

Minutes of the **Regular Meeting** of the **Riverdale Planning Commission** held Tuesday, **April 26, 2005** at 6:30 p.m. at the Riverdale Community Center, 4360 South Parker Drive.

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

Member Excused: Brent Coleman

Member not in attendance: Allen Miller

Others Present: Jan Ukena, City Planner
 Michelle Douglas, Planning Commission Secretary

 Lew Swain, The Boyer Company
 Matt Swain, The Boyer Company

Chair Limburg called the meeting to order and welcomed all those in attendance. He excused Commissioner Coleman and noted that Commissioner Miller was not in attendance. He acknowledged that all other members were in attendance and welcomed Staff.

Consideration of Minutes

Motion Commissioner Tanner moved to approve the minutes of the preplanning work session of February 8, 2005 as proposed; and for approval of the regular meeting of February 8, 2005 as proposed; and to waive the reading. Commissioner Farr seconded the motion; the motion passed unanimously.

Conditional Use Permit / Home Occupation Application

Ronald MacKnight - Mactech Installations

Mr. MacKnight was not present at the meeting; no action was taken.

Conceptual Development Discussion for the property located from American Monument to the 550 West RDA

Mr. Lew Swain and Matt Swain, The Boyer Company, were present at the meeting to conceptually discuss the development of the property located from American Monument to the northwest boundary of the 550 West RDA.

Mr. Lew Swain informed the Commission that the development would be the expansion of the Riverdale Shopping Center from Riverdale Stor-'N-Lock (not including said property) to the back of Best Buy. He explained they have done some very preliminary site work; in addition to the site work, they hope to complete the connection of Pacific Drive. Mr. Lew Swain said they hope to produce approximately 200,000 square feet of building space; with one large anchor tenant, some mid-size tenants, and some smaller tenants. Mr. Lew Swain indicated that the project will require a lot of infrastructure work, and they are currently working with UP&L and UDOT with those issues.

Chair Limburg inquired if The Boyer Company had secured a large anchor as of yet. Mr. Lew Swain explained that they are currently working with two anchors; however, neither one of them have signed. He went on to explain that both anchors are in the 90,000 to 98,000 square feet range, and either one would be a great addition to the City.

It was inquired if The Boyer Company had options on all of the properties that were outlined in the Commission's informal packet. Mr. Lew Swain indicated that they have options on almost all of the properties; they have options on approximately 90 percent of the properties.

Chair Limburg pointed out that one of the biggest issues is across the street, which is 500 West; and eventually there will be a light and there will be a need to connect Pacific Avenue behind Lowe's. Mr. Lew Swain stated that he is aware of the situation and that is critical to their site plan.

Commissioner Farr pointed out there was another retailer (Costco) that wanted to come to the same area and there was an issue with Lelis Transmission, which included the possibility of contamination. Mr. Swain indicated that they do not have full knowledge of the situation because those are of one of the properties they are still in negotiations. However, he is aware there were situations with Costco; such as, they wanted to build a metal-frame building, and the City was not enthused about that. There were soil conditions with the Lelis property, and they have addressed those conditions with the major tenants.

Chair Limburg commented on the Sound Warehouse site. He noted that the owner of Sound Warehouse wants to be a permanent retailer of Riverdale City, and he inquired how The Boyer Company would accommodate this. Mr. Swain indicated that he is aware of this situation as well, and they have not been able to figure that out that either.

Discussion followed regarding building materials and colors. It was inquired if building materials and colors would be similar to the Riverdale Center II project. Mr. Lew Swain indicated that the materials and design would be compatible. He explained that one tenant has requested a red brick, but they will make it work. He noted that it might not be that every building is gray with the same stucco color as Riverdale Center II; however, it will be a good design, and he believes it will be very compatible and acceptable.

Commissioner Farr questioned if they want to break ground soon and get the ground compacted. Mr. Lew Swain explained as soon as they get negotiations from one of the 90,000 square feet tenants, they would move forward. Commissioner Farr inquired if they are at the architect stage now. Mr. Swain indicated they are; they need to make sure the site will fit and to make sure it will work with the access point with UDOT. In addition, as the project narrows down, they want to have a main focal point at the signal. Mr. Swain indicated that they want to bring something back to the Commission that reflects the main focal point.

Discussion followed regarding the connector road. Commissioner Tanner requested that Mr. Swain look at a road that would meander. She noted that there is a lot of traffic that comes off of Pacific Avenue, and it was her opinion if the road cuts straight through, people will learn they can cut through the area quickly and traffic will back up through the development; and it will become a

thoroughfare. Mrs. Ukena indicated that the idea is to split the traffic off 300 West and have people utilize the road.

