 = 7.81$  or 7 stalls.

The combined parking for the proposed office, and display stalls meets the minimum parking standard. However, the Planning Commission may determine a different off street parking requirement for auto sales uses, as cited above from code. For context, Staff researched recent similar used car dealership approvals, and the associated parking standards were 6.48 or 6 stalls for office use and 11.2 or 11 for office use, and 6 stalls total and 20 stalls total for each site approved.

Staff recommends the Planning Commission consider additional impacts on the proposed parking configuration, relating to future dealership growth, parking demand, and the limitation on shared parking as outlined in the existing documentation.

**Public Comment**

A public notice was sent to all affected entities and residents within 300 feet of the property on April 28, 2026. As of May 7, 2026, Staff has received 1 public comment.

**Findings**

1. The subject property is located at 1661 W 4800 S.
2. The property is owned by Eric Behunin, who has signed an owner affidavit granting permission for the proposed use to be considered at their property.
3. The property owner submitted a support letter indicating support for use of property of proposed use, with limitations included below also as conditions.
4. The designation at the time of application on the city’s Future Land Use Map was Community Commercial.
5. The property is in the Boulevard Commercial zone.

6. A used car dealership is permitted in the Boulevard Commercial zone with the approval of a nonadministrative conditional use permit.
7. The operation will share a building with another existing business.
8. Office used for administrative dealership functions: 1,562 square feet.
9. Parking requirements in the Taylorsville LDC require 5 spaces per 1,000 SF of floor area.
10. The Planning Commission shall determine parking requirements for an auto sales use.
11. The 10 spaces allocated for the applicant illustrated on the site plan and listed in the parking tabulation table satisfies the minimum requirement for office use in the Taylorsville Land Development Code.
12. Applicant is limited by site plan and tabulation to 10 parking spaces on site.
13. No detrimental impacts were identified as a result of the proposed operation.
14. The Planning Commission may impose certain conditions to mitigate any anticipated detrimental impacts as a result of the use.

## **Conditions of Approval**

Based on the information presented in this staff report, Staff recommends the Planning Commission consider the following conditions. The commission may consider revisions or additional conditions:

1. The following does not occur on site, including but not limited to: intensive mechanical repair, dismantling, or body work.
2. Boundary striping, signs and/or posts will be required to be installed as indicated on submitted site plan.
3. Parking for the dealership shall only use identified parking spaces and other designated areas as marked on the site plan and parking tabulation included in the exhibits.
4. Parking on the site shall be upon a paved surface and shall comply with applicable standards in the Taylorsville Land Development Code.
5. Storage of inoperable vehicles is prohibited.
6. An administrative review shall take place 6 months after the date of issuance of business license to ensure compliance. The director may decide that the findings of the review must be presented to the planning commission to consider modifying or adding conditions.
7. The conditional use permit is subject to the same review outlined above upon receipt of substantiated complaint or citation.
8. The operation shall remain compliant with all applicable city and state review agencies.

