

Minutes of the **Regular Meeting** of the **Riverdale Planning Commission** held Tuesday, **February 8, 2005** at 6:00 p.m. at the Riverdale Community Center, 4360 South Parker Drive.

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

Members Excused: Kathy Eskelsen
Brent Coleman

Others Present: Randy Daily, Community Development Administrator
Jan Ukena, City Planner
Michelle Douglas, Planning Commission Secretary
Andrew Adams

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

Consideration of Minutes

It was noted that Commissioner Tanner already presented a few minor corrections to the minutes during the preplanning work session.

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

Motion Commissioner Hunt moved to approve the minutes of the preplanning work session of January 26, 2005 as proposed; and for approval of the regular meeting of January 26, 2005 as proposed; and to waive the reading. Commissioner Miller seconded the motion; the motion passed unanimously.

Conditional Use Permit / Home Occupation Application

Penny Clements - Peekaboo Supply Inc.

Ms. Clements was not present at the meeting; no action was taken.

Conceptual Discussion regarding the property located at 4465 South 600 West (Classic Waterslide site) for the proposed use of multi-housing units

Mr. Andrew Adams was present at the meeting to discuss the conceptual idea of apartments located at the current Classic Waterslide site, 4465 South 600 West. Mr. Adams went on to explain that Mr. John Hedman is the individual he is representing in this matter, and Mr. Hedman has been developing deluxe style apartments over the last 40 years.

He indicated that Mr. Hedman's goal is to build, keep and manage his apartments in a manner so they will keep their integrity. He noted that the market demand for apartments is a trend they have seen, and as long as the apartments are maintained; it should shift to this type of living style. Mr. Adams discussed the transitional phase; that children like to live in the same area as their parents while they are transitioning; in addition, people like to live in the same area where they work. Furthermore, seniors live in this type of lifestyle if they so choose.

Chair Limburg inquired how many units Mr. Adams is proposing on the site. Mr. Adams explained there would be two buildings on the site. The first building would have 24 units, and the second building would have 12 units for a total of 36 units.

Chair Limburg questioned if Mr. Adams has been to the site. Mr. Adams acknowledged that he has. Chair Limburg indicated that he went down to the site as well. He went on to explain that the railroad track are right next to the site and there is a lot of bumping of the trains, and the trains pull in and out; and when the trains do come in, the brakes are loud. Chair Limburg expressed concern with the close proximity to the railroad tracks and the possibility of the proposed site becoming blighted especially when Mr. Adams' client would not be able to maintain his standards as Mr. Adams explained them earlier in the meeting.

Commissioner Hunt stated he could see the more deluxe style apartments. He questioned what Mr. Hedman and Mr. Adams methodology is, and how they keep and attract quality tenants. Mr. Adams explained they keep the rent slightly higher, and individuals choose amenities. Mr. Adams added the rent would start out fairly high; however, at the same time, Mr. Hedman will rent out to whomever. In regards to amenities, Mr. Adams noted that he believes the location is a positive point, but with 36 units, the amenities will not be very large.

Commissioner Hunt pointed out from the City's point of view; apartments are a strain on the City. He expressed concern that with the train's whistles and the movement of the trains, it would be hard for the development to get and keep good quality renters.

Commissioner Miller added that there is only one way in and out of the proposed site. He went on to say that during the peak travel time, the traffic on the viaduct almost comes to a stand still, and individuals will not be able to make left hand turn onto Riverdale Road. He informed Mr. Adams that a traffic study would be required. Mr. Adams informed the Commission that they want their development to be a place where their children could live.

Discussion followed regarding the access road that goes under the viaduct and comes out on the west side of Riverdale Road, which UDOT has jurisdiction. Mr. Daily stated that there is no way to access the road. Commissioner Limburg state that he accessed it while he was at the site because someone left the gate open. Mr. Daily informed the Commission and Mr. Adams that the railroad is supposed to keep the gates locked. He went on to say it is a UDOT right-of-way, and Union Pacific Railroad controls it. Chair Limburg inquired if there is a possibility of having access to the road. Mr. Daily explained that the road was narrowed down so much, the State said it could not be utilized as a road anymore; however, it is something that could be investigated.

