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Minutes of the **Regular Meeting** of the **Riverdale City Planning Commission** held Tuesday, **February 13, 2007** at 6:30 pm at the Riverdale Civic Center, 4600 South Weber Drive.

Members Present:

Don Farr, Chairman  
David Gailey, Member  
Don Hunt, Member  
Norm Searle, Member  
Allen Miller, Member  
Bart Stevens, Member  
Kathy Tanner, Member

Others Present:

Jan Ukena, City Planner  
Marie Alvord, Planning Commission Secretary  
Approximately twenty-three (23) Citizens

### 1. CALL TO ORDER

Chairman Farr called the meeting to order and welcomed all those in attendance. He acknowledged that all Planning Commissioner Members were in attendance.

### 2. CONSIDERATION OF APPROVAL OF THE MEETING MINUTES

No comments or questions were made at this time.

**Motion:** Commissioner Tanner made a motion to approve the Preplanning and Regular meeting minutes of January 23, 2007 and waive the reading of the minutes. Commissioner Miller seconded the motion. The motion passed unanimously.

### 3. PUBLIC HEARING – PROPOSED REZONE OF A PARCEL OF LAND FROM R-2/RESIDENTIAL TO MU/MIXED USE, PARCEL EQUALS 0.82 ACRES, MORE OR LESS, LOCATED APPROXIMATELY 743 WEST 4400 SOUTH

Chairman Farr noted that the public hearing was properly noticed in the newspaper. He then asked Mrs. Ukena to open the discussion and review of the proposed rezone. Mrs. Ukena noted that Mr. Cutrbus owns the property proposed for the rezone from R-2 to Mixed Use. She noted that the intent is to place about twelve townhouses on the property which will clean up the blighted area and keep 4400 South residential which is consistent with the City's Master Plan. Commissioner Searle noted that the townhouses will be owner occupied. The Planning Commission having no further comments or questions opened the public hearing for comment.

Dave Pierson/CLC Associates: Mr. Pierson noted that he is the owner's representative for the project and is willing to answer any questions that the public might have. He continued to state that the Mixed Use is simple and straightforward in that it may be used for residential and has the potential to be commercial in the future.

Ron Hamblin/Resident: Mr. Hamblin asked how many townhouse units were planned for the rezone area and if the area for rezone was in fact the only area, not including Mr. Cutrbus' other parcels of property. Mrs.

Ukena noted that the area outside of the rezone that fronts on 700 West and Riverdale Road is commercially zoned and Mr. Cutrubus will be keeping it commercial. She continued to state that another parcel to the east on 4400 South owned by Mr. Cutrubus is not up for rezone. Mrs. Ukena noted that the townhouse units planned is twelve or less.

Dallas K. George/Resident: Mr. George asked about all the possible uses included in the mixed-use zone. Mrs. Ukena noted that the mixed zone is a compatible residential/commercial zone. She continued to note that Riverdale City's current residential ordinances do not allow for owner occupied townhouses without the possibility of allowing apartments the benefit of the mixed-use zone is that it allows for owner occupied townhouses without apartments. Mr. George then inquired if the property can be turned into commercial. Mrs. Ukena noted the area is considered RDA and when the application for the permitted use went before the RDA board it was agreed upon that the area would remain residential. Mr. George commented that he is not concerned with the development of townhouses; his main concern is with the increased traffic it will place on 700 West and 4400 South. He noted that it is common for traffic to be backed up at the stop sign on 4400 South past 750 West.

Bill Brookens/Resident: Mr. Brookens inquired if the townhouses will be two or three stories and if they will be attached to one another. Chairman Farr noted that the townhouses will be two stories per City ordinance and attached.

Hellen Brookens/Resident: Mrs. Brookens asked what kind of impact will be placed on the local Elementary School and churches. She noted concern that this development will be adding a lot of people that the City does not have room for.

Lynette Grow/Resident: Mrs. Grow shared her concern for the increase of traffic the development will add to 4400 South. She inquired about the placement of a roundabout at 700 West and 4400 South, access point for the townhouses on 4400 South and the closure of 4450 South. Mrs. Ukena noted that a roundabout or traffic light falls under the jurisdiction of Public Works yet nothing concrete has been decided, the specifics such as access points for the townhouses will come later, and that with the closure of 4450 South another access road will be placed further north.

David Blackner/Resident: Mr. Blackner noted that it is becoming more difficult in getting out of his driveway on 4400 South. He stated that his concern is with the increase of traffic on 4400 South and the location of the access points for the project.

