BRIGHAM CITY PLANNING COMMISSION
BRIGHAM CITY COUNCIL CHAMBERS
Tuesday, July 5, 2016 6:00 p.m.

PRESENT:	Eve Jones	Chairperson
	Debbie Manning	Vice-Chair
	Larry Jensen	Commissioner
	Reed Hancey	Commissioner
	Bill Frye	Commissioner
	Scott Mildenhall	Commissioner
	Steven Barsuhn	Alternate Commissioner
ALSO PRESENT:	Mark Bradley	City Planner
	Christina Boss	Administrative Assistant
	Todd Nelson	Applicant
	Bill Thompson	Applicant's Representative
EXCUSED:	Dean Lester	Commissioner

AGENDA

Approval of Minutes

Public Comment *(Per Utah Code, will receive input only, no decision can be made)* for items not listed on the agenda.

Application # 3718 / Permitted Use Permit – Brigham City Outdoors / 695 West 1075 South (Westland Drive) / Todd Nelson

Application # 3720 / Conditional Use Permit – Off-Premise Sign Type / 220 North Main / Kent's Market & Ace Hardware / David Q. McKay

Discussion

REGULAR MEETING

Regular session opened at 6:00 p.m. by Commissioner Jones and the Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Commissioner Manning made a motion to approve the minutes from the May 17, 2016 meeting as written. The motion was seconded by Commissioner Hancey and passed unanimously.

PUBLIC COMMENT There was no public comment.

Application # 3718 / Permitted Use Permit – Brigham City Outdoors / 695 West 1075 South (Westland Drive) / Todd Nelson

Mr. Bradley presented the application stating that the property is located on the east side of Chevron and backs up to 1100 South with access from Westland Drive. The intended use is allowed in the zoning district. Mr. Bradley displayed the site plan on the screen and stated that the Applicant will continue the sidewalk along Westland Drive. The Public Works Department will review the sidewalk gap and utility box situation along the Chevron property. The building design allows for the possibility of three separate tenants; however, Mr. Nelson plans to occupy the entire building. Mr. Bradley stated that the elevation plan shows the front and rear of the building having the same appearance which is part of the 1100 South design guidelines. The colors of the building will be earth tones and there will be a rock façade. Mr. Bradley stated that the Applicant has not submitted a sign permit but plans to place the sign on the wall of the building. Staff supports the application and some of their comments include providing continuous curbing at the east side of the parking lot and meeting fire codes regarding the location of the dumpster in proximity to the building.

The Applicant approached the table and the Commissioners commented that they like the design of the building. Mr. Nelson stated he agrees with Staff comments. Commissioner Hancey questioned the reference to native landscaping at the rear property line on the site plan. Mr. Nelson does not know exactly what the native landscaping will be but stated that if UDOT will allow, he will landscape up to the road. Mr. Bradley stated that UDOT has allowed property owners to landscape in those areas. Mr. Nelson will be selling clothing and outdoor equipment as he does now in his current location along the south side of 1100 South.

> **Motion:** A motion was made by Commissioner Jensen that the Planning Commission approve Application #3718 subject to the stipulations outlined by City staff and with the Findings of Fact that: 1) Such use with noted conditions and compliance should not under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity; 2) The site improvements are determined to be reasonable due to the existing use and recent annexation of the property; 3) The design of the site is consistent with City standards and 1100 South design guidelines subject to compliance with noted staff review comments; 4) The building orientation parallels the adjacent streets; 5) A significant amount of building transparency is shown along 1100 South; 6) The rear elevation of the building facing 1100 South is treated similar to the front of the building facing Westland Drive; 7) Street trees are provided in the park strip along Westland Drive; 8) The land use is a permitted use in the General Commercial zoning district; and 9) Such use is in compliance with the Brigham City General Plan.
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> The motion was seconded by Commissioner Hancey.

The motion passed unanimously.

