

Minutes of the Regular Meeting of the Riverdale City Council held Tuesday, September 5, 2017, at 6:00 p.m., at the Civic Center, 4600 S Weber River Dr., Riverdale City, Weber County, Utah.

Present:

City Council:

Norm Searle, Mayor
Braden Mitchell, Councilmember
Brent Ellis, Councilmember
Gary E. Griffiths, Councilmember
Alan Arnold, Councilmember
Cody Hansen, Councilmember

City Employees:

Rodger Worthen, City Administrator
Steve Brooks, City Attorney
Shawn Douglas, Public Works Director
Scott Brenkman, Police Chief
Jared Sholly, Fire Chief
Mike Eggett, Community Development
Jackie Manning, City Recorder

Visitors:

David A. Leahy	Chuck Kerkvliet	Ryan Anderson
Keaton Morton	Dave Morton	Brent Coleman
Cory Richards	David Gailey	Dee Hansen

A. Welcome & Roll Call

The City Council meeting began at 6:03 p.m. Mayor Searle called the meeting to order and welcomed all in attendance, including all Council Members and all members of the public.

B. Pledge of Allegiance

Mayor Searle invited Rodger Worthen, the City Administrator, to lead the Pledge of Allegiance.

C. Moment of Silence

Mayor Searle called for a moment of silence and asked everyone to remember our police officers, fire fighters, U.S. Military service members, and members of the City Council as they make decisions this evening. Especially those who lost homes as a result of the fire near Uintah.

D. Open Communications

Mayor Searle invited any member of the public with questions or concerns to address the Council and asked that they keep their comments to approximately three minutes. No comments were made.

E. Presentations and Reports

1. Mayors Report

Mayor Searle invited Jared Sholly, the Riverdale Fire Chief, to provide an update regarding the Uintah fire. Chief Sholly discussed the fire progression, destruction, and noted all the cities who responded to this fire.

a. Council Committee Assignment Reports

Councilmember Ellis noted there was one known death caused by the West Nile Virus in Salt Lake County.

F. Consent Items

1. Consideration to approve the August 15, 2017 City Council regular and work session meeting minutes.

Mayor Searle invited discussion regarding the meeting minutes. There was one correction discussed during the Work Session meeting to strike line 106 in the August 15, 2017 City Council Regular Meeting.

MOTION: Councilmember Mitchell moved to approve the consent items as amended. Councilmember Ellis seconded the motion. There was not any discussion regarding this motion. The motion passed unanimously in favor.

G. Action Items

1. a. **Public Hearing: to receive and consider comments regarding a property exchange for property located approximately 1500 West Ritter Drive, Riverdale, Utah 84405 between Riverdale City and Anderson Development LLC.**

Rodger Worthen, the City Administrator, summarized the executive summary which explained:

Riverdale City recently declared lot #2 of the 1500 West Street extension surplus property and eligible for exchange for benefit of the City. In discussion with the City Council the direction was to investigate the value of the property relative to how it could be used to benefit the City more efficiently. The Council suggested working directly with developer of the Coleman family property and how the land could benefit future roadway enhancements in the area of 1500 West Ritter drive. The recommendation of City staff is to consider an exchange of the surplus land to Anderson Development. To this end, Staff and Anderson development have established the mutual benefits as follows:

- The exchange of land from Riverdale City (approximately .25 acres) to Anderson Development for a Ritter Drive expansion property (approximately 4,200 square feet) provides a means for the City to install curb/gutter & sidewalk on both sides of Ritter Drive shifting the Ritter drive further northward beyond the current right-of-way width established for Ritter.
 - The City (thru Rocky Mtn. Power) will be able to relocate power facilities to the new Right-of-way under the City's franchise agreement with the power company. This saves the developer significant expense in the development of improvements along Ritter Drive and provides the width needed for the Ritter Drive new power pole configuration.
 - The developer will benefit from the excess soil currently stockpiled on the City parcel to be exchanged and used for "fill material."
 - A larger storm water detention basin is needed for the development; this benefit comes from the new 60-foot right of way designation on the North-east corner of the project as Coleman lane (1250 West street) enters into the area from the subdivision to the North.
 - The exchange of land enhances the alignment (shifting the ROW to the North) of Ritter drive and the connection points of Coleman lane into Ritter drive.
 - The City will see reduced costs in ongoing land maintenance.
- Future residential building on the property will enhance property tax revenue and benefit the neighborhood aesthetics and appeal.

