

Minutes of the **Regular Meeting** of the **Riverdale Planning Commission** held Tuesday, **January 10, 2006** at 6:30 p.m. at the Riverdale Civic Center, 4600 South Weber River Drive, Riverdale, UT.

Members Present: Don Farr, Chair  
Kathy Eskelsen  
Don Hunt  
Norm Searle  
Bart Stevens  
Kathy Tanner

Members Excused: Allen Miller

Others Present: Randy Daily, Community Development Administrator  
Jan Ukena, City Planner  
Michelle Douglas, Planning Commission Secretary  
Chelsea Hulet            Del Helm            Sheila Helm  
Marianne Brianber      Lorin Parks        Kevin Crezee  
Cherie Crezee            Pat Crezee        Kent Hill  
Nancy Brough            Teri Nelson        Chuck Nelson  
Marsha Vogrinec        Eileen Poulsen    Leland Marttineau  
Mellody Fausett        Terry Fausett     Alice Gibbons  
Robert Barton            Ivan Ray            Richard Morrison  
Theron Burton

Chair Farr called the meeting to order and welcomed all those in attendance. He excused Commissioner Miller and acknowledged that all other members were in attendance and welcomed Staff. Chair Farr welcomed the Commission's newest member to the Board, Norm Searle.

### **Consideration of Minutes**

**Motion** Commissioner Hunt moved to approve the minutes of the preplanning work session of October 11, 2005, as proposed; and for approval of the regular meeting of October 11, 2005, as proposed; and to waive the reading. Commissioner Eskelsen seconded the motion; the motion passed unanimously.

**Motion** Commissioner Hunt moved to approve the minutes of the preplanning work session of December 13, 2005, as proposed; and for approval of the regular meeting of December 13, 2005, as proposed; and to waive the reading. Commissioner Eskelsen seconded the motion; the motion passed unanimously.

### **Conditional Use Permit / Home Occupation Application**

#### **Chuck Nelson - Nelson's**

Mr. Chuck Nelson was present at the meeting to discuss his conditional use permit for a home occupation business license for computer sales. Mr. Nelson informed the Commission there would be no traffic to the dwelling; he would not have any employees; and there would be no merchandise at the home.

**Motion** Commissioner Tanner moved to grant the conditional use permit for a home occupation located at 3630 South 575 West for Chuck Nelson, Nelson's, as requested. Commissioner Hunt seconded the motion. The motion passed unanimously.

**Chelsea Hulet - Chelsea's Daycare**

Ms. Chelsea Hulet was present at the meeting to discuss her conditional use permit for a home occupation business license for home daycare services. Ms. Hulet informed the Commission that she would like to operate a small-scale daycare; one with only three children. She indicated that is all she can have because she already has three children of her own.

It was inquired if the Fire Department has completed their inspection. Ms. Hulet explained it is schedule for Thursday, January 12 2006, with Captain Koger. It was inquired if Ms. Hulet is State licensed. Ms. Hulet informed the Commission that she has to obtain her City license prior to finishing her State paperwork.

Commissioner Hunt questioned if Ms. Hulet owned or rented the duplex that Ms. Hulet occupies. Ms. Hulet indicated that she owns the duplex.

**Motion** Commissioner Hunt moved to grant the conditional use permit for a home occupation located at 532 West 4925 South for Chelsea Hulet, Chelsea's, conditional upon approval from Fire Services and completion of the necessary paperwork. Commissioner Eskelsen seconded the motion. The motion passed unanimously

**Norm Searle - Norm Searle Tax Service, LLC**

At this time, Commissioner Searle declared his conflict of interest and noted he would recuse himself due to personal interest.

Mr. Norm Searle went on to discuss his conditional use permit for a home occupation business license for tax services, which would include the preparation of federal and state income tax returns. Mr. Searle explained he would go and provide such services at his client's home or place of business and sometimes he would finish the work at home; however, that would be rare. He noted that he would file the taxes online.

Mr. Searle explained he has all of his necessary paperwork with the State; all he is waiting for is his City business license at this time.

At this time, Mr. Searle stepped out of the room.

**Motion** Commissioner Eskelsen moved to grant the conditional use permit for a home occupation located at 4344 South 1050 West for Norm Searle, Norm Searle Tax Service, LLC, as requested. Commissioner Tanner seconded the motion. The motion passed unanimously

Mr. Searle returned to the room and his seat on the Commission.

