

Minutes of the **Regular Meeting** of the **Riverdale Planning Commission** held Tuesday, **January 26, 2005** at 6:30 p.m. at the Riverdale Civic Center.

Members Present: Greg Limburg, Chair
Kathy Eskelsen
Don Farr
Don Hunt
Allen Miller
Kathy Tanner

Members Excused: Brent Coleman

Others Present: Randy Daily, Community Development Administrator
Jan Ukena, City Planner
Lieutenant Dave Hansen, Public Safety
Michelle Douglas, Planning Commission Secretary
Roman Franco Martin Call Brian Sanders
Jeff Sanders

Chair Limburg called the meeting to order and welcomed all those in attendance. He excused Commissioner Coleman and acknowledged that all other members were in attendance and welcomed Staff.

Consideration of Minutes

There were no minutes for approval at this time.

Conditional Use Permit / Home Occupation Application

Roman Franco – Insigne’ Products, LLC

Mr. Roman Franco was present at the meeting to discuss his conditional use permit for a home occupational business license. Mr. Franco lives in an R-2 zone, and he owns the home. Mr. Franco explained he would like to start a home-based business for virtual manufacturing.

Mr. Franco informed the Commission that he is not going to make the actual product; he would out-source the production of the product, and that company would do the shipping as well. Mr. Franco is going to do the research, development, sales and marketing of the product. Mr. Franco went on to explain once he gets the business going, he will move to a different location.

Motion Commissioner Hunt moved to grant the conditional use permit for a home occupation located at 861 West 4200 South for Roman Franco, Insigne’ Products, LLC, as requested. Commissioner Tanner seconded the motion. The motion passed unanimously.

Staci Gallegos – Sweet Surprises

Ms. Staci Gallegos was not present at the meeting; no action was taken. Discussion followed regarding possible conditions with Ms. Gallegos’ home occupation. Mrs. Ukena questioned if there would need to be any restrictions on helium if Ms. Gallegos had helium for balloons. Commissioner Miller indicated that Ms. Gallegos would only be permitted to have so many pounds of helium, and then it would have to be chained up; in addition, she would not be

allowed to have it in her basement because her basement is not finished. He went on to say she could have it in her garage or any finished portion of her home.

Martin Call – CD Resurfacers

Mr. Martin Call was present at the meeting to discuss his conditional use permit for a home occupational business license. Mr. Call lives in an R-2 zone, and lives with his parents who own the dwelling. Mr. Call explained he would like to start a home-based business for resurfacing CDs.

Mr. Call went on to explain he has a small machine that can resurface CDs by shaving off a thin layer of the CD; in addition, the machine buffs the CD as well. It was inquired if he would have traffic to the home. Mr. Call explained that he would not; he is going to go and pick up the CDs and redeliver them.

Mrs. Ukena inquired if the machine utilizes chemicals. Mr. Call explained that the machine does utilize a solution that can be purchased at the store. He noted that the solution cleans and buffs the disks.

Motion Commissioner Tanner moved to grant the conditional use permit for a home occupation located at 1240 West 5050 South for Martin Call, CD Resurfacers, as requested. Commissioner Eskelsen seconded the motion. The motion passed unanimously

Final Site Plan Review and Recommendation to the City Council of Carter's Farm Subdivision, Plat "C", Phase No. 5 located at approximately 3875 South 950 West

Mr. Brian and Jeff Sanders were present at the meeting to discuss the final site plan for Carter's Farm Subdivision, Plat "C", Phase No. 5. Mr. Brian Sanders indicated that there are 13 lots in the final phase. It was inquired why they did the subdivision in phase. Mr. Daily informed the Commission because it was their choice to present the subdivision in phases. He went on to explain they originally presented the overall subdivision as a preliminary subdivision, which was approved by the City, and now they are presenting the final phase for approval. Mr. Brian Sanders explained that it is primarily due to money; it is less expense to develop a subdivision in phases.

Chair Limburg stated for the record the Planning Commission received a letter from the City Engineer, which states all engineering concerns have been met and we herewith recommend approval.