Chair Limburg concurred with Commissioner Miller; he stated his concern is there is a lot of traffic on Riverdale Road. Although it is not a right-hand turn only, it would be difficult to turn left onto Riverdale Road.

Commissioner Tanner inquired if the proposed site would go to the maximum edge of the property; and she pointed out the City does have a hillside ordinance, which takes into account a 20 percent grade. Mr. Adams indicated that the site would only go up into the seven or eight percent grade. Commissioner Tanner questioned if Mr. Adams was aware that the proposed site is sitting on a landslide area. She explained there use to be a home sitting on the site, which was swept away by a landslide. She informed Mr. Adams that he would probably want to get a geotechnical study as well. She added the entire hillside has natural springs too.

Commissioner Tanner informed Mr. Adams that there is a transient issue in the area too. She explained that individuals get off the trains in the general vicinity, and she believes they would have a big security issue with the proposed site.

It was noted the road to the south, which runs parallel to the railroad tracks, is a private road as well, and the road is not improved to City standards. However, the City owns the water and sewer.

Commissioner Hunt reiterated his concern. He stated that he is concerned with all of the issues Mr. Adams would have with the site. Chair Limburg added that he does not think there would be a view corridor, and he does not think they would get top dollar for the units.

Mr. Daily pointed out that the Commission has brought up multiple issues with the proposed site. He questioned if Mr. Adams or Hedman ever redevelops existing apartment complexes. Mr. Adams inquired if apartments have not been a desirable use in the past. Mr. Daily explained that the City does not wanted to encourage the use. Mr. Daily went on to explain that the City has an apartment complex that the City is trying to put into a redevelopment area, which has problems, issues, and crime issues as well. It is a development that the City would like to see razed and redeveloped. Mr. Adams noted that Mr. Hedman would not be the individual for this type of redevelopment; however, he does know of another individual that does do this type of redevelopment.

Discussion followed regarding security. Mr. Adams explained the reason they selected the site is because they believe it is desirable, and they have already discussed gating the site. In addition, they have also included lighting to the site.

Mr. Adams inquired what the area is master planned. Mr. Daily indicated that the area is master planned agriculture (recreation/open space). Mr. Daily reiterated the issues the Commission has already pointed out. The City does not own a road in the area; the location of the site and the proximity of the railroad; and the situation that exists with one way in and one way out of the development.

Commissioner Tanner indicated that Chair Limburg is not exaggerating about the railroad. She informed Mr. Adams that she lives on top the hill, and the noise is very intense.

Mrs. Ukena pointed out there is a 15-foot utility easement on the property. She went on to explain the City has an excellent trail system, and the City is always looking for ways to interconnect the City's trail system. She questioned the possibility of being able to utilize the easement for a trail from the City's east side.

Mrs. Ukena added that she believes they will find a lot of water on the site. In addition, they will have to improve a road to City standards; and she concurs with the Planning Commission, there will be a lot of noise from the trains and Riverdale Road.

Mr. Adams noted that there would be a lot of landscaping on the site with trees and that would help defuse the noise. Mr. Daily indicated that trees are a poor sound barrier. The trees do not prevent individuals from hearing the noise; they just change the way individuals hear the sound.

The Commission informed Mr. Adams that Riverdale City already has a lot of apartments, and the City does not really advocate the development of such. However, if Mr. Adams has something he would like to present to the Commission, they would look at his proposal.

Mr. Daily informed the Commission that it comes down to what they want in a commercial zone. Chair Limburg indicated that he thought they could discourage Mr. Adams because it is not a good site. Commissioner Tanner said that she thought the site would be appropriate for a good daytime use.

Commissioner Hunt pointed out that they want to utilize the property for a deluxe use; however, it is not going to happen. Mrs. Ukena indicated that the Commission is right, the site is going to have to be a daytime use; it is not a site where people will want to live. Mr. Daily added it will be a hassle for the Fire Department and there is no turn around. He stated that Staff would need to talk with Mr. Henderson and discuss with him what uses he could utilize for the property.

Discussion pertaining to east-side access to the City's trail system

It was explained that Mr. Brent Burnett has offered to donate land to the City through the Ruby River Development for an east-side access to the City's trail system. Commissioner Tanner expressed that is not her first choice for an access because at that point, the access is past all of the residential areas of the east side. However, if Mr. Burnett would allow an access through the property and if the City could get another access for a second access (somewhere around the Classic Waterslide), that would be great.