Ray Bellman/Business Owner: Mr. Bellman voiced concern for the planning phase and overall long-term impacts of the development. He noted that development plans have not yet been available for review. Mr. Bellman also expressed concern with the closure of 4450 South noting its frequent use by patrons to his business. Mrs. Ukena noted that an access will still be available the road will be a privately owned and the access point will be further north but it will still be opened to the public.

Jerry Maughan/Resident: Mrs. Maughan noted her concern for the increase of traffic the development will bring on 4400 South. She noted that it will greatly impact the mobility within the City.

There being no further comments, Chairman Farr called for a motion to close the Public Hearing.

**Motion:** Commissioner Hunt moved to close the Public Hearing. Commissioner Gailey seconded the motion. The motion passed unanimously.

Chairman Farr opened for further discussion to the Planning Commission. Commissioner Tanner asked Mr. Pierson with CLC Associates to his previous statement that the owner intends to develop Townhouses for now yet the area could be used for other uses. Mr. Pierson stated that the intended use is townhouses or condominiums for as far as they can tell. He noted that there has been talk about business/office condominiums

for the development if the ownership of the townhouses goes down in the future. He stated that they are planning on having it be 100% residential. Commissioner Hunt noted that Mr. Pierson had used the terminology of renter ship and apartments and asked for clarification. Mr. Pierson informed the Planning Commission that the development will be townhouses and/or condominiums; there will be no renter ship. Mrs. Ukena reiterated that the Developer's Agreement will only allow owner occupied townhouses. Commissioner Stevens asked if the plan for the townhouses has been developed with a target buyer in mind. Mr. Pierson noted that he did not have that information. Commissioner Stevens stated that he holds a concern for young families and the amount of traffic on 4400 South. He noted that if the targeted buyer for the townhouses includes families there will be a need to incorporate green space into the project for children to go. Mr. Pierson noted his concern and stated that they plan to have a buffer between the residential and commercial that will include green space. Commissioner Hunt asked if difficulties arose and they were not successful in the rezone request if a contingency plan existed. Mr. Pierson noted that no contingency plan has been made. Chairman Farr inquired as to why the rezone would be advantageous. Mrs. Ukena informed him that the property is in a Redevelopment area and Mr. Cutrbus has been before the Redevelopment Agency (RDA) to present the concept of townhouses on 4400 South. The RDA has approved the townhouses to clean up the blighted area, she noted that the area must have a zoning that will allow for townhouses. Commissioner Hunt noted two main concerns for the area, the blighted piece of property that is sitting vacant and density/population. He then questioned if it would be realistic for someone to build a single-family dwelling on this piece of property. In response, he noted that this would be unlikely and questioned further as to which would be more advantageous, a piece of blighted property or townhouses, each has its positives and negatives.

Commissioner Stevens asked if the design incorporated a possible expansion to the east. Mr. Pierson stated that he cannot answer for Mr. Cutrbus' intentions but for the present time the design is strictly to the parcel up for rezone. Chairman Farr asked if Mr. Cutrbus owns the parcels east of the development. Mrs. Ukena noted that of the three parcels Mr. Cutrbus owns only the middle one. Commissioner Miller noted that if the rezone is granted and the townhouses are not built the area is still considered a conditional use and since the area is master planned as residential only residential projects would be considered. Commissioner Searle stated that his biggest concern is with the density of the project. Mrs. Ukena noted that conditions may be imposed concerning density. A general discussion about the developments access to 4400 South was held, it was determined that this could be looked into more detail when a more complete site plan is brought before the Planning Commission. Commissioner Tanner stated her concern with bringing a Mixed Use Zone into the City is that the General Plan is a fluid/living document that may be changed at any point. She noted that the rezone may leave the City open for commercial when the residents do not want commercial in this part of the City. Mrs. Ukena agreed that in the future that this may happen but they cannot foretell how far into the future this may occur and the Planning Commission has a duty to concern themselves with the current issues.

**Motion:** Commissioner Hunt moved to recommend to the City Council a rezone of approximately 0.82 acres, approximately located at 743 West 4400 South from R-2/Residential to MU/Mixed Use with the intent of placing owner occupied townhouses on the 0.82 acres with no office or commercial. Commissioner Miller seconded the motion.

**Roll Call Vote:** Commissioner Miller, yes; Commissioner Hunt, yes; Commissioner Searle, yes; Chairman Farr, no; Commissioner Stevens, no; Commissioner Tanner, no; Commissioner Gailey, yes. The motion passed with four (4) in favor and three (3) against.

