

Minutes of the Regular Meeting of the Riverdale City Planning Commission held Tuesday, January 9, 2018, at 6:30 p.m., 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  
Kathy Eskelsen, Commissioner  
Lori Fleming, Commissioner  
Robert Wingfield, Commissioner  
Gary Boatright, Commissioner

City Employees: Mike Eggett, Community Development  
Jackie Manning, City Recorder

Visitors: Eric Malmberg, engineer for Krispy Kreme

**A. Welcome & Roll Call**

The Planning Commission Meeting began at 6:30 p.m. Chairman Hilton welcomed everyone to the meeting and stated for the record that all members of the Planning Commission were present.

**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:

- Floor and Décor moving forward in construction
- Town Square Building E has been completed
- Coleman Farms has a new owner and appears to be moving forward
- Best Realty is moving into the old Johnny's Dairy building

**D. Consent Items**

**1. Consideration of meeting minutes from the Planning Commission Meeting held on December 12, 2017.**

Chairman Hilton asked for changes or corrections to the Planning Commission meeting minutes for the December 12, 2017 Work Session and Regular Meeting. There were no changes requested.

**2. Consideration to approve the annual 2018 Planning Commission meeting schedule.**

There was no discussion regarding this item.

**MOTION:** Commissioner Boatright moved to approve consent items as proposed.  
Commissioner Fleming seconded the motion.

There was no discussion regarding this motion.

**CALL THE QUESTION:** The motion passed unanimously in favor of approval.

**E. Action Items**

**1. Consideration of recommendation to the City Council for Final Site Plan and Plat approval of Krispy Kreme Riverdale (Riverdale Landing, Phase One Subdivision), property located approximately 4212 Riverdale Road, Riverdale, Utah 84405; requested by Grand Slam Ventures LLC and the RDA of Riverdale City.**

Mr. Eggett summarized an executive summary which explained:

Grand Slam Venture, as represented by Eric Malmberg/Jeff Randall, have applied for a Final Site Plan and Subdivision Plat of a Krispy Kreme restaurant/cafe located at approximately 4212 South Riverdale Road in a Community Commercial (C-2) zone. This site plan and plat is being proposed for development on property that is within the Riverdale Road RDA area and currently owned by Grand Slam Ventures (GSV). A public hearing is not required to consider this final site plan and plat proposal. On November 28, 2017, the preliminary site plan and plat for this GSV project was approved by the Planning Commission.

Title 10 Ordinance Guidelines (Code Reference)

This Final Site Plan and Subdivision Plat review is regulated under City Code 10-21 "Subdivisions", 10-25 "Development in All Zones", and is affected by City Codes 10-10A "Community Commercial Zones (C-2)", 10-14 "Regulations Applicable to All Zones", 10-15 "Parking, Loading Space; Vehicle Traffic and Access", and 10-16 "Sign Regulations".

The proposed development parcel is located on the northeast corner of 500 West and Riverdale Road on property currently owned by Grand Slam Ventures, LLC. The property is in a C-2 zone and all uses listed in this zone are considered conditional and, therefore, would require the Planning Commission to consider a conditional use permit review before the proposal could advance to the City Council (which is on the agenda following this agenda item). Per the applicant, the desired uses are restaurant/café and food production.

Attached with this executive summary is a document entitled "Final Site Plan and Plat Review – Riverdale Krispy Kreme Riverdale (Riverdale Landing Phase 1 Subdivision)"; this is a supplementary document representing a continued review of listed items found on the Preliminary Site Plan application document. Also attached, following this executive summary, are comments from the Public Works Director, the Fire Chief, the Police Chief, the City Administrator, the Building Official, and contracted City Engineer. The Planning Commission should discuss any concerns raised by these summaries.

On January 3, 2018, the Design Review Committee reviewed and discussed the architectural building design/colors, landscaping, and signage, which thereafter became approved design elements for this site. All site signage is regulated per City Code 10-16 (specifically section 8.(b.) for Commercial Districts); the applicant should be directed to adhere to this Code when contemplating signage.

It was noted the applicant is attempting to coordinate with UDOT (Utah Department of Transportation) potential egress and ingress access points onto Riverdale Road. Negotiations are still in progress.

There was a discussion regarding the location of the dumpster and Mr. Malmberg explained the trash would be picked up twice a week, and Krispy Kreme will work with the property owner to schedule times around the business peak hours to mitigate interruption in traffic flow.

Commissioner Boatright stated he liked the landscaping, but expressed concern regarding the upkeep and future maintenance of said landscape.

Chairman Hilton asked the applicant if he could meet the City Ordinances and asked if the applicant understood all outstanding items, and Mr. Malmberg confirmed on both questions.

Mr. Eggett encouraged Mr. Malmberg to contact the Public Works Director, Shawn Douglas, to ensure all outstanding items are addressed before Krispy Kreme appears before the City Council.