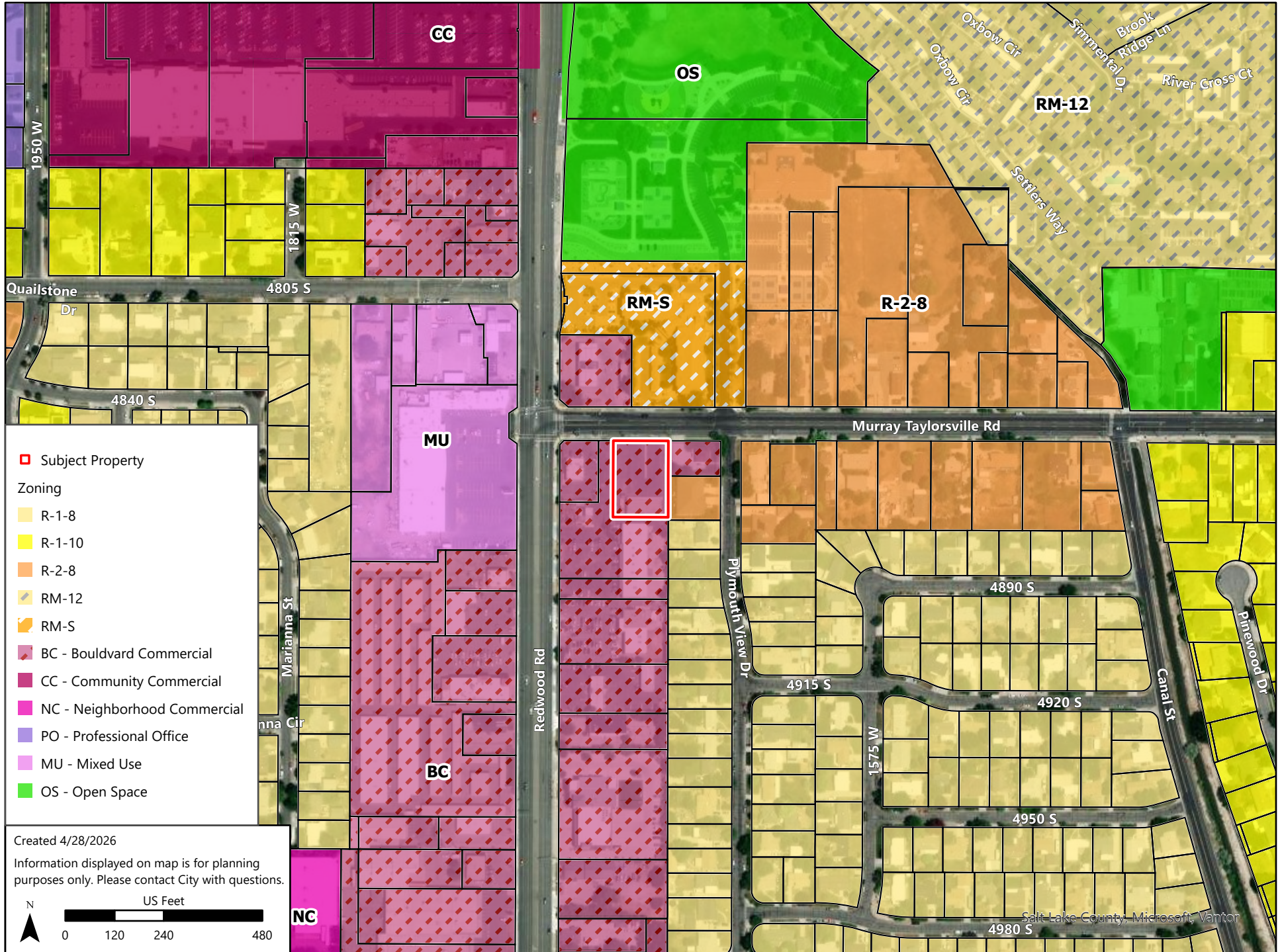
## **Staff Recommendation**

Staff recommends the Planning Commission approve the File #9C26 - CUP-000596-2026, request for a nonadministrative conditional use permit to operate a used car dealership at 1661 W 4800 S subject to the findings and conditions in this staff report.

## **Recommended Motion**

I move that we approve File # 9C26 - CUP-000596-2026, request for a nonadministrative conditional use permit to operate a used car dealership at 1661 W 4800 S. in Taylorsville, Utah, subject to the findings and conditions in this staff report.

