



PLANNING COMMISSION MEETING STAFF REPORT

DATE OF MEETING: June 15, 2016

NAME OF PROJECT: Lane Myers Mixed Use Project

NAME OF APPLICANT: Lane Myers

AGENDA ITEM: Conditional Use Permit

LOCATION OF ITEM: 695 E Main Street

ZONING DESIGNATION: C-2

ITEM: 3

Thomas Calton, agent for Myers Properties, LLC, is requesting a Conditional Use Permit for a mixed-use development that contains commercial space and residential units. The developer is also asking for approval of transient rental units as part of the mixed use development. The property is located at 695 East Main Street and is in the C-2 zone.

BACKGROUND:

This request for a Conditional Use Permit (CUP) by Lane Myers is for a mixed use project that will include a 24,000 square foot building of which 7,500 sf is retail space, 3,680 is warehouse space, and the entire upper floor at 12,000 is residential. The parcel on which the project is proposed is zoned C-2 and is 0.95 acres in size.

There are 46 on-site parking stalls on the proposed site plan. Because it is still unknown the exact uses in the commercial buildings it is impossible to calculate the number of stalls required by the code. For most uses the code requires a stall for every 250 sq. ft. of public accessible space and two stalls for each residential unit. Based on the 45 stalls on the plan, 20 stalls would be assigned for the 10 dwelling units and the public accessible

space could be up to 6,250 sq. ft. The area of the retail space is 7,500 and there will be some area of the retail that will not be accessible to the public. It appears that the proposal will comply with the parking requirement.

The City would like to extend the Main Street road profile that is found from 300 East to 200 West all along Main Street to the Hamlet Park. The proposed project is located in this improvement area. The developer will need to construct curb, gutter, park strip, and sidewalk along the frontage of the property to comply with this plan or possibly place the cost of the improvements in an escrow account so that the entire north side of Main Street can be completed at once. This issue will need to be discussed further before the options are presented to the developer.

The developer is also petitioning for approval of the 10 dwelling units as transient rental units. It is possible the units will be rented on a long term basis but they would like the option to rent them on a short term basis also. If they were to rent them short term then each unit would need to be licensed and a property manager, among all other requirements of the code, would need to be complied with. If the units are rented on a transient basis, then the units would be more beneficial to the City on a tax revenue generating basis than permanently occupied units would be.

This item has been noticed in the local newspaper for two weeks and in the State's website for the Planning Commission meeting. Mailed notice will be sent out to all property owners within 600' before the public hearing by the City Council.

ANALYSIS:

The comments in italicized represent Planning Staff's comments pertaining to compliance or lack of compliance with the findings the City Council must make in considering this request. Section 16.26.120 requires specifically the Planning Commission to find that:

1. The proposed use is conditionally permitted within the Land Use Title, and would not impair the integrity and character of the intended purpose of the subject zoning district and complies with all of the applicable provisions of this Code; *planning staff believes that the proposal will not impair the integrity and character of the C-2 zone. The proposal appears to comply with the requirements specific to retail/office and mixed use projects as listed on the Municipal Code. The design of the project does follow the architectural guidelines listed for commercial development in the C-2 zone; the VAC has reviewed the project and made a recommendation for approval. Also, as staff has analyzed the proposal it appears that it will comply with the provisions of the Code.*

2. The proposed use is consistent with the General Plan; *the proposed uses do comply with the vision of Main Street described in the General Plan. The General Plan promotes an active and vibrant Main Street and this proposal does promote that vision with the commercial area and possibly a restaurant with an outside eating area.*
3. The approval of the conditional use or special exception permit for the proposed use is in compliance with the requirements of state, federal and Midway City or other local regulations; *the businesses that will be located in the development are required to have approved business licenses with the City. The businesses will need to apply for licenses and they will be issued once all the requirements are met such as the issuance of the Conditional Use Permit among other requirements.*
4. There will be no potential, significant negative effects upon the environmental quality and natural resources that could not be properly mitigated and monitored; *the proposal will be engineered for drainage and all increased runoff will be captured and stored in sumps or detention ponds that will be installed on site.*
5. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses with the general area in which the proposed use is to be located and will not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other permitted uses in the vicinity or adverse to the public interest, health, safety, convenience, or welfare to the City; *the proposed uses will create more traffic for the area and that is expected in the commercial zone. Traffic will increase to the property and on the surrounding roads.*
6. The subject site is physically suitable for the type and density/intensity of the proposed use; *it appears that the location is suitable for this type of business.*
7. There are adequate provisions for public access, including internal and surrounding traffic flow, water, sanitation, and public utilities, and services to insure that the proposed use would not be detrimental to public health and safety; *UDOT will need to approve Main Street access since Main Street is a state road.*