Chair Limburg noted that there are a lot of social trails through the Burnett property already. Mrs. Ukena stated that she believes the City should accept Mr. Burnett's offer to get something going. Chair Limburg concurred with Commissioner Tanner; he believes they should also try to get some type of trail that could zigzag down the hillside over by the Classic Waterslide, which could come across Mr. Laughter's property at the top if he would allow it. Commissioner Tanner indicated that she did not think Mr. Laughter would care if it was a foot path; in addition, it could be a solution to Mr. Laughter's problem if there was some type of developed footpath through the area.

Mrs. Ukena said there are some social paths through the Burnett property already, and the hillside is fairly steep. However, she believes they should move forward with the idea of a develop trail.

Mr. Daily explained all it is, is a matter of a recommendation to the City Council. He added that they would want to improve the trail to the point where an older individual could safely use it. Chair Limburg inquired if the Commission wanted to discuss the item more or if they were ready to send a recommendation to the City Council. Mr. Daily explained that the City Council has to budget the money for such expenditures, and the City would want to develop the trail to a specific standard. Chair Limburg added that he thought it would be nice to add in amenities; such as, a park bench as well. In addition, they would want the trail to be accessible by the police department on their 4-wheelers or bicycles.

Mrs. Ukena informed the Commission that they are not looking a very large piece that they would have to develop; part of the trail would be developed by the developer. The City is only looking at developing from the top of the hill down into the development. Mr. Daily added that the City would want the entire trail dedicated to the City, and they would need to pass the development design on to Mr. Moulding for review as far as development approval.

Commissioner Tanner pointed out that for every junior and senior high school student that goes to school in Washington Terrace, and it would be a nice asset for them as well. She noted that there are many students that walk to and from school every day. She went on to say that she believes that the Council is forgetting there is another part of Riverdale that needs this amenity as well - not just the River walkway. She thinks the people from the subdivision would walk down into the City, and they would be closer to the amenities of the City as well.

Commissioner Hunt questioned if the City starts to develop this network of trails, would the trails be maintained from snow and ice removal and would the trail be lit. Mr. Daily indicated that it could be done without a lot of hassle. Commissioner Miller noted the walking path the City has here in the park (by the community center) is plowed every time it snows.

Commissioner Hunt pointed out that there isn't a trail over by his house. Mr. Daily indicated that is an issue too.

Mrs. Ukena referred back to the City survey that Commissioner Tanner brought up during a previous meeting. Commissioner Tanner indicated that the survey reported that 62 residents in the east area of Riverdale City responded to the survey, and 62 residents reported that they would like a trail system from the east area of the City.

Motion Commissioner Tanner moved to recommend to the City Council to proceed with the connection of the City's trail system from 300 West through the Brent Burnett property as an amenity for the residents that live in the east bench area and for all the junior and senior high school students that live in the City, not just for the east bench residents; but for all of the residents in the City. In addition, whoever purchases/develops the Classic Waterslide property, they look into a secondary trail access for the east bench area as well. Commissioner Miller seconded the motion. The motion passed unanimously.

Mr. Daily informed the Commission that the City received the elevations for Joann's, which is proposing a 35,000 square foot building. He indicated that the building fits within the building envelope, and it would be located on 1050 West and River Park Drive next to Sam's Club. He went on to explain that the color pallets meet the standards of the development, which was presented by DDRC.

Mrs. Ukena indicated what is interesting to her is every time she meets with a representative from DDRC; she inquires why they decided to put a Joann's on the proposed location. The representatives from DDRC have indicated that Joann's would not consider another location. In addition, Mrs. Ukena told them during the design review that they could not put a blank wall (on the building) on 1050 West; they would need to add more architectural features and come back to the City with something else.

Discussion pertaining to amendments to Title 10, incorporation of a "Mixed Use Zone"

Mrs. Ukena stated they need to figure out what they want in the mixed-use zone. She went on to say she does not want the Commission to draft the ordinance for any one particular area. She asked the Commission to write the draft ordinance to what they think would be a good mixed use and to keep in mind that mixed-use is what abuts residential.