Chairman Farr moved to deny for the following reasons:

1. Initially felt that the application process was not appropriately followed. The Planning Commission did not see any previous site plans for the proposed area or have previous knowledge of H&P Investment's proposal concerning the parcel of land to be rezoned.
2. Felt that the rezone was too early in that:
  - A. The applicants were not clear in what they wanted to do with the parcel of land, conflicting reports from the CLC representative and the preliminary site plans.

- B. The MU zone will allow for commercial along with residential and once rezoned cannot keep that area from becoming commercial if the developer changes his mind.
- C. Felt that the density of the project is too great for the area proposed.

Commissioner Tanner moved to deny for the following reason:

- 1. Did not feel confident that the rezone to a MU/Mixed Use zone would keep the integrity of 4400 South as a residential area, in that the MU zone will allow for commercial and once rezoned cannot keep that area from becoming commercial if the developer changes his mind.

Commissioner Stevens moved to deny the rezone for the following reason:

- 1. Did not feel confident that the rezone to a MU/Mixed Use zone would keep the integrity of 4400 South as a residential area, in that the MU zone will allow for commercial and once rezoned cannot keep that area from becoming commercial if the developer changes his mind.

#### **4. CONSIDERATION OF THE PRELIMINARY SITE PLAN FOR RIVERDALE 700 PLAZA – PHASE 1, LOCATED AT 700 WEST AND RIVERDALE ROAD**

Chairman Farr opened this item for discussion. Mrs. Ukena noted that the preliminary site plan is for an office retail with about eleven retail units and office space on top. She stated that City staff including the Fire Department and Public Works has reviewed the site plan and forwarded required changes. She noted that the City Engineer has not seen the site plan. Mrs. Ukena informed the Commission that the area is zoned C-3/Commercial and all proposed uses are allowed in this zone. Commissioner Tanner asked if the townhouse area will have drivable and walkable access to the retail area. Mr. Pierson noted that currently there is no drivable access but the site plan is still workable and will take questions and recommendations into advisement. Commissioner Tanner also inquired about the landscaping and green space, noting that on the current site plan it is hard to tell if there will be green space besides a couple of detention ponds/grassy swells. She continued to note that the RDA agreement concerning the townhouses states that the units will be completed in 2007 and on the site plan it notes they will be completed in 2008. Mr. Anderson with Big-D Construction noted that the intent is to move forward with the townhouses in 2007. Commissioner Miller inquired about how many stories the townhouses will have, if the office space will have sprinklers, and if restaurant pad A can be moved closer to Riverdale Road and place the parking behind the building. Mr. Pierson noted that the townhouses will be two stories, yes, the office space will have sprinklers, and no, they did not plan to move the pad site closer to Riverdale Road. He stated that with potential widening of Riverdale Road it may be easier to move parking stalls than the building. Commissioner Miller also inquired if the vacation of 4450 South and the placement of the new road, Plaza Drive, along with the infrastructure will be the first work completed on the project. Mr. Pierson said that the Developer's Agreement with the RDA states that the first construction will be to vacate and move the utilities on 4450 South and put in the new road. Commissioner Hunt noted that earlier it was recommended to allow access to the townhouses towards plaza drive and questioned if it would affect the parking of the offices in that area. Mr. Pierson noted that the specific building size and parking has not been set and the Commission's recommendations will greatly influence the development. Commissioner Searle noted that the project is sectioned off into four phases and asked if the different phases will be worked on simultaneously. Mr. Pierson answered that they will move at different times.

Commissioner Stevens noted that currently 4450 South is a public road with a speed limit of 25 mph. Once it is vacated and made into a private road that usually has a speed limit of 10 mph. He questioned if this really is a plausible alternative to alleviate congestion on 700 West and 4400 South. Mr. Pierson noted that only 30 ft of the road will be privately owned and whether or not it is narrow it still will alleviate some traffic and work as a calming effect. Mrs. Ukena noted that Chief Illum with the Fire Department stated that the road will accommodate a fire truck and also stated that the traffic study completed on 4450 South showed very minimal traffic use. Commissioner Stevens also noted that Mr. Cutrbus owned three sides surrounding Arby's yet he does not see a cross access between Arby's and the proposed site plan. He inquired if a cross access will be added at a later date. Mr. Pierson stated that there is no intention to have a cross access. Mrs. Ukena noted that

Arby's included a cross access with their subdivision. Chairman Farr noted that it would be advantageous for both property owners to have the cross access and requested to have one. Commissioner Miller and Stevens both echoed Chairman Farr's statement and recommended a cross access. Chairman Farr inquired if the access onto Riverdale Road has been approved by UDOT. Mr. Pierson noted that it was currently under review with UDOT and approval has not yet been granted. Chairman Farr noted a possible problem with an access between Arby's and his current entrance and requested the City Council to take careful consideration of the access point.