POSSIBLE FINDINGS:

- The proposed use is a conditional use in the C-2 zone.
- The proposal will increase traffic to the area.
- The VAC has recommended approval of the proposed renderings and landscaping.

WATER BOARD RECOMMENDATION:

The Water Board recommended that 36 acre feet of water are turned over to the City if the units have kitchens in them. If the units do not have kitchens and are rented as transient rentals, then six acre feet would be required.

ALTERNATIVE ACTIONS:

1. Recommendation of Approval (conditional). This action can be taken if the Planning Commission feels that conditions placed on the approval can resolve any outstanding issues.
 - a. Accept staff report
 - b. List accepted findings
 - c. Place condition(s)

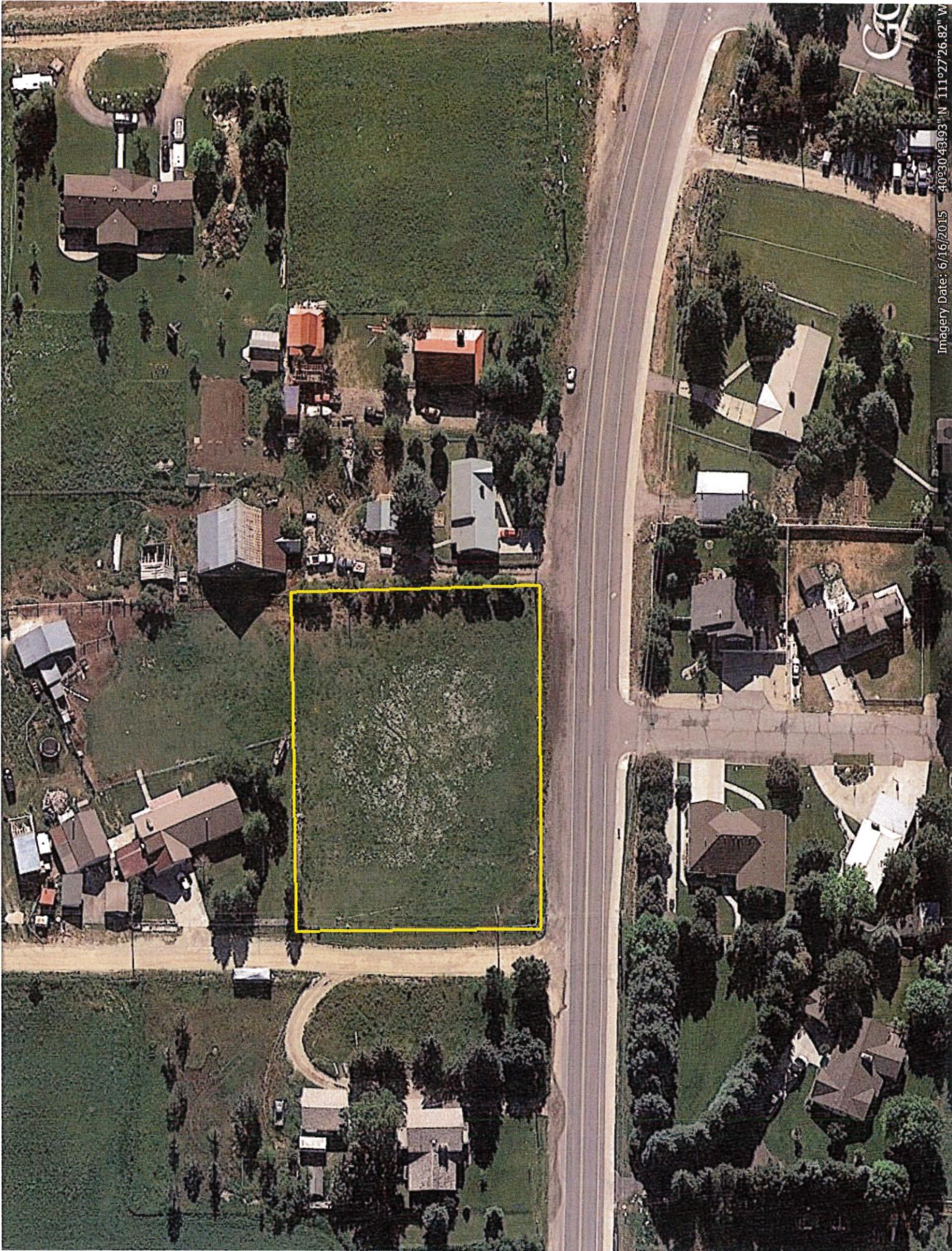
2. Continuance. This action can be taken if the Planning Commission feels that there are unresolved issues.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for continuance
 - i. Unresolved issues that must be addressed
 - d. Date when the item will be heard again

