



**Planning Commission Hearing
Staff Report
Hearing Date: April 24, 2019**

ITEM 8 Kevan Huffaker requests a Conditional Use Permit for the outside storage of utility and electrical equipment and material (SLU#6600), located at 506 S 800 West in the Heavy Commercial (CM) Zone. Franklin neighborhood. Brian Maxfield (801) 852-6429 PLCUP20190044

<p><u>Applicant</u>: Kevan Huffaker</p> <p><u>Staff Coordinator</u>: Brian Maxfield</p> <p><u>Property Owner</u>: Mighty Huffs Management <u>Parcel ID#</u>:40:090:0007 <u>Acreage</u>: 0.31 <u>Number of Properties</u>: 1</p> <p><u>Current Zoning</u>: CM</p> <p><u>ALTERNATIVE ACTIONS</u></p> <p>1. Continue to a future date to obtain additional information or to further consider information presented. <i>The next available meeting date is April 24, 2019 at 6:00 P.M.</i></p> <p>2. Recommend denial. <i>This action <u>would not be consistent with the recommendation of the Staff Report.</u> The Planning Commission should <u>state new findings.</u></i></p>	<p><u>Current Legal Use</u>: Uses allowed in the R1.10 Residential Zone</p> <p><u>Relevant History</u>: None</p> <p><u>Neighborhood Issues</u>: This item was presented at the March meeting of the Franklin Neighborhood. No issues were raised at that meeting.</p> <p><u>Summary of Key Issues</u>: Is mitigation sufficient to address any identified impacts?</p> <p><u>Related Items</u>: None</p> <p><u>Staff Recommendation</u>: Approve the Conditional Use Permit for outside storage of Contract Construction Material including storage of utility and electrical equipment and material (SLU #6600) for Kevan Huffaker, located at 506 S. 800 West, with the conditions listed in the staff report.</p> <p style="text-align: center;"><i>This action <u>would be consistent with the recommendations of the Staff Report.</u></i></p>
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OVERVIEW

This item is the approval of a Conditional Use Permit for the outside storage of Contract Construction Services including storage of utility and electrical equipment and material (SLU #6600). There is an existing home on the east side of the triangular-shaped property. The home/office fronts and is addressed off a former stub street of 800 West. The proposed storage area would be on the side (south) and rear (west) of the building, and would front along 500 West. Railroad tracks run along the south side of the

property, with vacant right-of-way on the west toward the 900 South RR Track crossing. There is an existing concrete fence along the 800 West (east) side of the property.



PLANNING REVIEW

The Zoning Ordinance address requirements for Conditional Use Permits in Section 14.02.040, with Subsections (1) and (2) reading as follows (staff responses are in bold):

(1) The Planning Commission may, subject to the procedures and standards set forth in this Chapter, grant, conditionally grant, or deny an application for a Conditional Use Permit for uses allowed by the chapter for the applicable zone. The purpose of a Conditional Use Permit is to allow proper integration of uses into the community which may only be suitable in specific locations and may have potentially detrimental characteristics if not properly designed, located, and conditioned.

(2) The following standards shall apply to any request for a Conditional Use Permit:

(a) A proposed conditional use shall be granted unless the subject use will be detrimental to the health, safety, or general welfare of persons residing in the vicinity or injurious to property in the vicinity.

(b) A proposed conditional use shall be detrimental to the health, safety, or general welfare of persons residing in the vicinity or injurious to property in the vicinity:

*(i) if the proposed use will cause unreasonable risks to the safety of persons or property because of vehicular traffic or parking, large gatherings of people, or other causes; **Staff believes no unreasonable risks will occur.***

*(ii) if the proposed use will unreasonably interfere with the lawful use of surrounding property; **Staff believes the use will not unreasonably interfere with the use of the surrounding properties.***

*(iii) if the proposed use will create a need for essential municipal services which cannot be reasonably met; **Essential municipal services can be reasonably met.***

*(iv) if the proposed use will in any other way be detrimental to the health, safety or general welfare of persons residing in the vicinity or injurious to property in the vicinity. **No detrimental effects have been identified by staff.***

(c) A change in the market value of real estate shall not be a basis for the denial of a proposed conditional use.

(d) If a part of a proposed conditional use is found to be contrary to the standards described in this section, the applicant may propose or consent to curative measures which will make the proposed use not contrary to the standards described in this section.

FINDINGS OF FACT

- The property is currently zoned CM
- Land Use #6600 Contract construction services (includes storage yards) is permitted in the CM Zone upon the issuance of a Conditional Use Permit.

APPLICABLE ZONING CODES

- Chapter 14.24 CM – Heavy Commercial Zone

CONCLUSIONS

Staff has identified two basic impacts from this use. They relate to the tracking of dirt and mud onto the adjacent street from the operation of the storage yard, and visual impact on the adjacent residential area on the north side of 500 South. Staff believes both impacts can be adequately addressed or mitigated through the conditions attached to the recommendation for approval.

RECOMMENDATION

Approve the Conditional Use Permit for outside storage of Contract Construction Material including storage of utility and electrical equipment and material (SLU #6600) for Kevan Huffaker, located at 506 S. 800 West, subject to the following conditions.

1. All items stored within the yard shall be stored in a neat and orderly manner. Creation of a junk yard is not permitted.
2. A standard driveway shall be installed between the street and the property line. This driveway will prevent, or at least significantly lessen the tracking of dirt and mud from the storage area onto the street.
3. Improvement shall be made to areas where vehicles will move on the property are to include minimum one-inch sized rock, to allow on-site drainage of storm water and further reduce the tracking of dirt and mud.
4. A minimum four-foot solid fence or chain-link with solid landscaping material shall be installed along the 500 South frontage, and on the western property line where storage is visible. Any material storage exceeding the resulting screening height is to be located at least 20 feet behind the screening. Because this is a commercially zoned property with residential properties to the north across 500 South, the intent of the screening is to lessen, not necessarily eliminate, the visibility of the storage yard toward the residential properties on the north side of 500 West.