Review of Proposed Mixed Use Ordinance to be forwarded to the City Council

Mrs. Ukena informed the Commission that she added a special subsection in the mixed-use zone entitled "*Special Regulation*". Special Regulations states:

Per the Planning Commission discretion, at the preliminary review stage commercial and residential ratios may be applied for the uses on the property.

Per the Planning Commission discretion, open space and trail connections throughout the project site may be required.

Approval of uses shall be reviewed and approved by the Planning Commission prior to issuance of a business licenses.

Mrs. Ukena informed the Commission that the City could not require things that are not specified in the City's Zoning Ordinance; therefore, she added this subsection especially for things such as open space and trail connections.

Mrs. Ukena referred to "*Uses*". She noted that everything is the same with the exception of one item. She referred to Multi-Family Dwellings. Multi-Family Dwellings only address condominiums and townhouses; they do not address apartments. Mrs. Ukena stated that apartments would not be allowed in the mixed-use zone.

Commissioner Hunt inquired if there were ratios incorporated into the ordinance. Mrs. Ukena indicated that she spoke with City Attorney Brooks, and he said he would not recommend ratios. He questioned how one would place the same ratio on a 12,000 square foot parcel and on an entire development. She explained it would be at the Planning Commission's discretion because it would be a conditional use. She went on to say it would be ideal for some developments but not for others.

Discussion followed regarding retail sales. Mrs. Ukena indicated that it is so hard to list every retail use so each retail use will come before the Commission on an individual basis for approval. She added that Mr. Brooks felt this was a good approach as well.

Commissioner Tanner questioned if the Mixed-Use "*Purpose*" statement legally covers what the Commission is trying to achieve. Mrs. Ukena indicated that she believes it does.

Commissioner Farr referred to "*Site Development Standards*". He questioned if a 70-foot minimum front yard setback would be more appropriate instead of 50 feet. Mrs. Ukena informed the Commission that a 50-foot front setback is standard. She went on to say she would prefer a zero front setback, which would bring the building forward, and move the parking to the rear of the building instead of the front. Commissioner Tanner inquired if it would not be better to have a 50-foot front setback instead of nothing; then the Commission would be able to have some type of concession to work with on the front setback if they needed it.

Commissioner Tanner referred to "*Building Height*". She questioned if they wanted to allow a four-story building adjacent to a residential use. Commissioner Tanner expressed concern that the

Commission needed to re-evaluate a four-story building and stated that there needed to be some protection for residential uses. The other Commission members agreed. Commissioner Tanner stated she would like Mrs. Ukena to add some language to the ordinance to specify that the Planning Commission has more say in regards to the relation of multi-story buildings adjacent to a residential use.

Motion Commissioner Hunt moved to recommend to the City Council the mix-used ordinance as proposed, with the addition of language in regards to "Build Height" and the relation of multi-story buildings adjacent to a residential use as necessary. Commissioner Eskelsen seconded the motion. The motion passed unanimously.

Proposed General Plan Review and Amendments Information

Mrs. Ukena informed the Commission that the West Bench RDA failed during the taxing committee meeting with a vote of four to four, and she is not aware if the City will pursue it any further. She indicated that the State School Board, Weber School Board, and one of the Weber County members voted against the proposed RDA area. She went on to explain that the school board members do not understand that the money continue to passé on to them.

Discussion continued regarding the proposed areas for the General Plan / Land Use Master Plan amendments. Mrs. Ukena explained the areas she has reviewed have been as follows: the office park behind Sam's Club; the Gibby parcel; the Cinedome area; and the southeast side off 550 West. She went on to say that she has wondered to herself why the office park area was not developing, and she has thought of several things that could be changed. Chair Limburg inquired if the office park area is owned by DDRC, and he questioned if they could have an off-premises sign to advertise the area.

It was questioned if once more developments go into the retail overlay area, could the office park area develop. Mrs. Ukena indicated that it could, and she said the Commission could wait and see what happens. She went on to say that Unity Enterprises have brought in some paperwork for development of their property. Commissioner Tanner added that they claim they have a right-of-way. Mrs. Ukena indicated that is correct, and it could spark some development.

Mrs. Ukena asked the Commission if they were interested in changing the office park area to a commercial one or a mixed-use zone. Commissioner Hunt stated it is a matter of economics. Mrs. Ukena said that the price they are asking, she could only imagine. Commissioner Eskelsen pointed out that there is the Crabtree parcel as well, which could be influencing the development of the property too.