**Reduction of rear yard space for Riverside Village, Lot 18 per S10-96-14 (F)(e) from 15 foot minimum to not less than five feet from the park boundary**

Ms. Marianne Brianber was present at the meeting to discuss the petition to reduce the rear yard space for Riverside Village, space 18. Ms. Brianber presented a site plan representing the manufactured home on space 18, and she indicated the closest point to the boundary line is 5-feet, 6-inches, which provides enough space for emergency access.

Mrs. Ukena referred to Title 10, §10-96-14-(F)(e), "where due to the shape of the mobile home space it is desirable to locate the mobile home closer to the boundary line, the planning commission may authorize a reduction to allow the corner or end of a mobile home to be not less than five feet (5') from the park boundary." She informed the Planning Commission Riverside Village meets the criteria, and the Commission has the authority to grant a reduction of the yard space.

Mrs. Ukena presented the Commission with Riverside Village's approved site plan, which is on file in the office. She explained space 18 has an approved manufacture home of 12-foot x 56-foot and that size of home meets all the setbacks.

Mrs. Ukena informed the Commission that she had the Building Inspector measure the setbacks and she drew up a site plan and the proposed manufactured home is 40-footx24-foot and the home is in place. In addition, she had the Fire Chief go and inspect the home, and he felt the home was located too close because the home located to the south has the legal right to petition the City to build a detached building one-foot from their property line, which would only be six-feet from the manufacture home - not including the over-hang of the manufactured home.

It was mentioned that there are two extended porches from the home. Mrs. Ukena indicated that was correct; they are almost to the street. The porch in the driveway is very small and the porch by the street (north side) is larger. Chair Farr inquired if there are any problem with the porches being so close out to the road. Mrs. Ukena informed the Commission that she was not aware of any problem; however, if they were to go to the park, they would see similar situations throughout the park. She stated the porches are not the issue; they are trying to put in an extra 200 square feet that cannot be accommodated on the space.

Commissioner Hunt questioned if the one individual (the mobile home park) has the ability to supersede the other (the adjacent property owner). Mrs. Ukena informed the Commission that the adjacent property owner would be able to build a detached accessory building one-foot off their property line. She went on to say, if they allow the reduction of yard space, by law, they would have created a life safety issue.

**Motion:** Commission Tanner moved to deny the petition to reduce the rear yard space for Riverside Village, Lot 18 based on Fire Chief Illum's recommendation of fire safety and life safety issues. Commissioner Searle seconded the motion. The motion passed unanimously.

**Conceptual Discussion regarding residential development for the Peacock Ridge located at approximately 5633 South 1200 West and Notice to Set a Public Hearing for a PRUD**

Mr. Kent Hill and Lorin Parks, petitioners for Peacock Ridge; Mr. Robert Barton, Earthtec Engineering, and Mr. Leland Marttineau, Pinnacle Engineering, were present at the meeting to conceptually discuss the residential development of the Peacock Ridge located at approximately

5633 South 1200 West. In addition to discussing the proposed subdivision, the petitioners are looking for a favorable motion to set a public hearing for the concept of a PRUD (Planned Residential Unit Development).

Chair Farr reiterated the discussion before the Commission this evening is only a conceptual discussion. He added that the City Engineer and Fire Department have reviewed the site plan. Mr. Parks inquired why at this point, the plan was still at a conceptual discussion when the petitioners have been before the Commission previously. Mrs. Ukena explained the petitioners said they wanted to get the Commission member's opinions regarding the site plan and the site plan is not ready for preliminary review. Mr. Parks recalled that the site plan came before the Commission members in May 2004 as a PRUD concept and indicated that he had the minutes of such meeting.

Discussion followed as a conceptual discussion. Mr. Leland Marttineau informed the Commission the proposed development would be developed as a two-phase subdivision. He explained there would be 19 lots in phase 1 and nine lots in phase 2. He went on to explain they have proposed several site plans, which have been bounced back and forth between staff and them. In order to move forward with this proposed subdivision, they will need to vacate four lots in the Craig Dale Subdivision; all three lots in the Craig Dale Extended Subdivision and one lot in the Craig Dale Subdivision, which is lot 67. He noted that they would demolish the home on lot 67.

