

*Minutes*

**City Council Chambers, Upper Level  
September 2, 2015**

**Board Members Present:**

Mark Freeman – Chair  
Trent Montague - Vice Chair  
Wade Swanson  
Ken Rembold  
Tony Siebers  
Jessica Sarkissian

**Board Members Absent:**

Steve Curran (Excused)

**Staff Present:**

Gordon Sheffield  
Lisa Davis  
Kaelee Wilson  
Mike Gildenstern

**Others Present:**

Larry Burns  
Lannie Burns

The study session began at 4:34 p.m. and concluded at 5:09 p.m. The Public Hearing began at 5:30 p.m. Before adjournment at 5:37 p.m., the following items were considered and recorded.

**Study Session began at 4:34 p.m.**

- A. Discuss the use and functionality of the electronic agenda delivery software Legistar/iLegislate
- B. Zoning Administrator's Report
  - 1. Discuss upcoming Amendments to the Zoning Ordinance
- C. Discussion of items listed on the Public Hearing Agenda

**Study Session adjourned at 5:09 p.m.**

**Public Hearing began at 5:30 p.m.**

- A. Consider Minutes from the August 5, 2015 Meeting -A motion was made by Boardmember Swanson and seconded by Boardmember Rembold to approve the minutes. Vote: Passed 6-0
  
- B. Consent Agenda -A motion to approve the consent agenda as read was made by Boardmember Swanson and seconded by Boardmember Rembold. Vote: Passed 6-0

**Case No.:** BA15-022 **CONTINUED**

**Location:** 1925 East Brown Road

**Subject:** Requesting a Special Use Permit to allow a wireless communications facility to exceed the maximum height allowed in the LC zoning district. (PLN2015-00187)

**Decision:** Continued

**Motion:** It was moved by Boardmember Swanson seconded by Boardmember Rembold to continue Case BA15-022 to the October 7, 2015 meeting.

**Vote:** Passed (6-0)

**Case No.:** BA15-038 **CONTINUED**

**Location:** 1948 East McKellips Road

**Subject:** Requesting a Special Use Permit to modify a Comprehensive Sign Plan in the LC zoning district. (PLN2015-00316)

**Decision:** Continuance to the October 7, 2015 meeting

**Motion:** It was moved by Boardmember Swanson seconded by Boardmember Rembold to continue Case BA15-038 to the October 7, 2015 meeting

**Vote:** Passed (6-0)

**Case No.:** BA15-039 **APPROVED WITH CONDITIONS**

**Location:** 1455 South Stapley Drive

**Subject:** Requesting a Special Use Permit to allow for a Comprehensive Sign Plan in the LC zoning district. (PLN2015-00317)

**Decision:** Approved with Conditions

**Summary:** This item was on the consent agenda and not discussed on an individual basis.

**Motion:** It was moved by Boardmember Swanson seconded by Boardmember Rembold to approve Case BA15-039 with the following conditions:

1. *Compliance with the site plan submitted, except as modified by the conditions below.*
2. *Any conditional signage not identified with this Sign Plan will require modification to this Special Use Permit.*
3. *Compliance with all requirements of the Development Services Division with regard to the issuance of sign permits.*
4. *The proposed Stapley @ 60 Comprehensive Sign Plan is approved in tandem to the revisions to the shopping center. The attached Center ID wall sign shall not be installed until the elevation modifications are complete.*
5. *The existing monument sign must be removed prior to the final inspection of the sign permits for either both of the proposed monument signs.*
6. *At the electronic display message sign, each message shall remain static for a minimum of fifteen (15) seconds.*
7. *The transitions between messages and the light intensity level of the electronic message display shall comply with the requirements of Section 11-41-8(D)17.*

**Vote:** Passed (6-0)

**The Board's decision is based upon the following Findings of Fact:**

- A. The original shopping center was developed in the mid1980's.
- B. In 2015, the retail center received approval for revised updated elevations and landscape plan.
- C. The CSP proposes two detached signs adjacent to Stapley Road with no detached signs proposed adjacent to Hilton Avenue. As shown in Table 1, the allowed overall total aggregate sign height proposed for detached signs along Stapley Road and Hilton Avenue are much less than are allowed under current Sign Ordinance maximums. No proposed detached sign exceeds 12 feet in height or 80 square feet in area.
- D. The detached sign height allowance for this center along Stapley Road and Hilton Avenue is 42.2' and 24' is proposed.
- E. The total sign area allowed adjacent to Stapley Road is 180 SF and 160 SF is proposed. Two signs at 80 SF each.
- F. The existing 25'+ sign monument sign will be removed with the installation of the new monument signs.