MOTION: Councilmember Arnold moved to open the public hearing. Councilmember Ellis seconded the motion; all voted in favor.

No comments were made during the public hearing.

MOTION: Councilmember Arnold moved to close the public hearing. Councilmember Griffiths seconded the motion; all voted in favor.

b. **Consideration of Resolution 2017-21, authorization for city staff to conduct a property exchange for property located approximately 1500 West Ritter Drive, Riverdale, Utah 84405; between Riverdale City and Anderson Development LLC.**

There was a brief discussion regarding the benefits of the anticipated road improvements which would occur as a result of this property exchange.

MOTION: Councilmember Arnold moved to approve Resolution 2017-21, authorization for city staff to conduct a property exchange for property located approximately 1500 West Ritter Drive, Riverdale, Utah 84405; between Riverdale City and Anderson Development LLC. Councilmember Griffiths seconded the motion.

Ryan Anderson, with Anderson Development, asked the Council if they would amend the motion to have the agreement between RD Development (instead of Anderson Development LLC) and Riverdale City to keep it consistent with all of the other approvals.

MOTION AMENDMENT: Councilmember Arnold agreed to the proposed amendment. Councilmember Griffiths seconded the amended motion.

ROLL CALL VOTE: Councilmembers Hansen, Griffiths, Ellis, Mitchell and Arnold all voted in favor of Resolution 2017-21.

2. **Consideration of Ordinance 893, a rezone request for properties located at approximately 4189 South 300 West Riverdale, Utah 84405; zone change from Regional Commercial (C-3) and Multi-Family Residential (R-4) to Multi-Family Residential (R-5) zone; requested by Riverdale Apartment Partners.**

Mike Eggett, in Community Development, summarized the executive summary which explained:

Riverdale Apartment Partners, the petitioner in this matter, is requesting a rezone of properties located at approximately 4189 South 300 West from Multiple-Family Residential (R-4) zone and Regional Commercial (C-3) zone to Multiple-Family Residential (R-5) zoning to allow for the resolution of current property use conflicts with the correct zoning and to clean up the parcel to reflect one zoning for the entire Greenhill Apartments parcel area, as shown in the new plat for the current site plan proposal. This request is for approximately 5.6 acres of land that would be affected by the proposed rezone request (see the attached zoning map document for more information). As required by State Code and to allow for public commentary, a public hearing was noticed and held on August 22, 2017 with the Planning Commission to receive and consider any provided public comment on the proposed amendment to the zoning map; no comments were provided during this public comment time. Following the public hearing, the Planning Commission approved a motion to provide a favorable recommendation to the City Council regarding the proposed Greenhill Apartments rezone request. Following discussion in this matter, the City Council may make a motion to approve the Greenhill Apartments rezone request, approve with modifications, table the request, or deny the request based upon sufficient findings of fact to support the motion.

Title 10 Ordinance Guidelines (Code Reference)

This rezone request is regulated under City Code 10-5 "Rezone Requests" and is affected by City Codes 10-9E "Multiple-Family Residential (R-4) zone", 10-9F "Multiple-Family Residential (R-5) zone", and 10-10A "Regional Commercial (C-3) zone".

The petitioner's properties are currently listed in the County Records under the ownership of Riverdale Apartment Partners. These properties have been maintained as multiple-family residential apartments and associated service buildings for many years.

Recently, the City Council approved a proposed small property swap of real estate to accommodate the proposed apartment building in the south of this property. A portion of the property that was part of this property swap (along the east and south perimeter of the apartment property) is currently a portion of the rezone request in this Riverdale Apartment Partners' application. The property to the east of the apartment property is part of an existing property gap that does not have zoning assigned to it and would be updated to reflect R-5 zoning, should this rezone request be approved.

As part of this property swap and in order to allow the proposed apartments to have the appropriate setbacks needed for their proposal, the Riverdale City leadership has submitted a separate rezone application for a large portion of property south of the Greenhill Apartments property (as jointly owned by Riverdale City and the Riverdale RDA) to change the zone from Multiple-Family Residential (R-4) zoning to Community Commercial (C-2) zoning. This rezoning request will allow the City and RDA to also have a favorable shift in property zoning to allow for future commercial development of these associated properties.

Public hearing notifications and the public hearing, required by State and City Codes, have been completed in conformance with the standards established by these Codes and as reflected in the attached documentation.