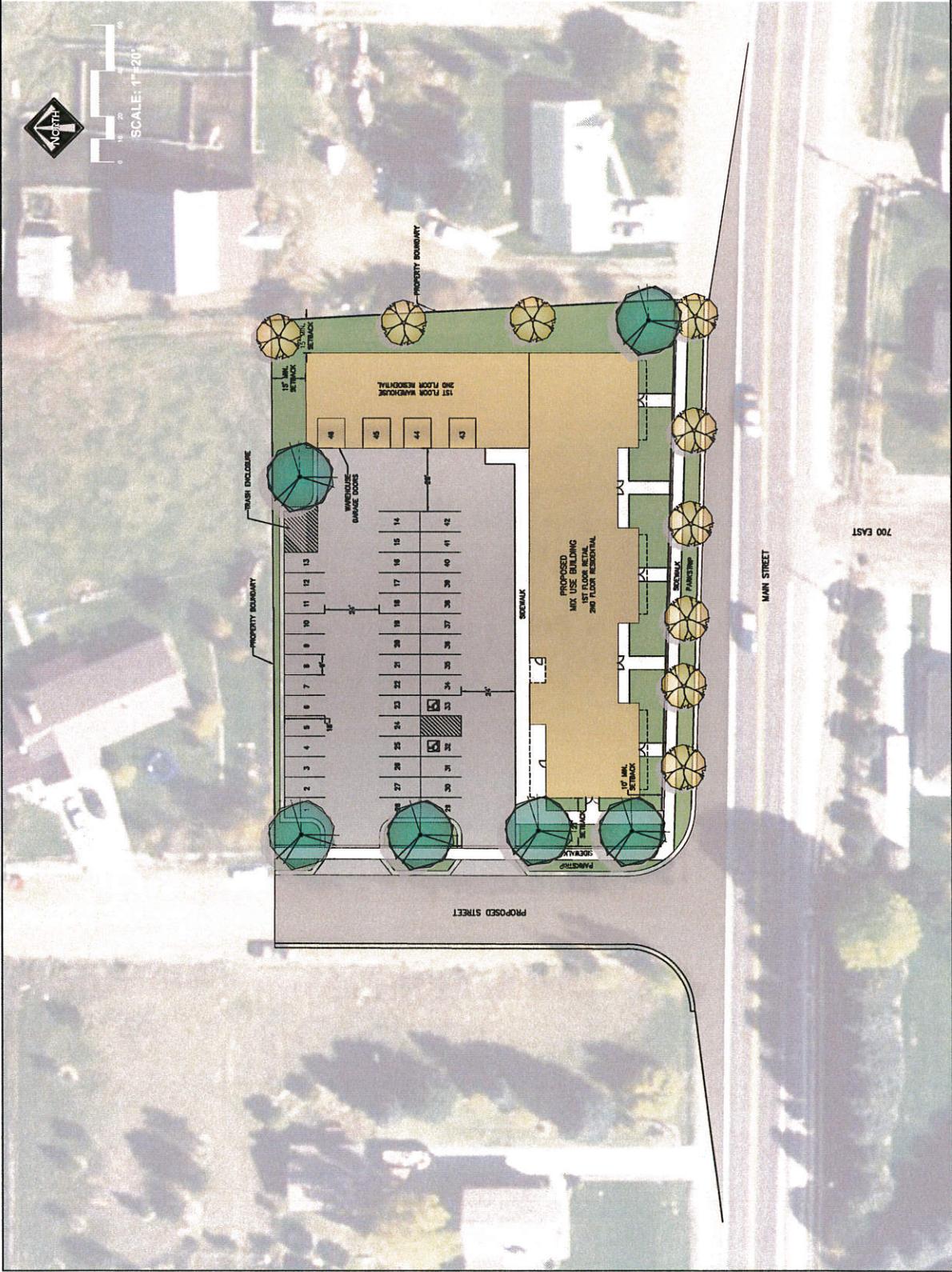
3. Recommendation of Denial. This action can be taken if the Planning Commission feels that the request does not meet the intent of the ordinance.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial

PROPOSED CONDITIONS:

1. Construction plans will need to be approved by the City Engineer before construction of any improvements.

2. Midway Sanitation District must review the plans for the project before approval is granted.





LAND USE CALC	12,000 SF
BUILDING AREA	12,000 SF
LANDSCAPE AREAS	12,000 SF
TOTAL AREA	41,167 SF
BUILDING CALC	7,668 SF
WAREHOUSE SPACE	3,600 SF
RESIDENTIAL UNITS	10 UNITS (2ND FLOOR)
PARKING CALC	10 SPACES
WAREHOUSE (GARAGE)	4 SPACES
RESIDENTIAL	20 SPACES
PROPOSED SPACES	48 SPACES
REQUIRED PARKING	
1 SPACE PER 100 SF OF RETAIL	
1 SPACE PER RESIDENTIAL UNIT	

CONDITIONAL USE NOTES:
 1. THE PROPOSED BUILDING SHALL BE CONFORMANT WITH THE MIXED-USE COMMERCIAL ZONING ORDINANCE.
 2. RESIDENTIAL UNITS WILL BE REQUIRED BY THE MONROE CITY COUNCIL.

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 DATE: 3-JUNE-2018

LANE AVENUES
 MIXED USE COMMERCIAL
 CONCEPT PLAN

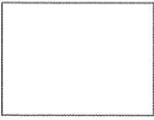
BERG ENGINEERING
 3002 E. MAIN ST. SUITE 204
 MONROE, LA 70132
 (504) 333-1999