Commissioner Miller inquired if the townhouses will have garages and if so how big. Mr. Pierson stated that one car garages are planned. Commissioner Miller asked if the plans allow for visitor parking. Mr. Pierson noted that it is planned for 1.5 parking stalls per unit at this time. Mrs. Ukena informed the Commission that it is possible to dictate the number of parking stalls as part of the conditional use. Commissioner Miller requested a minimum of two parking stalls per unit. Commissioner Searle noted that the number of units may need to be reduced to allow for parking. Commissioner Stevens asked if the Commission will see the site plan in greater detail at a future date. Mrs. Ukena stated that they will see everything counted out concerning parking, landscaping, and utilities. Commissioner Stevens requested to consider reducing the density where feasible to accommodate green space and parking. A general discussion concerning the width and access points was held for the proposed new road, Plaza Drive. Commissioner Stevens asked what type of fencing was planned to buffer the commercial from the residential. Mr. Pierson informed him that it will be a combination between a 6 ft vinyl fence and decorative iron. Commissioner Tanner asked how the fencing will reduce noise and informed Mr. Pierson that City Ordinance required the fencing to reduce noise. Mr. Pierson stated that the fencing will come before the Commission for approval at a future date. Discussion was held on the number of parcels that the project will be recorded as and how the 20% landscaping will be figured between it. Commissioner Searle noted that future parcels may be vacated along 4400 South by the townhouses which may allow for more townhouses to be built in this area. He requested that this development look at the greater picture and to be developed in a way that residents will be proud to live by it. He continued to note that to obtain this it may be necessary to reduce the number that will be developed. Mr. Pierson stated that he will take all of the Planning Commissioners comments into consideration and focus on solving all the questions raised.

**Motion:** Commissioner Miller moved to approve the preliminary site plan for Riverdale 700 plaza – phase 1, located at 700 west and Riverdale Road with the following conditions:

- All staff comments be addressed (see attachment A)
- Townhouses – minimum of three (3) parking stalls per unit

Commissioner Gailey seconded the motion. The motion passed unanimously.

## **5. DISCRETIONARY BUSINESS**

Commissioner Tanner noted that in the previous meeting there was a question as to the length of appointment for the Planning Commission Chair and Vice Chair, she stated that in the information given to the Commission it states that the appointment will be for two years.

Commissioner Searle informed the Commission that he attended an open house in Farr West concerning I-15 and learned that the sound wall to be constructed along I-15 on Parker Drive will be 14-16 feet high. He inquired if the fence will still be needed along Parker Drive with the installation of the sound wall. He also recommended to clean up the area with landscape and the removal of the old trees and vegetation.

Mr. Rasmussen with Big Horn Inc. stated that he represents the board of trustees who own the corner parcel at approximately 1500 West and Riverdale Road. He noted that he was referred by Mr. Daily to inquire of the Planning Commission what type of use would be permitted for this lot. Chairman Farr requested time for the Commission to deliberate on the area and for this item to be brought before the Commission at a latter date. He recommended that Mr. Rasmussen review the zoning and come back with some ideas of how they would like

to develop the land. Commissioner Hunt noted that the Planning Commission is bound by the ordinances and therefore to bring in a concept that falls within the boundaries of the ordinance to discuss further.

Mr. Hayward stated that he is interested in the property behind the old Cinedome Theaters to place a few office spaces and requested to brainstorm possible uses with the Commission at a future meeting. Mrs. Ukena noted that the property is in a CP-3 zone and that it may be allowed as a conditional use.

Commissioner Miller noted that the City has a Transportation Committee and the Fire Department has asked him to be a part of the committee. He stated that if any of the Planning Commission Members have any comments or questions for the Transportation Committee to call or email him.

**6. ADJOURNMENT**

There being no further business to come before the Planning Commission, Commissioner Tanner moved to adjourn the meeting. Commissioner Hunt seconded the motion. The motion passed unanimously. The meeting was adjourned at 8:16 pm.

Attest:

Approved:

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Marie Alvord,  
Planning Commission Secretary

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Don Farr, Chair