Mrs. Ukena pointed out to the Planning Commission that the three lots that abut Parker Drive have a 36-inch culvert, which is on the actual property side. She noted that she is just giving the Commission a heads up that there will be restrictions on these three lots; the property owners will not be able to have detached garage, accessory building or other types of buildings in the 15-foot easement. In addition, there will not be any access onto Parker Drive to these three lots, which will be recorded on the plat. Mr. Daily added that all of the lots exceed the minimum lot size.

Motion Commissioner Miller moved to recommend to the City Council final site plan approval for Carter's Farm Subdivision, Plat "C", Phase 5 as proposed. Commissioner Eskelsen seconded the motion. The motion passed unanimously.

Recommendation the City Council regarding the 700 West / Riverdale Road Area

Chair Limburg noted that this particular agenda item is a continuation of their discussion from their preplanning meeting. He questioned if anyone had anything else to added to the discussion. He stated that just before they came down to the meeting an idea was mentioned to have mixed use from 900 West to 700 West with a 130-foot buffer from 4400 South. It was said if 130 feet was too much, perhaps they could make it 100 feet. It was question who would maintain the 100 feet. Mrs. Ukena explained that the developer would have to maintain the 130 or 100-foot buffer.

Mr. Daily tried to clarify what the Planning Commission was trying to accomplish. He noted that Mrs. Ukena was recommending there should be a minimum 50-foot front setback in the mix-use zone; however, the Commission wanted a 100 to 130-foot buffer. He questioned what the purpose of the 100-130-foot buffer was; he reminded the Commission that the 135-foot was the residential demarcation line.

Chair Limburg stated that he believes what Commissioner Farr is thinking is if the 135-foot line is left, it will create an atmosphere of a residential area that is left and down the line there could be some patio homes. Maybe some patio home that are like the ones that are across the street; the ones that don't face onto 4400 South, but the ones that are constructed internal.

Mrs. Ukena explained that the 50-foot is the front setback; it is frontage. And how it is written, it will follow it wherever it goes. She informed the Commission that they have to make a decision; what ever they write will go throughout the entire City. The 135-foot line was to allow nothing but residential; no mixed-use – residential only. Mr. Daily added that they would have to buy more land for a decent subdivision. He explained how he came up with the 135-foot demarcation line was the typical depth of a residential subdivision is approximately 100 feet, and then he gave a little extra depth.

Commissioner Hunt noted that the north side of 4450 South will stay a blighted area, and no one will buy the property. He went on to say the traffic on 4400 South is going to get heavier and as it increases, the desirability to live on 4400 South will decrease. Commissioner Hunt pointed out when they talk about these types of developments, and when he went and saw one (he saw one in Kimble Junction), they are nice developments. He believes when you draw "that line", they will do more harm than good to the property owners. Mrs. Ukena agreed that they would be hurting the property owners. Commissioner Hunt went on to say that he believed multi-housing would be more of an option for the area. Mr. Daily concurred with Commissioner Hunt; however, he informed Commission Hunt that the City has always been opposed to multi-housing.

Chair Limburg referred to the City's senior center. He noted that a few years ago, when the property was only Mrs. Pulllum's dwelling and her lot, it looked so spacious; and now you look at it with the wall, and the entire look has changed. He stated that he would hate to see that happen in this proposed area. "You see that big wall go up, and this is the line". He went on to say the Mrs. Ukena has spoke about the meandering sidewalks, the grass and the trees; if

they could have that written into an ordinance when a developer come in, and have them conform to those standards no matter what square footage they are working with; he would feel more comfortable.

Jan reminded the Commission, they have to keep in mind wherever they do this, they do it everywhere in the City where they have residential and commercial abutting. It is not just in the area of 700 West and Riverdale Road.

Commissioner Miller stated that he gets the feeling when grandma dies, meaning Mrs. Mitchell, her grandchildren will sell her property to whoever gives them the most cash. He believes they need to establish a zoning line between 700 West and 900 West. He went on to say he believes this because one of the Mitchell grandchildren use to live down the street from him, and they are kind of excited that the City is looking at changing the zoning of the property in the area; and they want to sell the property as commercial property.

Commissioner Hunt stated that he believes the residential integrity is already deteriorating and if you can't control it by making the properties mixed-use; he has a hard time thinking someone would want to come in and build a home in the area.