Chair Limburg stated that the Commission just made a motion to the City Council to adopt the mixed-use zone; he felt that zone could be a consideration. He added that the area behind Valley West Apartments look terrible, and he asked Staff to talk to the owners of the complex.

Discussion followed regarding the Chevron Station on the corner of 300 West and Riverdale Road. Mrs. Ukena indicated that UDOT bought the property from the owners of the Chevron station on the corner of 300 West, and now they are working out the easement with John Paris Furnisher.

It was questioned if the City Council adopts the mix-used ordinance, why couldn't the Planning Commission recommend to put the mix-use zone on the four proposed areas. Commissioner Eskelsen stated that she thought that was their goal. Mrs. Ukena indicated that she would agree with that thought with the exception of the 550 West area. Mrs. Ukena said she was under the impression the Commission did not want apartments or condominiums in that area.

Commissioner Farr referred to the area where Olive Garden is located now. He noted prior to Olive Garden, it was a desolate area - look at it now. He said where 550 is, after Boyer Company comes through with their new development, the area will blossom. He went on to say he believes the entire piece will go ballistic. Mrs. Ukena recommended to the Commission that she would get the area out of residential. Commissioner Farr stated that he did not think the area would be residential; a petitioner would be asking for a rezone and after the 550 West area; developers will be concentrating on the area behind Sam's Club.

Mrs. Ukena said she would consider the mixed-use zone behind Sam's Club; she stated that the area right now is so limited. Commissioner Hunt agreed. Mrs. Ukena indicated she believes what Unity Enterprises does will affect the area.

Commissioner Farr pointed out when the Wal-Mart/Sam's Club development was complete, he was not on the Commission. He stated that he was surprised a fence was not put in place. Commissioner Tanner explained it was discussed; however, it has not been developed. Mrs. Ukena noted it could be a part of the conditions when the office park area is developed. Chair Limburg added there is so much vegetation that grows up during the summer, that you cannot even see the homes.

It was inquired if the Commission wanted to move forward with amending the office park area, the cinedome area, and the Gibby parcel to mixed-use. Commissioner Tanner pointed out when the Commission did the landmark zone on Commissioner Farr's parcel, the landmark zone did not go with the other parcels it was recommended. She went on to say she did not think they should keep that little parcel of property in such restrictions and higher requirements. If the Commission is going to look at new General Plan amendments, she believes Commissioner Farr's parcel should be included. She stated whatever is developed, should not be kept to a higher standard. Commissioner Tanner noted that one parcel of land was rezoned to landmark and no one else had to do it, and she does not think it is right that, that one piece has to be held to those standards. She said the landmark zone was a great idea if the entire area was rezoned but it did not happen.

Commissioner Farr added that since he has had that parcel, he has potential buyer; however, no one wants to buy it because of the zoning.

Mrs. Ukena reminded the Commission to keep in mind that the Commission is not going to rezone any properties; they are going to amend the General Plan.

Discussion followed regarding Area 8; the area is designated as high-density housing with the hillside protection overlay. Commissioner Tanner inquired why they would not want to utilize the mixed-use zone in Area 8. Mrs. Ukena indicated that she thought the area would go commercial. She asked if the Commission would want to allow a huge anchor store in the area; she stated that

she did not think the area was designed for a huge anchor. Commissioner Tanner questioned would want to live behind a tire store. Chair Limburg said if they utilized the mixed-use zone, he thought they would have an easier time integrating the City's trail system. Mrs. Ukena informed the Commission that the City Council nixed the trail down through the Ruby River project; however, with the mixed-use zone, they could integrate a trail system.

Chair Limburg indicated that he does not want arbitrarily blanket every undeveloped piece of ground as mixed-use. Commissioner Tanner agreed; however, she has a mental picture of what mixed-use should be.

Mrs. Ukena questioned the Commission. She inquired if they go through and incorporate the mixed-use zone in the proposed areas, and a developer comes in and wants to rezone an area to a commercial zone, even though they are trying to get rid of the "retail image", how would the Commission receive a commercial rezone. Commissioner Tanner indicated that she would have a hard time with such a request; she stated that she sees the mixed-use zone as an upgrade. She went on to say the development does not have to be a mixed use of residential and commercial; however, it needs to be a mixed use of commercial with integrated uses, pathways and landscaping. Commissioner Hunt added that the development should integrate with more moving about and a community theme as well.

Chair Limburg inquired what Jordan Landings is. Mrs. Ukena indicated it is almost a mixed-use concept. Commissioner Hunt referred to Draper Peaks on 123rd South; he pointed out that development has all types of residential around it and little shops and other types of commercial.