**MOTION:** Commissioner Wingfield moved to forward a favorable recommendation to the City Council regarding the Final Site Plan and Plat approval of Krispy Kreme Riverdale (Riverdale Landing, Phase One Subdivision), property located approximately 4212 Riverdale Road, Riverdale, Utah 84405; requested by Grand Slam Ventures LLC and the RDA of Riverdale City, subject to the Riverdale City Municipal Code and all outstanding items being addressed. Commissioner Eskelsen seconded the motion.

There was no discussion regarding this motion.

**ROLL CALL VOTE:** Commissioners Hilton, Gailey, Boatright, Eskelsen, Fleming, Wingfield and Jones all voted unanimously in favor.

**2. Consideration to approve a Conditional Use Permit approval for a restaurant/café and food production use request in a Community Commercial (C-2) zone for property located approximately 4212 Riverdale Road, Riverdale, Utah 84405; requested by Grand Slam Ventures LLC.**

Mr. Eggett summarized an executive summary which explained:

Mr. Malmberg has filed for a conditional use permit, on behalf of Grand Slam Ventures, LLC, to request a conditional use for Krispy Kreme restaurant/café and food production site located at approximately 4212 South Riverdale Road. This property is located in a Community Commercial (C-2) zone and is owned by Grand Slam Ventures, LLC. Within the C-2 zone matrix, both "restaurant, with drive-in" and "café or cafeteria" are established as a conditional use review for approval by the Planning Commission. This required review allows the Commission to look at any outstanding health, safety, and welfare concerns that may exist in association with the newly proposed use in the C-2 zone. Previously this location was being utilized as a restaurant and open space. Following the presentation and discussion of the proposal, the Planning Commission may make a motion to approve the conditional use request, approve with required conditions or

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improvements to the plan (as tied to City Code 10-19), or not approve the conditional use permit request for restaurant/café and food production at this location with sufficient findings of fact to support the decision.

### 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".

The Krispy Kreme site plan and plat are also before the Planning Commission for review and recommendation consideration. Potentially applicable items of concern and discussion have been provided in the review documents associated with those processes. The applicant has also provided drawings and renderings of the exterior and interior of the building planned for the site. Additionally, a landscaping plan and lighting plan has been provided for review by the Planning Commission. The applicant has made effort to minimize lighting impacts to neighboring properties from this site and has designed a landscape plan that is planned to enhance the site location.

The criteria for issuing a Conditional Use Permit approval is as follows (additionally, for more information regarding this zone please defer to City Code 10-10A):

### 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)

### General Plan Guidance (Section Reference)

The General Plan has this area listed for Planned Commercial – High uses.

There was a discussion regarding the residential areas surrounding the property with an emphasis on mitigating the impact of this business on the residents. Mr. Malmberg explained there will be pedestrian access points to allow safer restaurant access. Mr. Malmberg further explained Krispy Kreme will be sensitive to the residents in regard to the lighting plans.

There was a brief discussion regarding the delivery trucks and it was noted the trucks used to deliver the donuts to various businesses will not be semi vehicles, and are scheduled very early in the morning so as to not impede traffic.

**MOTION:** Commissioner Boatright moved to approve the Conditional Use Permit approval for a restaurant/café and food production use requested in a Community Commercial (C-2) zone for property located approximately 4212 Riverdale Road, Riverdale, Utah 84405; requested by Grand Slam Ventures LLC. Commissioner Gailey seconded the motion.

There was no discussion regarding this motion.

**ROLL CALL VOTE:** Commissioners Gailey, Boatright, Eskelsen, Fleming, Wingfield, Jones and Hilton all voted unanimously in favor.

### 3. Voting consideration to select the Planning Commission Chair Member and Vice Chair Member.

Mr. Eggett explained the process to select a Chair and Vice-Chair for the Planning Commission. Each nomination would need to be a separate motion.

**MOTION:** Commissioner Fleming moved to nominate Commissioner Boatright as the Planning Commission Chair. Commissioner Jones seconded the motion.

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There was no discussion regarding this motion.

**ROLL CALL VOTE:** Commissioner Eskelsen, Fleming, Wingfield, Jones, Hilton, Gailey and Boatright all voted unanimously in favor of the nomination.

**MOTION:** Commissioner Fleming moved to nominate Commissioner Wingfield as the Planning Commission Vice-Chair. Commissioner Eskelsen seconded the motion.

There was no discussion regarding this motion.

**ROLL CALL VOTE:** Commissioner Fleming, Wingfield, Jones, Hilton, Gailey, Boatright and Eskelsen all voted unanimously in favor of the nomination.

Mr. Eggett explained these nominations would be ratified at the next City Council Meeting.

**F. Discretionary Items**

There were no discretionary items.

**G. Adjournment**

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

The meeting adjourned at 7:04 p.m.

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Steve Hilton  
Planning Commission Chair

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Jackie Manning  
City Recorder

Date Approved: \_\_\_\_\_