Chair Limburg noted that is what the Commission spoke about the previous meeting especially with the two proposed roundabouts and the proposed traffic signal at 900 West. Traffic will increase, and he cannot imagine who will want to build a new dwelling on 4400 South. Commissioner Miller inquired of Lt. Hansen if the traffic has increased on River Park Drive. Lt. Hansen explained that it has. He went on to say that, another thing to think about is the City will be having construction coming up soon on Riverdale Road for a few years, and the traffic will only increase on 4400 South.

Mr. Daily stated that he envisioned the properties north of 4450 South as mixed-used, and it would be one integrated development and the properties south of 4450 South would be intense commercial because they are already zoned C-3. He went on to say the owner of the property at one time suggested an 8-story building or even a restaurant. He stated that the Commission has to indicate at what point they will say this is where the mixed use will start.

Commissioner Tanner stated that she believes the mixed-use concept is a great concept for the entire piece of property; however, she knows they would be fought tooth and nail. Mr. Daily indicated that he agrees, but that is not what the developer wants; the developers want C-3 for the frontage property. He went on to say for the City to incorporate a mixed-use zone on the frontage property, it would be a taking on the City's part, and the City would have to pay for that. He informed the Commission that the 700 West/Riverdale Road property is one of the last prime piece of properties left on Riverdale Road. He explained the City can say we want a mixed-use, we want a unique development; however, if we do that, we will have to compensate the owner and we could end up in a legal situation. He questioned the Commission at what point do you pull back.

Mrs. Ukena disagreed; she stated that she believes the entire piece of property could be incorporated into a mixed-use zone.

It was questioned how the Commission would make the proposed mixed-use zone work, incorporate it into the area, and where it would start in relation to the residential zone. Mrs.

Ukena indicated that the Commission would have to decide how it would all come together. Chair Limburg questioned if it would come right up to 4400 South. Mrs. Ukena indicated that no, development would not come right up to 4400 South that is why you have setbacks.

Mr. Daily indicated that the emphasis of a mixed-use zone is compatibility between residential and commercial. He stated that he is not sure if a restaurant like Iggy's and a residential use would work together. He went on to say that the buffer they are talking about is from off streets. He noted that they learned their lesson with a wall, and that a wall does not do the job as a buffer with the original Wal-Mart.

Commissioner Tanner reiterated her concern with buildings having rear setbacks adjacent to residential uses. She noted that she was still in favor of a building being right on the property line to prevent all of the garbage and employees being back behind the building with their cars. Mr. Daily indicated they could provide landscaping in that area; however, he liked Commissioner Tanner's concept regarding the rear setback.

Chair Limburg noted that Commissioner Farr had to leave the meeting; he inquired if Commissioner Farr had any comments to make prior to leaving. Commissioner Farr stated the rest of the Commission heard his comment during the preplanning meeting. However, he went on to refer back to the original thought of a line through the entire property. He has thought about what he is about to do on his property up on 1500 West in regards to a 2-story building with windows on both sides and you do not have to have an ugly block wall with an office building; it would work in there. He went on to say the City has ordinances in place now that are not even enforce; he thought the City should be cleaned up and the area of 4400 South would be a good place to start. Commissioner Farr concluded by saying he thinks it is a great idea to eliminate the east portion 4450 South; he believes 4450 South is a hindrance.

Mrs. Ukena informed the Commission the thing with office buildings is you have to be in the right place at the right time - office space is hard to sell. Commissioner Farr stated that all he is saying is it is a good idea, and he believes condominiums would be a good idea as well. It was pointed out that condominiums would be individually owned; and it was questioned who would want to buy a condominium on 4400 South. Commissioner Farr stated that there are condominiums in Centerville surrounded by commercial. Mrs. Ukena state that every area she has thought of has multiple property owners; she explained that she does not have all of the answers for Commission. All she can do is go with their suggestions, then go, research, and come back with what she finds out.

Mr. Daily stated if you think the area needs to be residential, then draw a demarcation line. He said they could establish a line and have a developer figure it out. He stated it may take time, but they will wait.