Application # 3720 / Conditional Use Permit – Off-Premise Sign Type / 220 North Main / Kent's Market & Ace Hardware / David Q. McKay

Mr. Bradley presented the application stating that both parcels, Kent's Market and Ace Hardware, are owned by the same entity. The sign will be on the Ace Hardware parcel; therefore, the Kent's Market part of the sign is off-premise. City Codes allow for off-premise signs but restrict the type to a monument sign unless it is part of the overall project, which is the case with this application. Notices were sent to adjacent property owners along the westerly side of the block and property owners around the ends of the block. Mr. Bradley stated that the tree canopy is 16 ½ feet and the proposed sign is 19 feet, 8 inches. The concern is that the trees will prevent visibility of the sign and that it will not be effective due to limited visibility. Additionally, there is concern that the Applicant will approach the City to trim the trees because customers cannot see the sign. The northbound traffic will have more visibility than southbound traffic. The sign will have an LED component which will display messages such as pricing on sale items. Staff is recommending that the pole portion of the sign be reduced from 10 feet to 8 feet. Mr. Bradley stated that per City Code and with the Planning Commission's approval, the sign can be installed as per the proposed plans. Mr. Bradley has not heard back from the Applicant on Staff's comments in reference to lowering the sign.

The Applicant's representative came forward and stated that the reason for the sign height is due to the semi-tractor trailer deliveries. The Applicant feels that a higher sign will prevent the trucks from backing into the sign. Mr. Thompson stated that the Applicants feel that the most important part of the sign, the LED portion, will be visible. The owners do not have any concerns with the height of the sign. Mr. Thompson stated that the owner is out of the country and has not made contact but he may be agreeable to lowering the sign. Mr. Thompson stated that the reason the owner picked that specific location for the sign, which is between the two buildings, was to reduce loss of parking spaces.

The Commissioners discussed the height and agreed that if the sign meets City codes and the owners are not concerned with loss of sign visibility, they can move forward. Commissioner Jensen reiterated to the Applicant's representative that the owners need to understand that the City will not be trimming or taking down the trees to make the sign more visible. He suggested to Mr. Bradley that the City write a letter to the owners communicating this fact. Commissioner Jensen stated that he would prefer a pedestal sign because it matches what is along Main Street. Mr. Thompson stated that he will communicate the sign height concerns to the owners.

> **Motion**: A motion was made by Commissioner Hancey that the Planning Commission approve Application #3720 as written with the expectation that the owners will be made aware there will be no tree trimming or tree removal to support visibility of the sign, and that the staff recommendations will be communicated clearly but that the owners are free to pursue the sign as they choose within the guidelines stated, and with the Findings of Fact that: 1) Per City

Code, the Planning Commission may consider a high profile permanent off-premise sign as part of a design review for a shopping center consisting of separately owned or leased properties (see Chapter 29.27 Sign Regulations, Section 29.27.060 (N)); 2) A portion of the proposed sign will be visually obstructed by the existing street trees; 3) Low profile signs are more visible with the street trees and historically work better where street trees exist along Main Street; and 4) The current draft of the General Plan update for North Main is to encourage low profile signs and signs on the buildings due to the street trees. The goals and strategies state revise the sign code to promote low-profile signs and signs on the buildings under the tree canopy.

The motion was seconded by Commissioner Manning.

The motion passed unanimously.

DISCUSSION

Mr. Bradley updated the Planning Commission on the General Plan stating that the City met with the Consultants and went over Staff review comments. The draft Plan will be sent out to the Steering Committee so they can review it and the next meeting will be on August 9th. After Steering Committee comments have been received, the draft General Plan will be sent out through email and social media for the public to review. The earliest date for the Public Hearing would be September 6th. The Consultants will be looking at the City Code and making draft amendments to zoning sections that will need to be changed. Mr. Bradley stated the Consultant would like to present those changes the same night as the Public Hearing but due to the changes requiring significant zoning ordinance updates, the Consultant may not have them ready. Commissioner Jensen feels it is important that everything be presented at the same time.

1100 West is moving forward and is in the construction phase. Utilities are going underneath the road. Everything will be stubbed in for the future traffic signal.

MOTION TO ADJOURN

Motion: A motion was made by Commissioner Jensen to adjourn.

The motion was seconded by Commissioner Mildenhall.

The motion passed unanimously and the meeting was adjourned at 6:42 p.m.

This certifies that the regular meeting minutes of July 5, 2016 are a true and accurate copy as approved by the Planning Commission on August 2, 2016. .

Signed: _____

Christina Boss, Administrative Assistant