DESIGN: J. CHEN
 DRAWN: J. CHEN
 CHECKED: J. CHEN
 DATE: 3-JUNE-2018

SHEET 1







3000 SOUTH 25TH AVENUE
SUITE 100
DENVER, CO 80202
TEL: (303) 555-1234

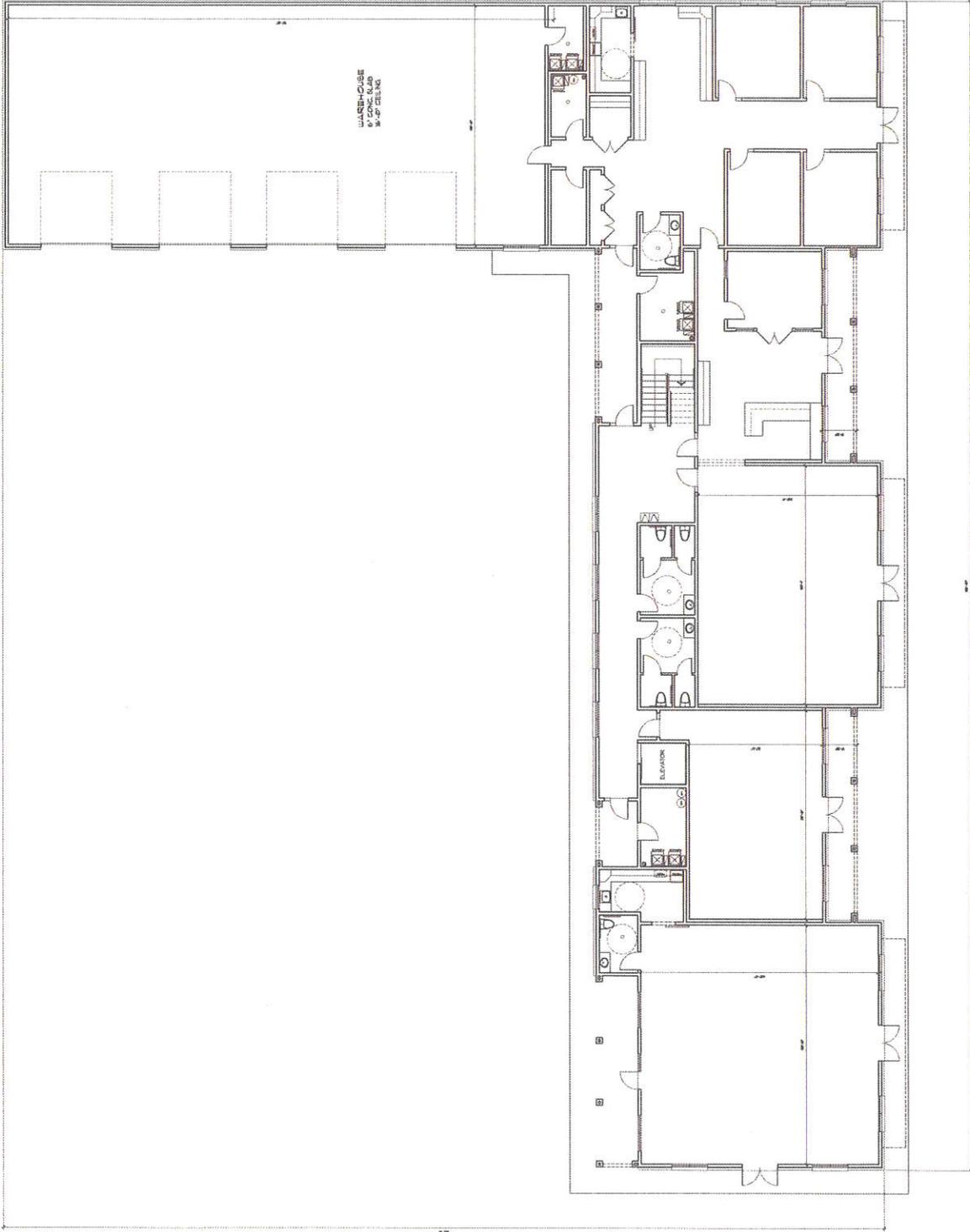
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LANE MYERS CONST.
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DATE: 10/1/11
BY: JLM



STREET LEVEL
SCALE: 1/8" = 1'-0"

