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Minutes of the **Regular Meeting** of the **Riverdale City Planning Commission** held Tuesday, **August 12, 2008** at 6:30 pm at the Riverdale Civic Center, 4600 South Weber Drive.

Members Present:

Don Farr, Chair  
Brent Ellis, Member  
David Gailey, Member  
Blair Jones, Member  
Allen Miller, Member  
Norm Searle, Member  
Bart Stevens, Member

Others Present:

Randy Daily, Community Development Director  
Jeff Woody, Building Inspector  
Marie Alvord, Planning Commission Secretary  
Four (4) petitioners

**1. CALL TO ORDER**

Chairman Farr welcomed everyone present and noted that all Planning Commission members were present.

**2. CONSIDERATION OF APPROVAL OF THE MEETING MINUTES.**

Comments and changes were requested in the preplanning meeting.

**Motion:** Commissioner Miller moved to approve the July 08, 2008 preplanning and regular session minutes with noted corrections and waive the reading. Commissioner Gailey seconded the motion.

**Call the Question:**

The motion passed unanimously.

**3. DISCUSSION AND RECOMMENDATION OF PROPOSED TWO LOT SUBDIVISION LOCATED AT 498 WEST CHERRY DRIVE.**

Mr. Daily indicated the property on an aerial map and noted the proposed subdivision of the lot. He stated that currently there are two zones, A-1 and R-1-10. He noted that with the separation both parcels continue to meet all zoning requirements. A history of the lot was reviewed with Mr. Calvin Kraus. Chairman Farr asked if the lower lot will become landlocked once the separation takes place. Mr. Kraus stated that he received access to the lower piece but the access was not recorded and so he is currently working to get the access recorded with the property.

Commissioner Miller noted that it is his understanding that once the lot is subdivided the portion with the home will become a residential use and no longer allow the agricultural uses such as horses or other farm

animals. Mr. Kraus stated that he is aware of the change in allowable uses. Mr. Kraus discussed his intentions and desire for the property and the physical layout of the two lots.

**Motion:** Commissioner Searle moved to recommend that the proposed two lot subdivision located at 498 West Cherry Drive be forwarded to the City Council with a favorable recommendation. Commissioner Miller seconded the motion.

**Call the Question:**

The motion passed unanimously.

**4. DISCUSSION AND RECOMMENDATION OF FINAL SITE PLAN FOR TONY DIVINO TOYOTA LOCATED AT 707 WEST RIVERDALE ROAD.**

Mr. Daily noted that the final site plans meet all city requirements including parking, landscaping, improvements, set backs and recommended that a final approval be forwarded to the City Council. Chairman Farr asked Mr. James Glascock for clarification with the UDOT correspondence concerning the access on Riverdale Road. Mr. Glascock stated that an approach has been granted but the exact location has not been determined by UDOT. Chairman Farr noted that he did not want this approach to be a floater. Mr. Daily stated that the City cannot hold up a development based on UDOT not being sure of the exact location of the approach. UDOT is allowing the access on Riverdale Road and Mr. Jefferies with UDOT thinks that the location depicted on the site plan is close to be the approved location. Mr. Glascock noted that the total surface area will remain the same the location of the approach will just slide. He also stated that he would be willing to bring a modified site plan into the Planning Commission once UDOT has determined the actual location. Mr. Daily stated that it is his opinion that UDOT has determined the general location and there will not be a striking change. He also noted that if something happened with the location of the approach and parking or landscaping ratio is impacted they would have to come back in to the Planning Commission with an amended site plan. Location of the approach was discussed along with the language in the correspondence with UDOT.

**Motion:** Commissioner Searle moved to recommend approval of the final site plan for Tony Divino Toyota located at 707 West Riverdale Road and noted that the final site plan may not show the actual approach which is yet to be determined by UDOT. Commissioner Miller seconded the motion.

**Call the Question:**

The motion passed unanimously.

**5. DISCUSSION AND RECOMMENATION OF PROPOSED AMENDMENTS TO 10-16-7: OFF PREMISE SIGNS.**

Chairman Farr requested that City Attorney Mr. Steve Brooks review the language of the proposed amendments to make sure it would be wise to approve new off premise signs along the I-15 corridor with Planning Commission approval only without City Council approval. He noted that he would feel better to have the security of the City Council in this matter. Commissioner Miller stated that it is his belief that the Planning Commission can make the decision if it meets the ordinance. He noted that the Planning Commission's decision to approve or deny the application depends on if it meets the ordinance. If the application is denied then they can appeal the decision with the Board of Adjustments. Commissioner Miller is confident that the Planning Commission can make the decision without the approval from the City Council.

Commissioner Searle asked Mr. Daily to read the last line of the wording. Mr. Daily read: *"The installation of new off premise signs for Riverdale City businesses in which the sign is placed on property directly adjacent to the business location shall be a conditional use and will require a permit and shall be counted as allowable sign area for the business, and approved by the planning commission and the city council."* Mr. Daily

explained that this pertains to business within the City like Wal-Mart who has signs placed on adjoining property and not billboards along the I-15 corridor.