# Zoning Map: 1661 W 4800 S





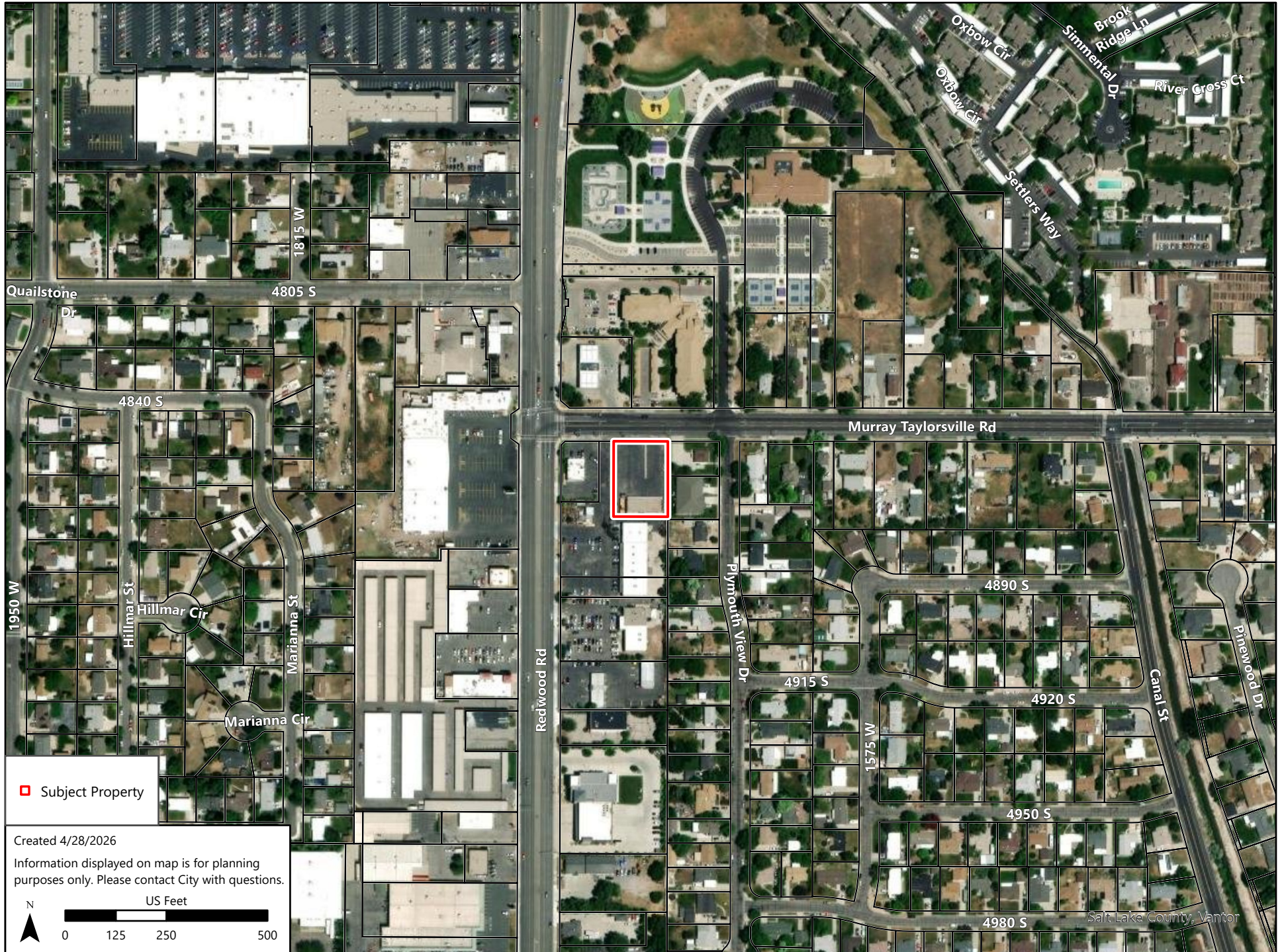


■ Subject Property

Created 4/28/2026

Information displayed on map is for planning purposes only. Please contact City with questions.





### Property Owner's Affidavit

I (we) \_\_\_\_\_, being first duly sworn, depose and say that I (we) am (are) the current owner of the property involved in this application: that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my personal knowledge.

Owner's Signature \_\_\_\_\_

Owner's Signature (co-owner if applicable) \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

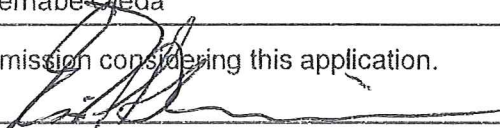
\_\_\_\_\_  
Notary Public

Residing in \_\_\_\_\_

My commission expires: \_\_\_\_\_

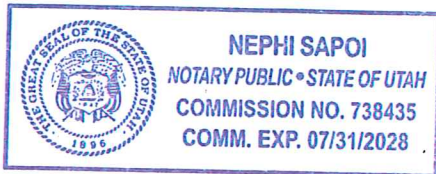
### Agent Authorization

I (we), Eric Behunin, the owner(s) of the real property located at 1661 W 4800 S, Taylorsville, Utah, do hereby appoint Prosperity Cars as my (our) agent to represent me (us) with regard to this application affecting the above described real property located in the City of Taylorsville, and authorize Bernabe Qieda to appear on my (our) behalf before any City Board or Commission considering this application.

  
Owner's Signature \_\_\_\_\_

Owner's Signature (co-owner if applicable) \_\_\_\_\_

On the 9 day of April, 2026, personally appeared before me Nephi Sapoi the signer(s) of the above *Agent Authorization* who duly acknowledged to me that they executed the same.





\_\_\_\_\_  
Notary Public

Residing in Salt Lake

My commission expires: 7/31/2028

## **Landlord/Owner Support of Tenant Permit Request**

I am the owner of the property located at 1661 W 4800 S, Taylorsville, Utah 84123. I am providing this narrative in support of the tenant's request to use a portion of the property for a licensed motor vehicle dealership office, subject to approval by the applicable city, county, and state agencies.

