

Minutes of the Special Meeting of the Riverdale City Council held Tuesday, February 25, 2017, at 12:30 PM, at the Senior Center, 4433 South 900 West, Riverdale City, Weber County, Utah.

Present:

City Council: Norm Searle, Mayor
Braden Mitchell, Councilor
Brent Ellis, Councilor
Gary E. Griffiths, Councilor
Alan Arnold, Councilor
Cody Hansen, Councilor

City Employees: Rodger Worthen, City Administrator
Steve Brooks, City Attorney
Shawn Douglas, Public Works Director
Scott Brenkman, Police Chief
Jared Sholly, Fire Chief
Cody Cardon, Business Administrator,
Rich Taylor, Community Services
Mike Eggett, Community Development
Jackie Manning, City Recorder

Visitors: Kord Cutrubus, H&P Investments

A. Welcome and Roll Call

Mayor Searle called the meeting to order and welcomed all in attendance, including all members of the City Council, members of the City Staff, and Kord Cutrubus.

B. Action Items

1. (Item tabled from February 21, 2017) Consideration of approval for the Site Plan Amendment for the Cutrubus Kia Dealership, located approximately 770 West Riverdale Road, Riverdale, Utah 84405.

Mayor Searle called for a motion to untable this item.

MOTION: Councilor Ellis made a motion to untable the action item for the site plan amendment for the Cutrubus Kia Dealership, located approximately 770 West Riverdale Road, Riverdale, Utah 84405. Councilor Arnold seconded the motion. All Councilors voted in favor of untabling the action item.

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

H&P Investments, LLC, as represented by Kord Cutrubus, has applied for an update to their Amended Site Plan review of the Wasatch Front Kia located at approximately 770 West Riverdale Road in a Regional Commercial (C-3) zone. This original site has been operating as the Cutrubus Cadillac car dealership and vehicle servicing location. This matter was reviewed by the City Council on February 21, 2017 (wherein the item was tabled to allow the applicant time to resolve outstanding right-of-way/sidewalk improvement requirements) and the Planning Commission on February 14, 2016, (wherein the Planning Commission supported a motion to send a favorable recommendation to the City Council for Amended Site Plan approval of the Wasatch Front Kia dealership with the understanding that the applicant resolve all outstanding staff concerns).

Since the February 21, 2017 meeting, the applicant has reached out to city staff requesting an opportunity to participate in a special meeting. The applicant has stated that they are making efforts to be in compliance with City Code 10-25-7(B.)(1.) and plan to “deposit with the city a surety or cash bond to ensure the actual construction of said improvements within a period of two (2) years after final approval by the city council in a manner satisfactory to and in an amount specified by the council”. The applicant has stated that they may request up to a three (3) year period of time to install the improvements, at the council’s discretion for the project. The applicant further has represented that they would plan to have the sidewalk bond document available for review by the City Council during the meeting. The applicant intends to improve the sidewalk sooner than later, but desired to utilize this section of the City Code to benefit their efforts.

All other packet information provided for this Site Plan Amendment request is the same as previously presented to the City Council during the February 21, 2017 meeting.

Following the presentation and discussion of the proposal, the City Council may make a motion to approve the updated Wasatch Front Kia amended site plan proposal, approve the update to the proposed amended site plan with any requested modifications/amendments, not approve the updated Wasatch Front Kia amended site plan, or tabling the matter to allow time for the applicant to resolve outstanding concerns.

This Amended Site Plan review is regulated under City Code 10-25 "Development in All Zones", and is affected by City Codes 10-10A "Commercial Zones (C-1, C-2, C-3)", 10-14 "Regulations Applicable to All Zones", 10-15 "Parking, Loading Space; Vehicle Traffic and Access", 10-16 "Sign Regulations", and other regulations found in Title 8 "Water and Sewer".

The desired use of this property, as a Kia automobile dealership and servicing facility, would allow this refurbishment project to be developed on this site.

Attached with this executive summary is a document entitled "Amended Site Plan Review"; this is a supplementary document addressing items of note or concern as identified on the Amended Site Plan application review. Also attached, following this executive summary, are comments from the Public Works Director, the Fire Chief, the Police Chief, and contracted City Engineer. The City Council should discuss any concerns raised by these summaries.

In addition to the Amended Site Plan documentation, there is an updated interior building design and layout, a packet of the updated amended site plan drawings (as updated on February 14, 2017), and a Wasatch Front Kia Design Guide packet illustrating required updated styles and design elements for the updates to the Cutrubus Cadillac building and site area.

Signage for the site is regulated per City Code 10-16 (specifically section 8.(B.) for Commercial and Manufacturing Districts); the applicant should be directed to adhere to this Code when contemplating updated or new signage.

General Plan Guidance (Section Reference)
The General Plan use for this area is currently set as "Planned Commercial - High" and this proposed project would comply with this land use.

Mr. Eggett dispersed information from the applicant pertaining to the anticipated escrow bond agreement.

Councilor Mitchell asked City Attorney, Steve Brooks, if the three year bond request would meet the City Code. Mr. Brooks clarified the code only allows a two year time frame for the bond agreement. Kord Cutrubus, representative of H&P Investment, stated the three years would allow the applicant time to get the entire lot developed and address the sidewalk at that time. He further explained there is existing asphalt in the area and asked for consideration of that in lieu of the sidewalk.

There was a discussion regarding the bond amount, and Mr. Cutrubus clarified it would be in the amount of five thousand dollars.

There was a discussion regarding the existing asphalt with an emphasis on whether or not it qualified as sidewalk. It was determined that ADA (American Disability Act) standards set the requirement for what is and is not sidewalk, and asphalt would not meet that requirement. Mr. Brooks discussed the code, and explained the two year bond agreement allows for compromise in lieu of immediately installing a sidewalk. He further clarified the two year begins from date of approval, which could be February 25, 2017 if it were approved today. Mr. Cutrubus felt the code should be amended to include what qualifies as sidewalk for clarification for future applicants.

MOTION: Councilor Hansen moved to approve the Site Plan Amendment for the Cutrubus Kia Dealership, located approximately 770 West Riverdale Road, Riverdale, Utah 84405, with the condition that the two year bond agreement be met, per the Riverdale City Code [10-25-7 (F)]. Councilor Arnold seconded the motion.

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

CALL QUESTION: The motion passed unanimously in favor of the site plan amendment.

C. Discretionary Items

Councilor Arnold asked City Staff to review the City Code [10-25-7 (F)] for possible amendments to allow more exceptions to work with applicants, pertaining to the sidewalk installations; possibly an option for extensions regarding the existing two year time limit.

D. Adjournment.

MOTION: Having no further business to discuss, Councilor Mitchell made a motion to adjourn. The motion was seconded by Councilor Hansen; all voted in favor. The meeting was adjourned at 12:51 PM.

Norm Searle, Mayor

Jackie Manning, City Recorder

Date Approved: **March 21, 2017**