General Plan Guidance (Section Reference)

The General Plan use for this area is currently set as "Planned Commercial - High" and, although this project proposal is not a commercial project, it would be a complimentary residential use adjacent to the established regional commercial uses in this area of the City.

Ernie Willmore, representative of Greenhill Apartments, discussed the apartment remodels, including the anticipated club house. He invited officials to tour the newly improved facility.

MOTION: Councilmember Mitchell moved to approve Ordinance 893, a rezone request for properties located at approximately 4189 South 300 West Riverdale, Utah 84405; zone change from Regional Commercial (C-3) and Multi-Family Residential (R-4) to Multi-Family Residential (R-5) zone; requested by Riverdale Apartment Partners. Councilmember Arnold seconded the motion.

Mayor Searle invited discussion regarding the motion. There was not a discussion.

ROLL CALL VOTE: Councilmembers Griffiths, Ellis, Mitchell, Arnold and Hansen all voted in favor of Ordinance 893.

3. Consideration of Ordinance 894, a rezone for properties located at approximately 4296 South 500 West, Riverdale, Utah; zone change from Multi-Family Residential (R-4) to Community Commercial (C-2) zoning; requested by Riverdale City and RDA of Riverdale.

Mr. Eggett summarized the executive summary which explained:

Riverdale City and the RDA of Riverdale City, the petitioners in this matter, are requesting a rezone of properties located at approximately 4296 South 500 West from Multiple-Family Residential (R-4) zoning to Community Commercial (C-2) zoning to allow for future commercial development of these associated properties and to enable a potential

apartment building to be constructed on the south side of the Greenhill Apartments property. This request is for approximately 3.64 acres of City land and 2.96 acres of RDA land (total of 6.6 acres) that would be affected by the proposed rezone request (see the attached zoning map document for more information). As required by State Code and to allow for public commentary, a public hearing was noticed and held on August 22, 2017 with the Planning Commission to receive and consider any provided public comment on the proposed amendment to the zoning map; no comments were provided during this public comment time. Following the public hearing, the Planning Commission approved a motion to provide a favorable recommendation to the City Council regarding the proposed Riverdale City and RDA rezone request. Following discussion in this matter, the City Council may make a motion to approve the Riverdale City and RDA rezone request, approve with modifications, table the request, or deny the request based upon sufficient findings of fact to support the motion.

Title 10 Ordinance Guidelines (Code Reference)

This rezone request is regulated under City Code 10-5 "Rezone Requests" and is affected by City Codes 10-9E "Multiple-Family Residential (R-4) zone" and 10-10A "Community Commercial (C-2) zone".

The petitioner's properties are currently listed in the County Records under the ownership of Riverdale City and the Redevelopment Agency of Riverdale City. These properties have been maintained recently as vacant ground/hillside areas and historically were unused hillside properties and single-family residential home lots.

Recently, the City Council approved a proposed small property swap of real estate to accommodate the proposed apartment building in the south of this property. As part of this property swap and in order to allow the proposed apartments to have the appropriate setbacks needed for their proposal, the Riverdale City leadership has submitted this rezone application for a large portion of property south of the Greenhill Apartments property (as jointly owned by Riverdale City and the Riverdale RDA) to change the zone from Multiple-Family Residential (R-4) zoning to Community Commercial (C-2) zoning. This rezoning request will allow the City and RDA to have a favorable shift in property zoning to allow for future commercial development of these associated properties.

Public hearing notifications and the public hearing, required by State and City Codes, have been completed in conformance with the standards established by these Codes and as reflected in the attached documentation.

General Plan Guidance (Section Reference)

The General Plan use for this area is currently set as "Planned Commercial - High" and this zone change would be supported by the General Plan for these properties.

MOTION: Councilmember Arnold moved to approve Ordinance 894, a rezone for properties located at approximately 4296 South 500 West, Riverdale, Utah; zone change from Multi-Family Residential (R-4) to Community Commercial (C-2) zoning; requested by Riverdale City and RDA of Riverdale. Councilmember Griffiths seconded the motion.

There was no discussion regarding this motion.

ROLL CALL VOTE: Councilmembers Ellis, Mitchell, Arnold, Hansen and Griffiths all voted in favor of approving Ordinance 894.

4. Consideration of Final Site Plan regarding the Coleman Farms Subdivision and Plat, located approximately 1378 West Ritter Drive, Riverdale, Utah 84405; requested by RD Development Group LLC.