Chair Limburg questioned if a mixed-use zone is what the Commission would like to see on the remaining large parcels of land in the City - even next to residential. Mrs. Ukena indicated that is what she would like to utilize; she felt they would want to utilize it as a buffer. However, she does not know about the 550 West area. Commissioner Farr agreed; he pointed out that there are a lot of things that could go into that area.

Discussion followed regarding the Gibby parcel. It was suggested that the entire parcel be amended; however, it is not known at this time what to change it to. It was suggested that the area be further studied prior to any decisions being made. It was noted that it was announced that Adams Aircraft would be coming to the north side of the area, and they would want areas for parts or manufacturing. Mrs. Ukena explained the credit union owns the majority of the property, and she talked to the credit union's planner; and they are willing to lease their property to Adams Aircraft. She went on to explain when the credit union needs their property back, they will take it back. Mrs. Ukena's suggestion is to leave America First Credit Union as it is.

Chair Limburg stated that they are going to want some retail in the America First area. Mrs. Ukena acknowledged that is correct. She explained that Salt Lake City made a similar mistake; they did not allow food vendors in their manufacturing areas. She went on to say when you have people working in an area, they are going to want to eat; and you are going to want to have some type of food vendors or restaurants available.

It was questioned if the Commission was ready to make a motion regarding amendments to the General Plan. Commissioner Tanner indicated that she was not; she believes they need more discussion, and they need to see if the City Council will even adopt the mixed-use zone first. Furthermore, the Planning Commission will need to hold a Public Hearing prior to making any motion regarding the General Plan.

Proposed Amendment to Title 10, Chapter 10, Article A: Commercial Zones (C-1, C-2, C-3)

Mrs. Ukena went through the proposed amendments to the Commercial Zone (C-1, C-2, and C-3) as proposed. She noted that the proposed amendments are only to the subsection of "Uses".

Mrs. Ukena explained the underlines uses would be just entered as retail uses; she noted that she added two new categories: *Retail Goods Establishments* and *Retail Service Establishments*, and all retail uses would be considered under these two categories.

The Commission went through the list of uses, line item by line item, discussing each use, discussing why Staff suggested eliminating uses, moving them or grouping them into different categories. The use "call center" was amended to read as a telemarketing center to eliminate the risk of any potential conflict of it being confused as a sexually oriented call center. It was questioned if the Commission wanted to add a tattoo parlor. It was noted that the City gets calls at times, and it is questioned what zone a tattoo parlor can be located in. The Commission agreed that the use should be addressed.

Christmas tress sales, Temporary Seasonal Sales Lot were discussed. It was indicated that the use would be a permitted use in all three zones. The Commission questioned how this could be if Christmas trees sales, in conjunction with a portable building, are a conditional use. The Commission felt this use should be a conditional use.

The Commission inquired why the uses for "Clubs and Lounges" were eliminate except for "lodge or social hall". Mrs. Ukena indicated that the City has to allow them to be located somewhere, and the City has the sexually oriented business ordinance to accommodate those uses.

Discussion followed regarding "Plumbing Shop". Mrs. Ukena had question marks located next to this particular use. She inquired if the Commission wanted to keep this use as a commercial use; she noted in her opinion it really is not a retail use. Commissioner Farr explained plumbing shops want outside storage because it is hard to get the pipes they utilize indoors. Chair Limburg indicated you could go to a big commercial plumbing store and get large pipes for a large commercial job; he did not think the City would want those types of large pipes stored outside. He felt the City should eliminate outside storage.

Motion Commissioner Tanner moved to recommend to the City Council to amend Title 10, Chapter 10, Article A, Subsection 4, Uses: (10-10A-4 Commercial Zones C-1, C-2, C-3), as amended. Commissioner Farr seconded the motion. The motion passed unanimously.

Discretionary Business

Commissioner Tanner indicated that she would like some clarification on House Bill 60, specifically regarding conditional uses permits. Commissioner Tanner pointed out that House Bill 60 states that

the land use authority, the City Council or the Planning Commission, can approve conditional use permits. She noted that since the Planning Commission approves conditional use permits for home occupations, would home occupations still be under their parameter as a Commission. Mrs. Ukena indicated that since the City's ordinance specifies the Commission would approve such she would assume it would remain the same; however, she will look into and get back to the Commission with the information.

With no further business to come before the Commission at this time, Commissioner Eskeksen moved to adjourn the meeting. Commissioner Hunt seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 8:20 p.m.

Attest:

Approved: June 14, 2005

Michelle Douglas
Planning Commission Secretary

Greg Limburg
Chair