



Minutes of the **Regular Meeting** of the **Riverdale City Planning Commission** held Tuesday, **May 14, 2013 at 6:32 p.m.** at the Riverdale Civic Center, 4600 South Weber River Drive.

Members Present: Brent Ellis, Chairman
Blair Jones, Vice-Chairman
David Gailey, Commissioner
Kathy Eskelsen, Commissioner

Members Excused: Steve Hilton, Commissioner
Lori Fleming, Commissioner
Michael Roubinet, Commissioner

Others Present: Randy Daily, Community Development Director; Michael Eggett, Community Development Director; Ember Herrick, City Recorder and two members of the public Carrie Cisso and Mel Sweeny.

A. Welcome & Roll Call

Chairman Ellis welcomed everyone to the meeting and stated for the record all members of the Planning Commission are present except for Commissioners Hilton, Fleming and Roubinet who have asked to be excused.

B. Open Communications

Chairman Ellis said there are no members of the public present to speak during the open communications portion of the meeting.

C. Presentations and Reports

Community Development Projects Status Report

Community Development Director Michael Eggett said In-N-Out Burger and EZ Pawn are moving forward with their stores' construction and a second Subway Restaurant will open in Riverdale in the space formerly occupied by Quiznos. He asked for any questions or comments and there were none.

D. Consent Items

April 9, 2013 Work Session

April 9, 2013 Planning Commission

April 23, 2013 Work Session

Chairman Ellis asked for any changes or corrections to the previous meeting minutes and none were noted.

Motion: Commissioner Eskelsen moved to approve the meeting minutes.
Commissioner Gailey seconded the motion.

There was no discussion on the motion.

Call the Question: The motion passed unanimously.

E. Action Items

1. Consideration of Conditional Use Permit Application for Hokulia Shave Ice

Chairman Ellis said the first action item is consideration of a Conditional Use Permit application for Hokulia Shave Ice. Mr. Eggett said the request does comply with Riverdale's seasonal sales requirements and the business owner has agreed to address the requirement that the building be stationary and immovable and the bottom be screened so that staff is comfortable recommending approval. He said the business owner has worked out an agreement to allow the employees to use the nearby Best Buy store's restrooms and has complied with Riverdale City statute by submitting a signed copy of that agreement. Mr. Daily said the Planning Commission will need to forward their recommendation to the City Council for their consideration.

Commissioner Gailey asked how secure the structure will be and Mr. Daily said Riverdale's Building Inspector Jeff Woody will inspect the building before it opens to the public to ensure that it is safe. Commissioner Jones asked who will be responsible if this temporary structure damages the parking lot and Mr. Daily said there is a refundable cleanup fee as well as language in the DDR agreement to insure the parking lot against any damage. Chairman Ellis asked about the building's placement and if it will impede traffic to the permanent businesses in the complex and Mr. Daily said the site plan shows them in the far north east corner where they should not impede traffic and will have safe pedestrian access. Mr. Daily said the Planning Commission has discretion on the setbacks for temporary businesses if there are reasonable concerns. He said his department will ensure that Applebees' customers won't be impacted and customers of this temporary seasonal business won't be able to stop on Riverdale Road and buy snow cones without parking and safely exiting their vehicles. There were no additional comments or questions.

Motion: Commissioner Gailey moved to approve the Conditional Use Permit Application for Hokulia Shave Ice forward with a favorable recommendation to the City Council. Commissioner Eskelsen seconded the motion.

There was no discussion on the motion.

Call the Question: The motion passed unanimously.

2. Consideration of Conditional Use Permit at Brook Haven 4905 S. 1500 W.

Chairman Ellis said the second action item is consideration of a Conditional Use Permit for a new electronic sign at the Brookhaven development address 4905 S. 1500 W. Carrie Cissco with Wasatch Sign and Lighting said the property owner is hoping to attract new tenants to his development with an electronic sign visible from the I-15 freeway. She said the road to access the development is tucked in behind the Motel 6 entrance on 1500 West and a sign advertising all the tenants is expected to help make customers aware of the different businesses on the ridge. Ms. Cissco said one electronic sign will prevent the buildings from being cluttered with the logos of all the businesses on the exterior of the buildings. Mr. Daily said the site plan on file with the city shows two existing buildings, two proposed buildings and a third future building and staff's concern is that an electronic sign in this location may not benefit the development long term. He said UDOT has been consulted because this electronic sign is proposed along the freeway and a representative from UDOT told him that they are only concerned with billboards and do not have input with on-premise signs.