- G. The Center ID wall signs will help to identify the building at the US 60 off ramps. Placement of a freeway landmark sign is not allowed for the site because of the size of the parcel, 7.6 acres when 30 acres is required.
- H. The existing canal located south of the site limits visibility of the retail center.
- I. The proposed electronic message display sign is 340' south of the northernmost proposed monument sign for the center. The speed limit at Stapley Road is 45 mph which is typical for the area. The design of the sign is consistent with the approved updated elevations for the center.
- J. The electronic message displays are to remain static for a minimum of one hour unless a Special Use Permit (SUP) is granted. With the Special Use Permit staff In this case a 15 second message display is consistent with past Board of Adjustment decisions.
- K. The proposed CSP is largely consistent with current Code requirements, and the deviations requested related to the height of detached signs adjacent to Stapley Road result in a plan that is complimentary to adjacent development and consistent with the use of the property. Therefore, the CSP, with the recommended conditions, will be compatible with, and not detrimental to, adjacent properties or the neighborhood in general.

**Case No.:** BA15-040 **APPROVED WITH CONDITIONS**

**Location:** 2253 East University Drive

**Subject:** Requesting a Special Use Permit to allow an accessory truck rental facility in the LC zoning district. (PLN2015-00322)

**Decision:** Approved with Conditions

**Summary:** This item was on the consent agenda and was not discussed on an individual basis.

**Motion:** It was moved by Boardmember Swanson seconded by Boardmember Rembold to approve case BA15-040 with the following conditions:

1. *Compliance with the site plan as submitted, except as may be modified by conditions listed below;*
2. *Compliance with all requirements of the Development Services Division with regard to the issuance of building permits.*
3. *A maximum of four parking spaces can be utilized for the UHaul trucks.*

**Vote:** Passed (6-0)

**The Board's decision is based upon the following Findings of Fact:**

- A. The development conforms to the General Plan Character Area designation of Neighborhoods-Suburban. This classification allows for Limited Commercial zoning district supportive of surrounding neighborhoods.
- B. The accessory automobile rental is subordinate to the primary mini-storage use.
- C. The proposed accessory automobile rental use is compatible with adjacent developments, and can be complimentary to existing surrounding uses.
- D. The number of on-site parking spaces meets minimum Zoning Code requirements.
- E. Adequate public services, public facilities and public infrastructure are available to serve the proposed project.
- F. The proposed accessory automobile rental use, with the recommended conditions of approval, will not be injurious or detrimental to the adjacent or surrounding property area.

**Case No.:** BA15-041 **APPROVED WITH CONDITIONS**

**Location:** 235 North 22<sup>nd</sup> Place #522

**Subject:** Requesting a Variance to reduce the number of required parking spaces for a single residence activity in the RM-3 PAD zoning district. (PLN2015-00326)

**Decision:** Approval with Conditions

**Summary:** This item was on the consent agenda and was not discussed on an individual basis.

**Motion:** It was moved by Boardmember Swanson seconded by Boardmember Rembold to approve case BA15-041 with the following conditions:

1. *Compliance with the site plan as submitted, except as may be modified by conditions listed below;*
2. *Compliance with all requirements of the Development Services Division with regard to the issuance of building permits.*
3. *One covered parking space within the existing garage must be maintained.*

**Vote:** Passed (6-0)

**The Board's decision is based upon the following Findings of Fact:**

- A. The existing home was constructed in 1988 with no bathrooms on the first floor of the townhouse.
- B. The existing two-story home is approximately 1,400 SF in area on a 2,187 SF lot.
- C. The applicant has owned the home for approximately 17 years and did not construct the townhouse.
- D. The storage area created in the garage has been in place for more than 17 years.
- E. Strict compliance with the number of required parking spaces would limit the current townhouse owner with needed modification of the house to include a bathroom on the main floor.
- F. The request does not involve an expansion or intensification of the home.
- G. The Eastbrook/Stratford Homeowners Association provided a letter dated July 28, 2015 indicating that there are no restrictions regarding parking of vehicles in the driveway of the townhouses.
- H. The driveway area for all townhouses is maintained by the Eastbrook/Stratford Homeowners Association.

OTHER BUSINESS:

None

ITEMS FROM CITIZENS PRESENT

None

Respectfully submitted,

Gordon Sheffield, AICP CNU-a  
Zoning Administrator