Chair Farr questioned what type of homes they anticipate for the proposed subdivision. Mr. Hill replied they anticipate 2,500 square foot (or more) homes with building materials such as brick and stucco. He noted that the homes would be comparable to the ones built in the River Glen Subdivision. Commissioner Eskelsen pointed out that the proposed lots in the Peacock Ridge are smaller lots than the River Glen subdivision. Mr. Hill explained that the homes in Peacock Ridge would be two and three level homes.

Commissioner Hunt said he knew there have been geo-technical reports of the site; however, he questioned if the engineers could describe how they would retain the encroachment into the hillside as well as where all the run off will go.

Mr. Marttineau explained the road itself would have a mechanical increase at the bottom of the slope. In addition, the homes would also be designed as retaining structures, which would be the retaining wall's primary retainage. As far as drainage, the road will run the length of the property, and the road will become the collector and will empty out onto 1200 West. In addition, they will also be required to retain their water on site, which will be underground.

Chair Farr indicated that he reviewed the plan, and he noted by road, on the back of the pad sites, there is a 25-foot slope distance. He inquired what they plan on doing with the 25-foot slope distance. Mr. Marttineau drew the Commission a cross-section of a wall. He explained they plan on having a wall that will set one-foot from the property line and they will try not to go lower than four-feet and will take up their elevation differences.

Commissioner Hunt inquired what the degree of difference of the elevations would be. Mr. Hill informed the Commission that they have situated their homes so none of the homes would have a slope greater than 30 percent. He stated they would work with home plans that would work with

their development, and they are confident that it will work. Mr. Barton added that all of the homes would have to be custom engineered.

Chair Farr explained that he lives against the hill in question, and there are springs in the hillside. Mr. Barton indicated that they know of two springs and the springs have almost dried out. He stated that they have seen a significant drop in the activity of the springs.

Chair Farr said he is only speaking of his home and the water is constantly flowing. He went on to say the cul-de-sac to the south of his has a lot that had to be vacated due to issues with the springs in the hillside.

It was mentioned, if the canal starts to leak again, there would be other issues that will have to be addressed. Mr. Barton informed the Commission based on what they can monitor, the springs will have to be drained and piped.

Commissioner Eskelsen pointed out with the existing vegetation on the hillside, it can be seen that there are slides that continue in the area. She inquired if the petitioner has spoken with the Canal Company. Mr. Barton indicated they have spoke with the Canal Company, and he personally has not seen any slides in this particular area; however, they had a geologist look at it. He went on to explain there are people at the meeting tonight that have had mudslides. He explained the mudslides are due to ponds that are backed up - not springs in the hillside. He noted that the ponds are located in the lowest part and that is where all of the drainage goes to; it is water that has been diked up in the area for some time.

Chair Farr indicated that he went to some of the meetings in 1999 when the canal broke, and he found out there were other areas where the canal broke further down south. He went on to say the engineer can say their plan will work and in a few years if something happens, the engineers are "free and clear" and the City is the one that will be held liable.

Chair Farr questioned if a PRUD is really cost effective. Mr. Hill stated he believes it is. Commissioner Hunt pointed out that the petitioners are businessmen and they must feel like they have their bases covered; they have talked about the size of the homes and the esthetics of the homes. Commissioner Hunt said they would probably have to sell their lots for quite a bit. Mr. Hill indicated they would sell the lots for \$70 to \$80,000 per lot.

Mr. Hill said he has the same concerns the Commission has. He went on to say when they first came in, the City said they were not sure if they liked the geotechnical report from Earthtec so they went and had a study done by the Air Force Base and multiple others, and they came up with the same findings. Mrs. Ukena confirmed that the City has all of the geotechnical reports on file. She went on to say they sent the reports to the State of Utah, and the State sent the reports back to the City; the reports were sent back to the State and so forth and the City has their recommendation.

Mrs. Ukena informed the Commission that the Canal Company now has monitors under the canal, and it is her understanding that the Canal Company would have to notify the homeowners association if there was water leaking per the recommendation of the geotechnical report.

Discussion followed regarding setbacks for the proposed subdivision. It was explained that the front yard setback would be 20 feet; the side yard setback would be 10 feet; and the back yard would be out the second story.

Commissioner Hunt inquired if Mr. Hill has an agreement with the homeowner of Lot 67 to demolish the home. Mr. Hill informed the Commission that he owns the home.