The property is an existing commercial building with adequate space to accommodate the proposed use. The tenant's use is intended to be limited to office and administrative dealership functions, including customer meetings, sales paperwork, title and registration processing, recordkeeping, and other customary business operations associated with a motor vehicle dealership. The proposed use does not involve intensive mechanical repair, dismantling, body work, or other activities inconsistent with the approved site layout or underlying zoning requirements, unless separately permitted.

The designated area for the tenant has been identified within the building and is shown on the accompanying floor plan. The office space is sufficient for the proposed business operations and is appropriate for professional commercial use. The site plan also identifies the parking spaces and any areas designated exclusively for the dealership, so that the tenant's operations can function in an orderly manner without interfering with other uses of the property.

As owner, I believe the tenant's proposed use is compatible with the property, is reasonable in scale, and can be operated in a manner consistent with the surrounding commercial area and with applicable regulations. The requested approval will allow the tenant to establish a compliant dealership office location while maintaining the overall integrity and function of the property.

I support the tenant's application and authorize the use of the designated portion of the property for this purpose, subject to all required approvals, licensing, and compliance with applicable laws, ordinances, and permit conditions.

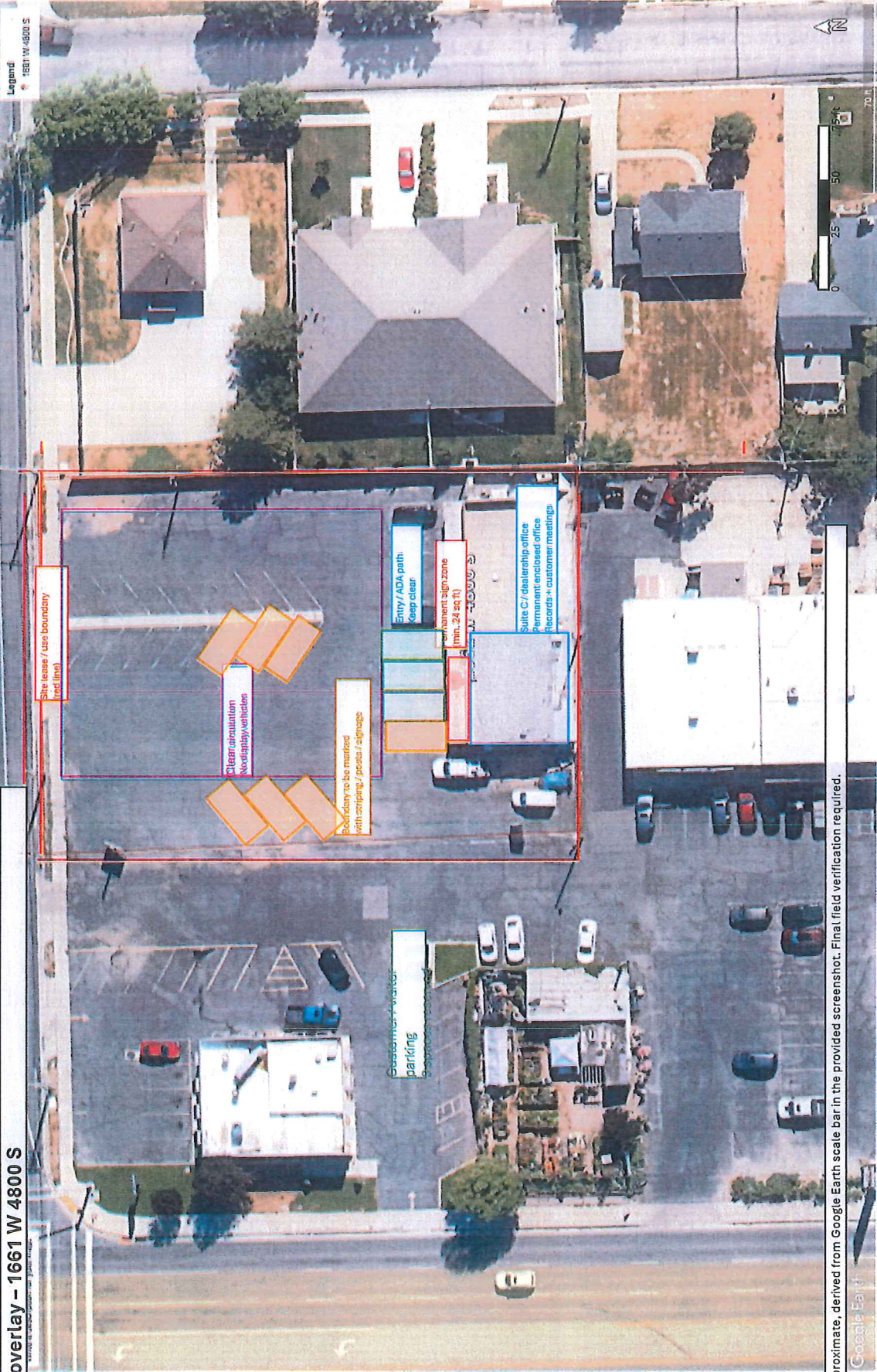
**Owner:** Eric T Behunin



**Property Address:** 1661 W 4800 S,  
Taylorsville, Utah 84123

**Date:** 3.30.2026

Site plan overlay - 1661 W 4800 S



Scale basis: approximate, derived from Google Earth scale bar in the provided screenshot. Final field verification required.

Google Earth

## Parking Tabulation – 1661 W 4800 S

### Prosperity Cars LLC

Category	Count
Total existing code-compliant parking stalls on site	38
Stalls allocated to Prosperity Cars LLC	10
Customer / employee parking stalls	3
Vehicle display stalls	7
Stalls reserved for other site uses	28

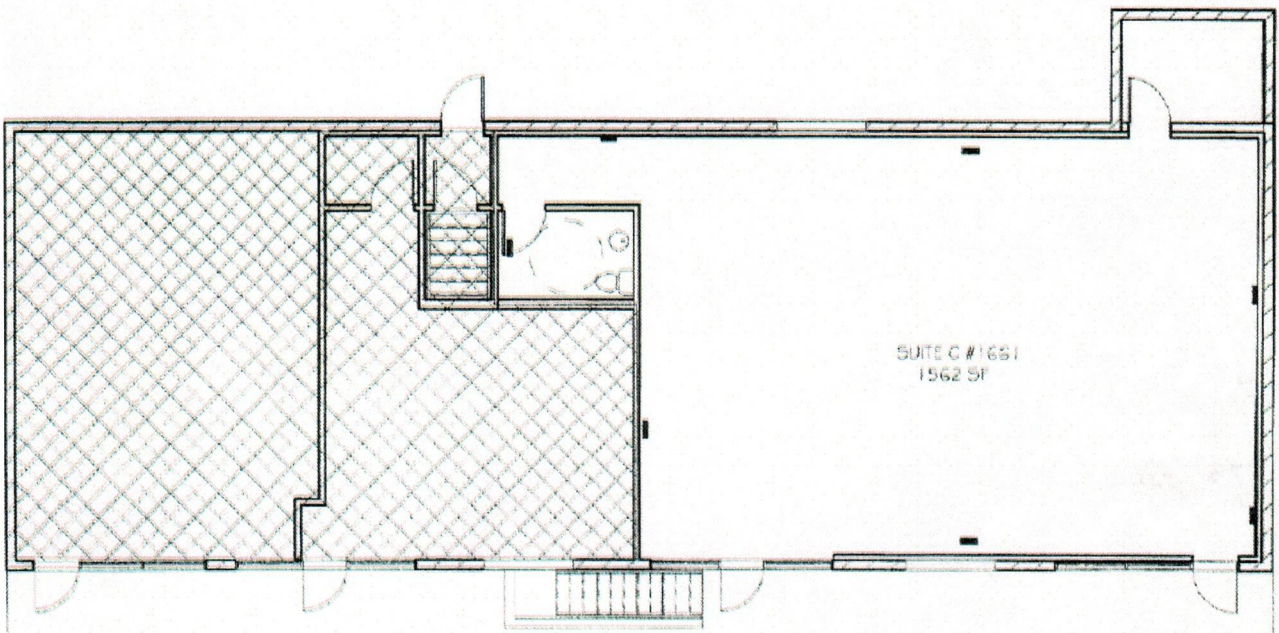
The subject site contains 38 existing code-compliant parking stalls. Of those stalls, 10 are proposed to be allocated to the dealership use. This allocation consists of 3 customer/employee parking stalls and 7 vehicle display stalls. The remaining 28 stalls will remain available for other approved site uses on the property. Noncompliant stalls shown on earlier conceptual exhibits are not included in this parking count.

## Parking Tabulation – 1661 W 4800 S

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16,000 LBS

DATE  
SALE  
10/1/2024

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