Discussion followed regarding site development standards. It was thought that the minimum yard setback for a corner side should be amended from 10 feet to 20 feet. Commissioner Tanner reiterated her concern regarding the rear setback for a commercial building adjacent to residential. She expressed that she believes there should not be a rear setback. The rear setback should be reduced from 10-feet to whatever the Fire Department says it has to be, which can be zero with fire-rate construction. She explained that with a zero setback, a business would not be able to place pallets, garbage and their vehicles behind the business. Mr. Daily suggested that the ordinance could indicate that there has to be 10 to 20-feet of landscaping behind the business. Commissioner Tanner stated then there is the issue of employees hanging out behind the business. She indicated that most of the time neighbors are considerate of each other; however when you have a business next to residential, and the employees are outside for their downtime or lunch, they do not care what they say or how they act.

It was inquired if fire code dictates that the Fire Department has to access the rear portion of a building. Mr. Daily explained if the travel distance of a building is such that the fire department cannot reach it, the building has to be fire sprinkled or the size of the building is limited. He went on to say there is always distances in zoning for commercial and this would be new and unique; however, Mr. Daily indicated that he agrees with Commissioner Tanner's thinking. He added if a building were built on property line, it would have to be a rated wall; and they would limit the size of the building, which would fit very well with this mixed-use concept.

Commissioner Tanner stated she would rather have the wall (the building structure) than all the garbage - whether it is physical or verbal garbage, and she would like it stated she would like the zero rear yard setback for reasons as stated in the minutes.

It was noted that residents can build accessory buildings up against the commercial building as well, which could cause issues. Mr. Daily stated that they would have to meet their residential setback standards.

It was inquired what type of residential use would be allowed - single family, condominiums? Mrs. Ukena indicated that she thought both uses could be allowed; however, it would depend because they would be looking at different areas in the City.

It was inquired if there would be a different set of standards for residential and commercial developments. Mrs. Ukena indicated that she would not want to set different standards for commercial and residential because the Commission would be tying their own hands. It was thought there needed to be different language in the ordinance pertaining to how there are different setbacks for commercial and residential uses.

Chair Limburg confirmed that as every development came in, the Planning Commission would review each one. Mrs. Ukena indicated that was the effective thing about the mixed-use zone; they would review each development. In addition, as of now, she does not know what is going to be coming forward, the developer can figure out what they want to propose, and then they can rip it apart.

Discussion followed regarding "Uses". Mrs. Ukena indicated that all uses could be changed to conditional or they could take out every use and word it in such a manner that the Planning Commission would review and approve all uses in the mixed-use zone. Mr. Daily indicated that they have to have guidelines for a developer. Staff has to be able to give a developer some kind of intent; something that is compatible with residential and be able to tell a developer that their idea isn't really what the City thought would work in a proposed area but it could work in another area.

It was noted that the things that will come into play, would be the things that people will patronize; and it was questioned if the Commission was actively pursuing those things. Mrs. Ukena pointed out that they have not even designated any areas as of yet. The Commission indicated that they have; they have indicated that they would like to utilize the mix-use zone in the Cinedome area and the 700 West and Riverdale Road area. It was said that the Commission could revise the City's master plan to say that they would like to see the 700 West/Riverdale Road and Cinedome areas master planned as mixed-use, and then they could rezone those areas as mixed use.

Mrs. Ukena indicated that she has spoken with representatives from DDRC in regards to the office park area, and she does not know if they would be opposed to the mixed-use zone. They have indicated that the office park is not working for them. Chair Limburg stated that he thinks that would be a better place for the mixed-use zone than anywhere. Mrs. Ukena noted that it could be a real killer in that area. They told them that they could have a 24-hour Gold's Gym and some restaurants mixed in with some residential.

There were questions raised regarding the maximum building height of four stories. Mrs. Ukena informed the Commission that Chief Illum has indicated that the Fire Department can adequately deal with eight stories. As of right now, a developer could be working on an eight story building, which in turn, results in eight stories of parking; however, the eight story building is speculation.

*Riverdale Planning Commission
February 8, 2005*

With no further business to come before the Commission at this time, Commissioner Hunt moved to adjourn the meeting. Commissioner Tanner seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 8:10 p.m.

Attest:

Approved: April 26, 2005

Michelle Douglas
Planning Commission Secretary

Greg Limburg
Chair