Commissioner Tanner pointed out in the PRUD ordinance it specifies the number of homes there can be. Mrs. Ukena informed the Commission that Mr. Hill is well under what he can have. Commissioner Tanner inquired about open space; she questioned if the hillside would be his only open space. Mr. Hill explained the hillside would not be the only open space; they would have a basketball court as well. Commissioner Tanner inquired about parking. Mr. Hill informed the Commission they plan for each dwelling to have a three-car driveway and a two-car garage.

Discussion followed regarding the storm drainage for the proposed development. Mr. Barton explained the storm drain would be on 1200 West. He noted there is not any storm drainage on 1200 West right now; they would have to install one and install some catch basins as well, which will help the Craig Dale Subdivision too.

Chair Farr addressed the comments made by the Fire Department. He informed the petitioners if the development is phased, a turn around must be built at the end of the road until the subdivision is completed. The retaining wall must support the weight of a fire truck, which is 73,000 pounds. The Fire hydrants must be spaced 300 feet apart. In addition, there cannot be any parking on the road at any time.

Chair Farr recommended that the petitioner not phase the development and do it all at once. Mr. Hill took that recommendation under advisement. Mrs. Ukena explained if the development is a PRUD, the Commission could make a recommendation that the entire road be constructed in Phase 1; however, the housing could be constructed in phases.

Commissioner Tanner inquired what would protect the residents below the proposed development in the Craig Dale Subdivision. Mr. Barton informed the Commission as a part of the site development, a three-foot, eight-inch wall with chain link would be constructed to protect the residents in the Craig Dale Subdivision. He went on to explained the wall would be a decorative wall, which would be a segmented, concrete wall constructed with foam and concrete and the final outside layer would be stucco. Mr. Barton noted that the wall would be similar to what Ruby River built in the parking lot extension.

Chair Farr mentioned that he did not know how the petitioners were going to accomplish the proposed development. Mr. Hill informed the Commission that they have laid out and reviewed all the costs. Chair Farr indicated that was not his only concern; he is concerned about the residents they would build behind, their safety and well-being. Mr. Hill stated there are residents that are in favor of the proposed development. They are in favor of eliminating the garbage and the fire hazard.

Commissioner Hunt noted the proposed plan they were reviewing is the most detailed plan he has seen up to this point and prior to the nine lot plan they saw previously. Mr. Barton stated they have spent quite a bit of extra money on engineering trying to come up with the best plan and trying to make sure the proposed plan is the best plan; in addition, the hill has the proper retainage. Mr. Hill added they do not want to be a detriment to the residents in the Craig Dale Subdivision.

Chair Farr questioned if the Commission, at this time, could inquire about financial reliability for completing the proposed development. Mr. Daily informed the Commission that the City could set any escrow amount and release amounts as items are completed. He went on to say, at this time, the petitioners are asking the Commission to set a public hearing for a PRUD. If the Commission does not feel the property fits within the whole PRUD concept, they may appeal the Commission's decision to the City Council

**Motion** Commissioner Hunt moved to set a public hearing for a Planned Residential Unit Development (PRUD) for the Peacock Ridge Development, located at approximately 5633 South 1200 West. Commissioner Tanner seconded the motion. The motion passed unanimously.

**Public Hearing regarding proposed amendments to Riverdale City's General Plan.**  
**Public Hearing**

Chair Farr explained a public hearing is necessary to receive comments from the citizens of Riverdale concerning the proposed amendments to Riverdale City's General Plan. He then opened the public hearing for public comment at approximately 7:36 p.m. He affirmed that he had proof of publication.

Chair Farr invited staff to present the proposed amendments to the General Plan. Mrs. Ukena explained the Commission has been reviewing the General Plan per the City Council's request for the last year. She went on to discuss each area that was being proposed for amendments.

Discussion followed regarding Area 2, which is the Cinedome area. Mrs. Ukena indicated that they did not make any big changes. The area is currently zoned planned commercial, and the proposed master land use master plan designation is Residential-low density; Planned Commercial/Professional Office; and Commercial/Office/Business Park. Mrs. Ukena indicated the proposed amendment is to change Area 2 to Mixed Use. She explained with the proposed amendment, the City could have more say over what development could occur in the area.