Commissioner Ellis noted that he would personally feel more comfortable if the City Council reviewed new off premise signs. Commissioner Gailey stated that he feels it to be an extra step that can be avoided if the Planning Commission can make the decision without the City Council's approval. Mr. Daily stated that if it is a fear factor that keeps them from wanting the final decision that it is understandable. He continued that the ordinance must be followed by the City Council as well as the Planning Commission and noted that the purpose of Senate Bill 60 was to remove the City Council from decisions that could be made by the Planning Commission concerning our Title 10. Chairman Farr brought up current sign permits that require the City Council's thoughts and actions and noted that their input is important. Mr. Daily responded that the old ordinance wasn't thoroughly written with the issue that the I-15 corridor wasn't defined. He noted that in his opinion the new ordinance is thorough enough that the Planning Commission can make decisions without worry of a lawsuit.

Commissioner Gailey asked if by drawing yellow lines on a map if that is considered legally binding in the ordinance. Mr. Daily noted that Mr. Brooks would need to review and determine. Commissioner Ellis asked if the petitioner could challenge the map and open up more problems. Mr. Daily noted that the City Attorney would need to determine that and stated that the problem was in defining the corridor in words would be very difficult and that a map seemed to define it more clearly. Commissioner Ellis asked if there was a great need for more billboards along the I-15 corridor. Mr. Daily stated that this new language and map was based on Planning Commission recommendations from the previous meeting to possibly allow additional billboards.

Commissioner Miller stated that the Planning Commission is made up of seven people who each interpret the ordinances differently. He noted that the petitioner may also interpret the ordinance differently and that is why the City has a Board of Adjustments. Commissioner Miller feels that if they follow the ordinances to the best of their ability they have done nothing wrong and therefore feels the City Council does not need to approve all off premise signs. Discussion was held on the Reagan Sign petition and UTA property.

Chairman Farr noted that he would feel safer if the Planning Commission had backing from the City Council on the I-15 corridor. Commissioner Jones noted that his is in agreement with Commissioner Miller in that if they follow the ordinances they should be fine in making a decision. Commissioner Searle stated that if the Planning Commission has a question they can ask for guidance from legal counsel if they have an issue they are not comfortable with. Mr. Daily agreed that they may table an issue and seek legal advice so a decision may be made on firm legal ground. Commissioner Searle noted that he does not have a problem with the proposed wording and that between the seven of them the Planning Commission can make a decision.

**Motion:** Commissioner Miller moved to send to the City Council the amendments to the proposed sign ordinance 10-16-7: Off Premise Signs as written. Commissioner Jones seconded the motion.

**Roll Call Vote:** Commissioner Jones, aye; Commissioner Miller, aye; Commissioner Searle, aye; Commissioner Stevens, aye; Commissioner Ellis, nay; Commissioner Gailey, aye; Chairman Farr, nay.

**Call the Question:**  
The motion passed with five in favor and two against.

## **6. DISCRETIONARY BUSINESS**

Commissioner Gailey noted that the new road by the Hayward Business Park is being used and there is no stop sign. Mr. Daily stated that the City does not own the road but he would talk with the Public Works Director to see what can be done for signage. Commissioner Gailey asked if the City was watching for weeds in yards and

noted that the back of Turner Subdivision facing 1050 west is an eyesore. Mr. Daily noted that the City is working very hard and that he would send code enforcement to that area.

Commissioner Stevens noted that this is the last meeting before school starts and requested that the weeds and obstructions on the sidewalks be reviewed and noted that there are areas where obstruction on the sidewalk cause pedestrians to walk in the road.

Commissioner Gailey asked the Planning Commission if anyone else was planning to attend the ULCT training. Commissioner Searle noted that he would like to attend. Mr. Daily stated that Thursday would be the best day to attend and to call the City to get signed up for the seminar.

Commissioner Ellis noted that the old road by his home has been turned into a roundabout for traffic trying to avoid Riverdale Road construction. He requested that the road be barricaded. Mr. Daily stated that the homes above the road will be demolished and the road taken out but he would look into getting a barricade until then.

Mr. Daily informed the Planning Commission that the next meeting on August 26, 2008 will be held as a joint meeting with the City Council to address the General Plan. He noted that the meeting will be held at the Community Center at 6 pm and the Planning Commission will reconvene at the Civic center after to hold a regular Planning Commission meeting.

**7. ADJOURNMENT.**

There being no further business to come before the Planning Commission, Commissioner Miller moved to adjourn the meeting. Commissioner Ellis seconded the motion. The motion passed unanimously. The meeting was adjourned at 7:31 pm.

Attest:

Approved:

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Marie Alvord,  
Planning Commission Secretary

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Don Farr, Chair