Mr. Eggett summarized the executive summary which explained:

RD Development Group, LLC has applied for a Residential Subdivision Site Plan and Plat review and approval for the Coleman Farms proposed development located at approximately 1378 West Ritter Drive in a Single-Family Residential R-1-8 zone. A public hearing is not required to consider this proposed subdivision. On August 22, 2017, the Planning Commission reviewed the proposed final subdivision plan and plat for City Council recommendation consideration. Following discussion in the matter, the Planning Commission approved a motion to provide favorable approval to the City Council of the Coleman Farms Subdivision Site Plan and Plat. Following presentation and discussion of the final site plan and plat proposal, the Council may make a motion to approve the site plan and plat, approve it with additional requirements, or not approve the proposed Coleman Farms subdivision site plan and plat with the appropriate findings of fact. Should this proposal receive recommendation to City Council for final approval, the site plan and plat would be ready to be recorded and the project could start on this property.

Title 10 Ordinance Guidelines (Code Reference)

This Residential Subdivision Site Plan review is regulated under City Code 10-21 "Subdivisions" and is affected by City Codes 10-9B "Single-Family Residential Zone (R-1-8)", 10-14 "Regulations Applicable to All Zones", and 10-15 "Parking, Loading Space; Vehicle Traffic and Access".

The petitioner's properties are currently listed in the County Records under the ownership of the Howard C Coleman Family Trust and Howards Land, LLC. These properties are undeveloped and have been maintained as a single-family residence, stable site, and agricultural properties or otherwise unused land for many years. Recently, the City approved the rezoning of these properties from Agricultural (A-1) to the Single-Family Residential (R-1-8) zoning. At this time, the Coleman Family is planning to finalize the selling of their property to RD Development Group, LLC if the proposed development becomes approved by City leadership in the future.

Attached with this executive summary is a supplementary document addressing items on the Preliminary Site Plan application and as directed by 10-21 of the City Code. Also attached, following this executive summary, are comments from the contracted City Engineer, Public Works Department, Fire Department, Police Department, and City Administrator. The City Council should discuss these summaries and any noted staff concerns.

General Plan Guidance (Section Reference)

The General Plan use for this area is currently set as "Residential – Low Density" and this proposed project complies with this proposed land use.

There was a discussion regarding lots 39 and 40 in relation to the driveway access to 1500 West. It was explained by Mr. Anderson those driveways will be required to have a self turn around in their driveways, which will be recorded on the plat.

There was a discussion regarding the results of the traffic study resulting in an access point on 1500 West in lieu of Ritter Drive.

MOTION: Councilmember Arnold moved to approve Final Site Plan regarding the Coleman Farms Subdivision and Plat, located approximately 1378 West Ritter Drive, Riverdale, Utah 84405; requested by RD Development Group LLC with the contingency that all outstanding items be satisfied. Councilmember Ellis seconded the motion.

There was no discussion regarding this motion.

CALL THE QUESTION: The motion passed unanimously in favor of approving the final plat.

5. Consideration of Change Order number 3 for 2016 Street Projects in the amount of \$3,754.00.

Shawn Douglas, the Public Works Director, summarized the executive summary which explained:

During the final stages of construction on the 1150 West street overlay there was an additional piece of approach and 3 sections of curb and gutter that needed to be replaced. This additional work resulted in additional charges in the amount of \$3,754.00. The total cost of the project, after the additional work, was \$260,304.96. The Council had previously approved \$257,090.90. Mr. Douglas recommended approval of the additional amount.

MOTION: Councilmember Hansen moved to approve Change Order number 3 for 2016 Street Projects in the amount of \$3,754.00. Councilmember Arnold seconded the motion.

There was no discussion regarding this motion.

ROLL CALL VOTE: Councilmembers Arnold, Hansen, Griffiths, Ellis and Mitchell all voted in favor of approving the change order.

H. Discretionary Items

Councilmember Ellis discussed the option of getting a display case at either the Community Center or the Senior Center for old Riverdale City artifacts. Mayor Searle instructed staff to explore options for the display case.

I. Adjournment.

MOTION: Having no further business to discuss, Councilmember Mitchell made a motion to adjourn. The motion was seconded by Councilmember Arnold; all voted in favor. The meeting was adjourned at 6:45 p.m.

Norm Searle, Mayor

Jackie Manning, City Recorder

Date Approved: September 19, 2017