Mrs. Ukena addressed the properties on the City's northern boundary; the properties that were included in two boundary adjustment with Ogden City that have never been addressed by the City's General Plan. Mrs. Ukena informed the Commission that the properties are currently zoned Manufacturing, Agriculture and R-1-8. Mrs. Ukena said it is her recommendation that the properties be designated as Open Space/Recreation and Low Density Residential.

Mrs. Ukena recalled that Area 7, the area between 700 West and 900 West and between 4400 South and 4450 South, has been a difficult area for both the City Council and the Planning Commission. The topic of the area went back and forth between the City Council and the Planning Commission numerous times, and it is the area where the demarcation line was drawn. At one point, the line is 130 feet and at another point, the line is at approximately 230 feet. She indicated it

was the City Council's thought that everything that is residential will stay residential and everything that is commercial (south of the demarcation line) would be commercial.

Discussion followed regarding Area 8, which is the area between Ruby River and Valley West Apartments. Mrs. Ukena explained the properties are zoned commercial, planned commercial, R-4 and R-5. She went on to say it has been felt that it is not a good location for residential especially with the plan to widen 300 West to a 4-lane road and Riverdale Road to be widened to six lanes. Mrs. Ukena indicated at some point, the area could become a nice commercial development, which she believes would be the best option.

The Office Park Area on River Park Drive, just south of the Wal-Mart Development, which is Area 9, was the next area of discussion. Mrs. Ukena pointed out that unfortunately, the property has been sitting there undeveloped for some time and in past discussions, the Planning Commission's recommendation has been to change the designation to Mixed-Use. She suggested the property could possibly have some condominiums along the river with some small retail shops and it would open the area up to something other than open land.

Finally, Mrs. Ukena addressed the area across the river from Area 9, which has been common referred to as the "Unity Property". She reminded the Planning Commission that a rezone has been petitioned and is currently tabled pending a developer's agreement with the City. Mrs. Ukena suggested that the property being donated to the City remain as Open Space and the remaining property be designated as Mixed-Use, which would go along with the Planning Commission's recommendation on the rezone of Mixed-Use and R-1-8. Mrs. Ukena said she believes they are not making significant changes to the area.

Mrs. Nancy Brough, 1165 West 4575 South, addressed the Planning Commission. She stated that because she has been involved with the General Plan since its conception, she has thought of various things, but one thing in particular she would like to bring up to the Commission is the goal of the City - the one thing that has stayed consistent since 1996.

Mrs. Brough presented the Commission with a packet of information. She indicated that as she went through her various papers today, there were 26 comments, made from residents, that said they did not want commercial extended any further than it already is (2004 survey). In addition, it was asked "How do you rank commercial?" She noted that 1/3 remarked they (the City) already have enough, do not keep expanding the commercial. Mrs. Brough said it is a "real tight rope" to keep this a viable community because we all live here. She went on to say these three things: saving open space, traffic congestion, and protection of residential neighborhoods are the goal of the City.

Mrs. Brough asked the Commission to bring their attention to one of the handouts in the appendix. She stated it is a threat to the City's residential areas and an encroachment of commercial. She asked the Planning Commission, before they decide to replan several areas of the City's General Plan, to give some further thought of what affects their decision would make on the City.

Mrs. Brough addressed Area 2; she pointed out the area already has a buffer with Robert's Photography. She went on to say what happens with the area should be of great concern to the

City. She referred to the adjacent housing area, and she believes it is important to keep the area viable.

Mrs. Brough referred to Area 7; she acknowledged that when she was on the City Council the area was discussed tremendously, and she thought this was an ideal area for Mixed-Use. She questioned how one would transition from commercial to residential. She stated she was under the impression this was a good area to try Mixed-Use. Mrs. Brough noted she and others have concerns with this area.

Mrs. Ukena recalled when the Planning Commission first started preparing General Plan updates, the City Council were in favor of residential and commercial in the area - not Mixed Use.

Mrs. Brough stated she had heartburn with putting another area with just commercial. She questioned why they would not designate Area 8 to Mixed-Use.

Discussion followed regarding Area 9; Mrs. Brough said there are a lot of uses that are allowable under it's current designation. She inquired if it is the City's job to make sure people get their properties developed and get their return.