Commissioner Gailey asked if this sign will advertise all current and future businesses at this location and Ms. Cissco said it will be an electronic message board with the names of the different businesses in the complex scrolling across the sign. She said the double sided sign will be visible to north and southbound I-15 freeway traffic and will have a built in dimmer function. Commissioner Gailey said this proposed sign is located past the Riverdale exits and Ms. Cissco said northbound customers would need to take the Ogden 31st exit and southbound customers would need to take the 5600 South Roy exit and backtrack to the business park on 1500 West in Riverdale. Commissioner Jones asked about the exact location of the sign and Mel Sweeney owner of Wasatch Signs said it is proposed between and behind the two existing buildings on the fence line where it would be visible from the freeway. According to Mr. Sweeney, the property owner Rob Reynolds is hoping this proposed electronic sign will attract tenants to the development and he said the landmark sign at the entrance on 1500 West has helped customers locate the existing businesses renting space in the development. Chairman Ellis said there used to be a banner sign at the entrance to the development and Mr. Daily said that sign has since been removed. Commissioner Eskelsen asked for clarification about the purpose of this proposed electronic sign and expressed doubt that it will be visible to freeway traffic. Mr. Sweeney said the sign will advertise existing tenants and is expected to help bring in new tenants interested in leasing office space in the development.

Chairman Ellis asked about a start date to begin construction on the other three buildings plotted on the site plan and Mr. Sweeney said the city would need to ask the property owner. Commissioner Jones said he is hesitant to support approval of this Conditional Use Permit because of the ambiguity about the future of the development and the fact that if the signage allowance is used up now it could negatively impact future development. Chairman Ellis said the majority of the two existing buildings are not rented out and with two or three additional proposed buildings there could eventually be more than 20 tenants in this development. He said it will take minutes for an electronic sign to rotate through a list of 20 businesses and the property owner needs to consider if this request is premature and not the best usage of the 600 sq ft in allowed signage for the development.

Mr. Daily said the proposed electronic sign is 105 sq ft, the landmark sign is over 50 sq feet and Access Home Care has signage on the front and backside of one of the buildings that also figures into the total allowed signage for the development. He said in the next few years as the RDA West Bench develops with a \$9 million project area budget, a fully animated electronic sign in front of this development visible to traffic on 1500 West will generate more business for the development than a freeway facing sign. Mr. Daily said Riverdale ordinance only allows one electronic sign so if the Planning Commission approves this electronic reader sign the property owner will not be allowed to place a second electronic sign in the front of the development in the future. Mr. Sweeney asked about possible changes to the city's sign allowance ordinance and a variance request to allow additional signage and Mr. Daily said a variance request for additional signage would not be possible but the developer could look at amending the Developer's Agreement. According to Mr. Daily, Riverdale allows three square feet of signage for every linear foot of development and this code hasn't changed during the 35 years he has worked for the city. He advised the property owner not to use up all of his allowed signage which could discourage some developments like restaurants with high signage requirements from locating in the development. Mr. Daily said this west bench development will be aided by UDOT's widening of Riverdale Road and additional freeway entrances and exits after construction is completed in late 2014. He encouraged the property owner to sit down with staff and discuss the future needs of his development and the possibility of amending the Developer's Agreement to

comply with city requirements and then bring an amended Conditional Use Permit back to the Planning Commission for consideration. Chairman Ellis said the Planning Commission and Council want to see some good tenants occupy this development. He thanked the representatives from Wasatch Sign and Lighting for attending tonight's meeting and asked them to communicate the Planning Commission's recommendation that the property owner work with staff to find a solution that will work for the development's long term goals. There were no additional comments or questions.

Motion: Commissioner Eskelsen moved to deny the Conditional Use Permit at Brook Haven 4905 S. 1500 W. recommending the property owner meet with staff to discuss a possible amendment to the development agreement to address the development's signage needs. Commissioner Jones seconded the motion.

There was no discussion on the motion.

Call the Question: The motion passed unanimously.

Mr. Daily said staff would be happy to meet with the property owner and representatives from Wasatch Sign and Lighting in the future to discuss possible amendments to the developer's agreement and allowed signage for this development at 4905 S. 1500 W.

F. Discretionary Items

Chairman Ellis asked for any discretionary items and Commissioner Gailey suggested the Planning Commission streamline the approval of consent items in the future with a simple motion to approve all consent items.

Motion: There being no further business to come before the Planning Commission, Commissioner Gailey moved to adjourn the meeting. Commissioner Eskelsen seconded the motion. The motion passed unanimously. The meeting adjourned at 7:12 p.m.

Approved: May 28, 2013

Attest:

Brent Ellis, Chairman

Ember Herrick, City Recorder