DATE	
REVISIONS	
DATE	
BY	

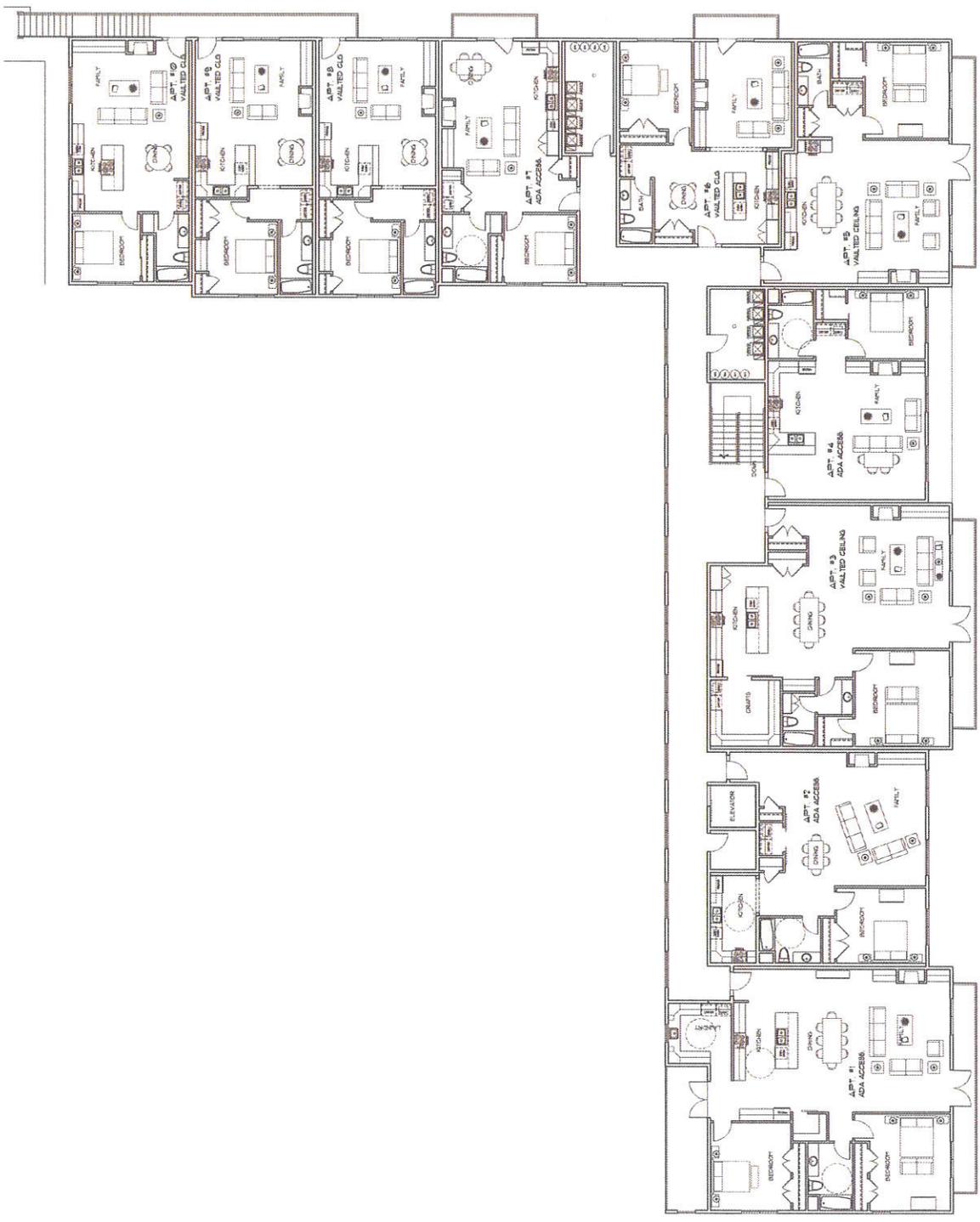
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UPPER LEVEL
 SCALE: 1/8" = 1'-0"

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June 15, 2016

Midway City
Attn: Michael Henke
75 North 100 West
Midway, Utah 84049

Subject: **Myers Properties, Conditional Use Permit**

Dear Michael:

Horrocks Engineers recently reviewed the plans for the above mixed use development. The following issues should be addressed before a building permit is issued.

General: The proposed mixed use development is located at approximately 695 East Main Street. The proposed use will mix commercial units with residential unit. Final construction plans should be approved prior to a building permit being issued.

Road

- The proposed development will be accessed from an existing gravel driveway. The section of proposed road will need to be installed to the current City standards.
- The proposed development fronts Main Street. The existing downtown Midway Main Street roadway cross-section should be used along the frontage of the development. This cross-section should include a 6' side walk an 8' park strip, and UDOT approved asphalt.

Water

- The proposed development will connect to the existing 8" line on the North side of Main Street. This line will provide approximately 2,000 gpm fire flow.

Storm Drain

- Due to the amount of impervious area within the proposed development, the storm drain system and snow storage should be carefully reviewed and approved prior to a building permit being issued.

Please feel free to call our office with any questions.

Sincerely,
HORROCKS ENGINEERS

A handwritten signature in blue ink, appearing to read "Wesley Johnson".

Wesley Johnson, P.E.
City Engineer

cc: Paul Berg Berg Engineering