Mrs. Brough addressed the Planning Commission regarding the Unity Property. She stated that their decisions were only as good as the information they had and this was showing to some degree. Mrs. Brough explained the importance of the Unity area and provided a handout, which would help them to understand the importance of such. She noted the area is along the river; she briefly discussed how riparian function and why they are important. Mrs. Brough informed the Commission as they might expect, she has a lot of information regarding the river.

Mrs. Brough likened master planning to like greasing the skids for development. She suggested if the Planning Commission has a development and it works, then maybe that is the time to amend the General Plan. She stated that citizens have stated repeatedly they do not want commercial and they will have to decide what is best for the community.

Mrs. Brough reiterated that she does not think the City should rush out and master plan so many areas for commercial; however, she did agree there are areas where the City should try Mixed-Use, such as Area 1 and 3.

**Motion** With no further public comment forth coming, Commission Tanner moved to close the public hearing. Commissioner Eskelsen seconded the motion. The motion passed unanimously. The public hearing closed at approximately 8:02

Chair Farr suggested that the Commission go over each Area individually.

Commission Tanner said she would like to say a few things prior to the discussion. She noted that she is surprised they do not have more public input. She indicated that she knows Ms. Douglas does everything she is required to do; however, she believes items should be put in the newsletter as well. In addition, she pointed out this is the first time they have made amendments to the City's General Plan, and they have not had a joint meeting with the City Council. She said she realizes that

amendments/recommendations come back and forth between the two bodies; however, there was no joint meeting as in the past.

Commissioner Eskelsen concurred with Commissioner Tanner. She referred to the Mixed-Use ordinance and pointed out that the ordinance has not been tried anywhere within the City. She stated that the Commission might think it looks great but maybe it won't work in a real development.

Commissioner Eskelsen said she has a couple of misconceptions of where the Commission wanted to utilize the Mixed-Use ordinance. Mrs. Ukena indicated that no, she was correct. The Commission wanted to utilize the Mixed-Use ordinance in Area 7 and the City Council wanted the area, south of the demarcation line, to be commercial. Mrs. Ukena reminded the Commission the General Plan is only an advisory document, and it does not mean the property would be zoned that specific designation. She went on to say a mixed use could be all residential, all commercial or a mixture. Mrs. Ukena informed the Commission they cannot think of everything and if a developer has a fantastic plan, they could accept it.

Commissioner Hunt stated Commissioner Tanner makes a good point; however, they did have dialogue. He went on to say there are areas that have sat around forever and it is difficult to see how things are going to work out.

Commissioner Eskelsen recalled that the Commission worked long and hard on the Mixed-Use ordinance. Commissioner Hunt added utilizing the Mixed-Use ordinance would give the City an opportunity to control developments.

Mr. Daily addressed the Commission; he referred to Area 2 (the Cinedome Area) and Area 8 (the 550 West Area). Mr. Daily reminded the Commission that the two areas are in RDA areas, and the two areas in question require RDA approval. Mr. Daily explained that residential uses are not put in RDAs; and it is an advantage to have some type of quasi-type commercial use. He went on to say the Unity property has so much value as open space; however, it is owned by a development company, and it will be developed. It was his suggestion that the rezone and change in the General Plan go together. He said it may not be rezoned and it may be left as A-1 (Agricultural).

Mr. Daily stated that the General Plan does not leave the Commission "locked in"; it is a fluid document. He referred to the Heritage Study, which the City had completed; he noted that the study cost the City a lot of money and it is sitting on a shelf collecting dust.

Mrs. Brough commented that she never had the understanding the Council did not want Mixed-use on 4450 South. Chair Farr recalled that the direction came back a couple of times from the City Council that they did not want Mixed-Use in Area 7.

Chair Farr stated that he would like to have a joint meeting with the City Council regarding the fact that the Planning Commission did discuss it several times; what should they do; and should they approve part of it or all of it.

Commissioner Hunt clarified that the General Plan is advisory and the Plan is not set in concrete or stone. He questioned what ramifications the Plan has. Mr. Daily explained the General Plan does have a purpose. He went on to explain the Plan is "planning five to 10 years out" and it presents viable ways for properties to be developed. Mr. Daily stated it is an important tool.

Commissioner Eskelsen reiterated that the Commission worked hard on the Mixed-Use ordinance, and she would like to sit down with the City Council so they know how they, the Planning Commission, feel and why. She stated that she believes it would be helpful to do that.

