

Minutes of the Regular Meeting of the Riverdale City Planning Commission held Tuesday, November 22, 2016, at 6:30 PM, at the Civic Center, 4600 S Weber River Dr., Riverdale City, Weber County, Utah.

Present:

Commissioners:	Steve Hilton, Chairman Blair Jones, Vice-Chair David Gailey, Commissioner Lori Fleming, Commissioner Kathy Eskelsen, Commissioner
City Employees:	Mike Eggett, Community Development Jackie Manning, City Recorder
Excused:	Michael Roubinet, Commissioner Robert Wingfield, Commissioner
Visitors:	Elizabeth Hunt, Maverik Representative

A. Welcome & Roll Call

Chairman Hilton welcomed everyone to the meeting and stated for the record that all members of the Planning Commission were present, with the exception of Commissioner Roubinet and Commissioner Wingfield who are excused.

B. Open Communications

Chairman Hilton asked for any open communications and there were not any.

C. Presentations and Reports

Chairman Hilton turned the time over to Mr. Eggett who reported the following:

- Town Square is continuing construction.
- Maverik will have a Grand Opening mid-December
- Habit Burger Grill business will be coming to Riverdale City
- Hobby Lobby will be coming to Riverdale City
- The 550 West RDA area is progressing and real estate negotiating and changes to that area are in place.
- The City Staff will be meeting with taxing entities for the 700 West CDA soon.

D. Consent Items

1. Consideration of meeting minutes from the Planning Commission Meeting held on October 25, 2016.

Chairman Hilton asked for changes or corrections to the Planning Commission meeting minutes for the October 25, 2016 Work Session and Regular Meeting. There were no corrections/changes requested.

MOTION: Commissioner Fleming moved to approve consent items meeting minutes as written.
Commissioner Eskelsen seconded the motion.

There was no discussion regarding this motion.

CALL THE QUESTION: The motion passed unanimously in favor of approving the meeting minutes.

E. Action Items

1. Consideration of Conditional Use Permit for Maverik, Inc. located at 4104 South Riverdale Road, Riverdale, Utah 84405.

Mr. Eggett summarized an executive summary which explained: Maverik, Inc, as represented by Elizabeth Hunt, has filed for a conditional use permit to request a conversion of the current Lighthouse Chevron Convenience Store and Fueling Station at 4104 South Riverdale Road to a Maverik Convenience Store and Fueling Station. This property is located in a Community Commercial Zone (C-2) and, per the listed permitted and conditional uses of the zone, this conversion is subject to a conditional use review as a gas island and convenience store use. This required review allows the Planning Commission to look at any outstanding health, safety, and welfare concerns that may exist in association with the continued use in a C-2 zone. The previous owner and establishment of the Lighthouse Chevron has received a Conditional Use Permit approval for this location; however, the City Attorney requested that the new owner follow through with a Conditional Use Permit review to check for any updated concerns or impacts to neighboring residential areas due to the proposed changes to the current business establishment and building.

Title 10 Ordinance Guidelines (Code Reference)

This Conditional Use Permit request is regulated under City Code 10-10A "Commercial Zones (C-1, C-2, C-3)" and 10-19 "Conditional Uses".

Maverik, Inc is in the process of purchasing the property from the current owners and will transition the site and building to a Maverik Convenience Store and Fueling Station, as noted above. Documentation showing the proposed building and site conversion plan has been provided in this packet following this executive summary document. The application for conditional use review and the applicants reasoning to support the approval have also been provided in this packet. City Staff is not aware of any concerns with the current operation of the site as a Chevron Convenience Store and Fueling Station. There does not appear to be future concerns associated with the transition of the site to a Maverik Store.