Chair Limburg said he thought Commissioner Hunt is right. He pointed out how long it took the Judkins property to sell (the home on the corner of 700 West and 4400 South). Mr. Watkins purchased it and it sat there vacant for a long time. He went on to say they are dealing with something that is potentially very ugly; however, he does not want to loose the beauty of 4400 South. Mr. Daily reminded the Commission that they have to realize they are dealing with long-range goals and this is a tough piece of property especially with the concern of commercial encroachment.

Chair Limburg inquired about the mixed-use zone; he questioned if a 4-story building could be constructed. Mrs. Ukena informed the Commission the way the draft ordinance is written right now, they could put in a 4-story building. Commissioner Limburg inquired if they could just isolate the mixed-use zone to just this area. Mrs. Ukena stated that she would not personally do it; they would be targeting the area, and they would be opening themselves up. She explained that the draft ordinance, the way it is written, is not the proposed ordinance. The Planning Commission can make any amendments to the ordinance they want. Mr. Daily stated in his opinion they need to put a ratio of residential and commercial in the ordinance. Mrs. Ukena disagreed; she noted that some areas don't need a ratio. The entire area could be commercial except the 50-foot landscaping buffer from the street and nothing can be in the 50-foot; it is the setback.

Motion Commission Tanner moved to present to the City Council that the Planning Commission is looking at creating a mixed-use zone with a 50-foot landscaping buffer coming off any street. In addition, they are looking at different concepts of buffers for residential areas; different ratios for residential and commercial uses; and different concepts of proposals of how development would look with interior and limited access off 4400 South and no access off 700 West and with each use being a conditional use being approved by the Planning Commission. Commissioner Eskelsen seconded the motion.

Discussion followed regarding the motion. Mr. Daily clarified what exactly abutting residential means; is there still a 135-foot demarcation line? Commissioner Tanner indicated as the mixed-use zone is overlaid and it is abutting an existing residential use, we need to protect the residential use. In addition, the mixed use zone is from 700 West to 900 West.

Chair Limburg referred to the Mitchell property; he pointed out that she owns some property up to 4450 South. He question what would happen is she sold that undeveloped property to be developed. How close to her existing residential property could the undeveloped property be developed. Mrs. Ukena explained that the existing residential use cannot become nonconforming, and the mixed-use ordinance will have to address that; the Planning Commission will have to determine what they will required for each existing residential use.

Mrs. Ukena added that Kier is big on patio home type developments, and she would not be surprised if they tried to pick up some of the property in the area to go with the Sr. Center.

Chair Limburg question if the Planning Commission would be able to review any of the proposed uses as they came through. Mrs. Ukena indicated that they would be able to review every single one. Chair Limburg explained that he meant every use inside of each building. Mr. Daily indicated that the ordinance could be written that way.

Roll Call Vote: Commissioner Tanner, Yes; Commissioner Hunt, Yes; Chair Limburg, Yes; Commissioner Farr, No; Commissioner, Eskelsen, Yes; and Commissioner Miller, Yes. The motion passed five votes in favor to one vote opposed.

Review of the Wilbur Smith Transportation Plan Information

There was no further review or discussion regarding the Transportation Plan. Chair Limburg noted that the plan was going before the Transportation Committee on February 2, 2005.

Discretionary Business

Mr. Daily informed the Commission that there are two new businesses coming into the City. JoAnn's is building a 35,000 square foot building next to Sam's Club in the Family Center, Weber River Center; and Old Navy will be moving forward with a tenant finish next to Michael's.

Mrs. Ukena indicated that Commission Eskelsen has arranged a four-hour tour of Hill Air Force Base on May 19, 2005, beginning at 9:30 a.m. followed by lunch at the Officer's Club. She added that Mayor Burrows and the City Council will be invited as well. She explained that she has already been, and there are some very interesting concepts going on at the base.

Finally, Mrs. Ukena indicated that she spoke with the Public Safety department regarding the vehicles going up the hill behind Discount Tire, and they indicated that they would keep an eye on situation.

With no further business to come before the Commission at this time, Commissioner Tanner moved to adjourn the meeting. Commissioner Eskelsen seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 7:15 p.m.

Attest:

Approved: February 8, 2005

Michelle Douglas
Planning Commission Secretary

Greg Limburg
Chair