Mrs. Ukena indicated they could make a recommendation to have a joint meeting with the City Council. Commissioner Tanner inquired if they could table their recommendation and have a joint meeting first. Mrs. Ukena informed the Commission they only have 30 days to make their recommendation to the City Council. She went on to say with the timing of the meetings, she did not know if they would get a joint meeting in time to act within the 30-day time frame.

Commissioner Tanner stated that she was not feeling strong enough about the proposed amendments to make that motion. Commissioner Eskelsen added that they spent so long on the General Plan amendments, that she would like to do it right.

Mrs. Ukena informed the Planning Commission they had three options: they could table the proposed General Plan amendments and start over; make an unfavorable recommendation to the City Council; or make a positive recommendation for the proposed amendments.

Chair Farr recommended that the Commission make a recommendation to the City Council upon the condition they meet with City Council.

**Motion** Commissioner Eskelsen moved to recommend to the City Council to adopt the proposed amendments to the Riverdale City General Plan with the condition that the City Council and Commission conduct a joint meeting to discuss the Commission's concerns face to face. Commissioner Hunt seconded the motion.

**Roll Call Vote:** Commissioner Hunt, Yes; Commissioner Farr, Yes; Commissioner Stevens, No; Commissioner Searle, Yes; Commissioner Tanner, No; and Commissioner Eskelsen, Yes. The motion carried with four votes in favor and two votes opposed.

**Motion** Commissioner Tanner moved to take a short recess at 8:28 p.m. Commissioner Hunt seconded the motion. The motion passed unanimously.

The Commission reconvened their meeting at 8:38 p.m.

**Public Hearing providing for amendments to Title 10, Chapter 27, Section 3 adopting the Flood Insurance Study and Firm Maps dated December 16, 2006**

**Public Hearing**

Chair Farr explained a public hearing is necessary to receive comments from the citizens of Riverdale concerning the proposed amendments to Riverdale City's Title 10, Zoning and Subdivision Regulations; specifically Chapter 27 Flood Damage Prevention, Section 3 General Provisions, to

adopt the new federally mandated FEMA Flood Insurance Rate Maps (FIRM) dated December 16, 2005. He then opened the public hearing for public comment at approximately 8:40 p.m. He affirmed that he had proof of publication.

Mrs. Ukena informed the Commission that amending Title 10 is a formality. She explained the City needs to adopt new flood insurance rate maps as a requirement by the federal government in order for the City and its residents to continue to get its flood insurance. She explained the City use to consist of one only map and now the City will have six maps. Mrs. Ukena informed the Commission that she reviewed the maps, and to her knowledge, FEMA did not make any changes other than they divided the City into more maps.

**Motion** With no further public comment forth coming, Commission Eskelsen moved to close the public hearing. Commissioner Tanner seconded the motion. The motion passed unanimously. The public hearing closed at approximately 8:43

#### **Amendments to Title 10, Chapter 27, Section 3 - Flood Insurance Study and FIRM Maps**

It was clarified that all the Commission is amending in the ordinance, at this time, is the date in the ordinance so the citizens in Riverdale City can qualify for the FEMA flood insurance program. Mrs. Ukena acknowledged that is correct, FEMA supplied the City with a new Flood insurance study and issued the City new maps, which are dated December 16, 2005, and the city has to adopt the new maps.

**Motion** Commissioner Tanner moved to recommend to the City Council to amend Title 10, Zoning and Subdivision Regulations; specifically Chapter 27 Flood Damage Prevention, Section 3 General Provisions, specifically by adopting the new federally mandated FEMA Flood Insurance Rate Maps (FIRM) dated December 16, 2005. Commissioner Hunt seconded the motion. The motion passed unanimously.

#### **Discussion regarding Off-Premises Signs (§10-16-7)**

Mrs. Ukena informed the Commission that Mr. Daily received a call from a gentleman that wanted to install an off-premises sign. She went on to say what the ordinance says is not really clear and Staff wants to clean up the ordinance.

Mrs. Ukena present the Commission with some verbiage, which would bring clarification to the ordinance by indicating that off-premise signs are only permitted as a conditional use *along the I-15 corridor; No other off-premise signs are allowed within the city limits; and existing off-premise signs may remain as a conditional use unless they are not kept in good maintenance and repair or damage.*

Mrs. Ukena explained if the Planning Commission were interested in amending the off-premises section of the sign code, they would need to conduct a public hearing.