The Planned Commercial zone standard outlining the need for a conditional use permit is as follows (for more information regarding this zone please defer to City 10-10B):

10-10B-2: USE REGULATIONS:

Any permitted use or any conditional use allowed in the C-1, C-2 and C-3 zones shall be a conditional use in their respective CP-1, CP-2 or CP-3 zone; provided, that a conditional use permit is obtained as provided in chapter 19 of this title. Such uses shall be indicated on the final development plan. (1985 Code § 19-24-2)

The Conditional Use Permit outlines the criteria for issuing a Conditional Use approval as follows:

10-19-5: BASIS FOR REVIEW OF CONDITIONAL USE PERMIT:

The planning commission shall review a conditional use permit with evidence presented to establish that:

A. A conditional use shall be approved if reasonable conditions are proposed or can be imposed to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.

B. 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.

C. The proposed use of the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the community; and

D. Such use will not, under the circumstances of the particular case and the conditions imposed, be detrimental to the health, safety and general welfare of persons nor injurious to property or improvements in the community, but will be compatible with and complementary to the existing surrounding uses, buildings and structures when considering traffic generation, parking, building design and location, landscaping and signs; and

E. The proposed use conforms to the goals, policies and conditions specified in this chapter for such use; and

F. That the proposed use conforms to the goals, policies and governing principles and land use of the master plan for the city; and

G. The proposed use will not lead to the deterioration of the environment, or ecology of the general area, nor will it produce conditions or emit pollutants of such a type or of such a quantity so as to detrimentally affect, to any appreciable degree, public or private property, including the operation of existing uses thereon, in the immediate vicinity or the community or area as a whole. (Ord. 665, 8-19-2008)

Elizabeth Hunt, Maverik Representative, stated they would like to put a second store in Riverdale City. Commissioner Hilton asked if this Maverik would be similar in building design and layout as the other being built in Riverdale. Ms. Hunt confirmed. Ms. Hunt noted this Maverik would be bigger than other Maverik stores and she stated the car wash will be utilized as storage. There was a brief discussion regarding the existing car wash and it was noted that Maverik is currently not a part of the car wash industry.

Commissioner Fleming inquired about the layout of the new Maverik, as it was previously noted this Maverik would be larger than other Maverik stores. Ms. Hunt stated it will be a similar layout as to what is in the existing Chevron.

MOTION: Commissioner Fleming moved to approve the Conditional Use Permit for Maverik, Inc. located at (existing Chevron) 4104 South Riverdale Road, Riverdale, Utah 84405, as is, Commissioner Jones seconded the motion.

Mr. Eggett reminded the Commissioners that any conditions placed on Maverik or the lack of any new conditions, should be stated within the motion.

ROLL CALL VOTE: Commissioners Jones, Eskelsen, Fleming, Hilton, Gailey all voted unanimously in favor of the Conditional Use Permit.

F. Discretionary Items

Chairman Hilton stated he had reviewed the meeting minutes from a prior City Council meeting and noted that one of

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the Councilors had requested that Planning Commission Meeting Minute Drafts be included in future City Council packets, when an item passes directly from Planning Commission to City Council. Chairman Hilton felt that if this practice is followed it publishes the Planning Commission Meeting minutes prior to ratification (of those minutes) by the Planning Commissioners; and he felt it was inappropriate. Chairman Hilton preferred that practice did not happen and explained the Planning Commission Meeting recordings are available on the City Website for any interested parties to listen to the meeting.

Chairman Hilton felt the Planning Commission has earned the right to approve and publish their meeting minutes. Commissioner Jones agreed. It was suggested that a consensus be taken to account for the opinions of each Planning Commissioner regarding this matter. Commissioner Eskelsen, Commissioner Fleming, Commissioner Gailey, Commissioner Jones, and Commissioner Hilton all agreed with the statements made by Chairman Hilton regarding the Planning Commissioner Meeting minutes..

Commissioner Jones asked for a follow up with Mr. Eggett regarding a private matter and Mr. Eggett stated he is still investigating that item for Commissioner Jones.

F. Adjournment.

MOTION: There being no further business to discuss, Commissioner Eskelsen moved to adjourn the meeting. Commissioner Fleming seconded the motion; all voted in favor.

The meeting adjourned at 6:42 PM.

Steve Hilton
Planning Commission Chair

Jackie Manning
City Recorder

Date Approved: **January 10, 2017**