It was explained that all of the billboards along Riverdale Road are considered off-premise signs and what Staff does not want is anymore off-premise signs unless they are along the I-15 corridor, which the spacing is controlled by the State of Utah.

**Motion** Commissioner Tanner moved to set a public hearing to consider proposed amendments to Title 10, Chapter 16, Section 7, Off-Premises Signs (§10-16-7) for clarification purposes. Commissioner Eskelsen seconded the motion. The motion passed unanimously.

**Conditional Use Permit for a Reception Center located in the Ruby River Plaza, Phase II**

At this time, Chair Farr removed himself from the Board due to a conflict of interest and recused himself as well due to personal interests. Chair Farr noted that Commissioner Hunt would chair the meeting from this point and he stepped out of the room.

Mr. Theron Burton addressed the Planning Commission. He inquired if the Commission received the new site plan for the reception center, which is being proposed on Phase II, of the Ruby River Plaza. He went on to explain they plan to utilize the existing site plan; however, they plan to make a few modifications to meet the needs of their site, which would be a reception center for weddings, business meetings and catering would also be involved; however, at this time there are not any restaurant plans.

The approved, existing site plan has three buildings on its site ranging in size from 9,000 square feet to 20,000 square feet. What he would like to propose is to replace the three buildings with only one building and move the building forward away from the hillside. Mr. Burton informed the Commission, because of the time-sensitive financing nature, they would like to utilize what drainage has already been approved and put a different building on the site than what was already approved on the site.

Commissioner Tanner indicated that she thinks a reception center is a great idea; she is delighted with the idea. In the past, she was worried that the area would become an auto parts dealer.

Mrs. Ukena pointed out they all know the area sits back off Riverdale Road, and a business would need to be a destination point. She believes that this would be a great destination point.

Motion Commissioner Tanner moved to recommend to the City Council a favorable recommendation for a conditional use permit for a reception center located at approximately 550 West Riverdale Road in the Ruby River Plaza, Phase II.

**Preliminary Site Plan Review regarding a Reception Center located in the Ruby River Plaza, Phase II**

Mr. Theron Burton was present at the meeting to discuss the Preliminary Site Plan for a reception center located in the Ruby River Plaza, Phase II. It was noted that the original site plan and developer's agreement would have to be amended. Mr. Daily explained all of the final details would have to come back with the final site plan.

It was explained that the proposed building is 20,000 square feet on one level. It would have a dance hall, catering, and a photograph area. Mr. Burton explained the reception center is the same reception center that was approved up on the 1500 West area. Mr. Daily added that it would still have to go back through the design review process.

Commissioner Tanner clarified that the one building would take the place of the three proposed buildings on the approved Phase II site plan. Mr. Burton acknowledged that is correct.

Mr. Burton informed the Commission the building could have multiple uses; it could be utilized for corporate uses, proms, weddings, wedding receptions, catering services. He clarified that the building would not be utilized in conjunction with a restaurant at this time; they only plan to utilize it for catering services.

Mrs. Ukena pointed out since the proposed development is located in a planned-commercial development, an RDA area and has a developer's agreement, if at some point and time, they do decide that they want to have a restaurant, they would have to come back before this body and the City Council for the approval of such.

**Motion** Commissioner Eskelsen moved to recommend preliminary site plan approval for a reception center located at approximately 550 West and Riverdale Road (Ruby River Plaza, Phase II) and to recommend amending the Ruby River Plaza, Phase II subject to full administrative and legal review. Commissioner Tanner seconded the motion. The motion passed unanimously.

Mr. Farr returned to the room and his seat on the Commission.

**Discretionary Business**

Mrs. Ukena recalled when they were working on the Mix-Use ordinance; she proposed a list of approved uses. During the draft period, the list was eliminated. Mrs. Ukena informed the Commission that she has had a problem with that and she believes they should amend the Mixed-Use ordinance with all uses as conditional with a list of the permitted uses. She indicated that on the next agenda, they would be reviewing various items within the code.

With no further business to come before the Commission at this time, Commissioner Stevens moved to adjourn the meeting. Commissioner Hunt seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 9:20 p.m.

Attest:

Approved: January 24, 2006

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Michelle Douglas  
Planning Commission Secretary

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Don Farr  
Chair