

Minutes of the **Regular Meeting** of the **Riverdale City Planning Commission** held Tuesday, **May 9, 2006** at 6:30 pm at the Riverdale Civic Center, 4600 South Weber Drive.

Members Present: Don Farr, Chairman
Don Hunt, Member
Norm Searle, Member
Kathy Tanner, Member
Bart Stevens, Member
David Coles, Member

Members Excused: Allen Miller, Member

Others Present: Randy Daily, Community Development Director; Marilyn Hansen, City Recorder, other city staff and approximately 5 citizens.

1. CALL TO ORDER

Chairman Farr called the meeting to order and welcomed all those in attendance. He acknowledged that Commissioner Miller was excused.

2. CONSIDERATION OF APPROVAL OF THE MEETING MINUTES

Motion: Commissioner Hunt made a motion to approve the Preplanning and Regular Planning Commission minutes of April 11, 2006 and Preplanning minutes of April 25, 2006, as written and waive the reading of the minutes. Commissioner Tanner seconded the motion. The motion passed unanimously.

3. HOME OCCUPATIONS

a. Joseph Thompson – Tax Service

Mr. Thompson was present at the meeting to discuss his conditional use application for a home occupation business license for tax services. Mr. Thompson lives in an R-2 zone and he owns the dwelling. He explained that he will be preparing tax returns from January through April. The rest of the time will be spent representing clients who are having issues with the IRS. He will work out of the basement of his home and will have no employees. The basement has a door directly accessing to the exterior of the dwelling. Commissioner Tanner inquired if clients will be coming to the home by appointment only. Mr. Thompson indicated that would be the case.

Motion: Commissioner Tanner moved to grant the conditional use permit for a home occupation located at 4460 South 1025 West for Joseph M. Thompson, Tax Services, as requested. Commissioner Hunt seconded the motion. The motion passed unanimously.

- b. Leonardo Arce, Lawn Care Service
Mr. Arce was not present. This item was tabled.
- c. Ramiro Nava, Contractor Estimating
Mr. Nava was not present. This item was tabled.
- d. Terrance Lindquist, Handyman, Lindquist Painting and Drywall
Mr. Lindquist was present at the meeting to discuss his conditional use application for a home occupation business license for Handyman. Mr. Lindquist lives in an R-2 zone and he rents the dwelling. Mr. Lindquist presented the Commission with a letter from his landlord authorizing the business at the residence. Mr. Lindquist stated that he works for a painting contractor and does jobs at night and on the weekend at his client's homes. There are no customers that come to his house. Commissioner Tanner noted that Mr. Lindquist's list of supplies includes paint, drywall, etc. and asked if those were stored at the home. Mr. Lindquist stated that he doesn't store those at his residence. Mr. Lindquist understands that he must comply with state law in limiting contracted value for each job.

Motion: Commissioner Hunt moved to grant the conditional use permit for a home occupation located at 4393 South 700 West for Terrance Lindquist, Handyman, as requested. Commissioner Coles seconded the motion. The motion passed unanimously.

4. Consideration of Public Hearing regarding proposed amendment to Title 10, Riverdale City's Zoning and Subdivision Regulations Public Hearing for Title 10, Chapter 21 and Chapter 25, Financial Guarantees for Improvements, specifically adding additional language (subsection 3) that a developer would be responsible for the satisfactory performance of improvements dedicated to the City for a period of two years.

Chairman Farr reported that the public hearing had been properly noticed for this meeting and opened the public hearing at 6:41 pm.

There were no comments from the public.

Motion: Commissioner Tanner moved to close the public hearing. Commissioner Coles seconded the motion. The motion passed unanimously.

Chairman Farr closed the public hearing at 6:41 pm.

A discussion was held on the changes and additions to the ordinances. Commissioner Tanner inquired if subsection 3 is an addition. Mr. Daily replied that it was. He stated that Lynn Moulding, Public Works Director requested that subsection 3 be added to the body of the ordinance requiring that a developer would be responsible for the satisfactory performance of improvements dedicated to the City for a period of two years. Mr. Moulding is asking that the Planning Commission recommend these changes to the City Council.

Motion: Commission Tanner moved to recommend to the City Council to adopt changes to Title 10, Chapter 21-11 and Chapter 25-7, Financial Guarantees for Improvements, specifically adding additional language as subsection 3, that a developer would be responsible for satisfactory performance of the improvements dedicated to the city for a period of two years. Commissioner Searle seconded the motion. The motion passed unanimously.

5. DISCRETIONARY ITEMS

Commissioner Tanner reported that she had discussed in the Preplanning meeting earlier tonight her desire that applicants are prepared before going on the agenda. She discussed that she has witnessed situations when the Planning Commission has asked for things, such as documentation, and those items are not available when the applicant presents their item to the Planning Commission.

Commissioner Hunt inquired if the Planning Commission has the authority or legal right to designate the size of homes in a PRUD. Mr. Daily replied that under a PRUD conditions can be imposed larger than what is proposed. He indicated that State Law adopted Building Code deals with the minimum size of dwelling. He discussed that the Planning Commission has the ability to say they want open space or certain kinds of lighting, etc. He stated that there is more latitude to do this by ordinance in a PRUD than in a normal subdivision. Mr. Daily explained that the restrictive covenants are not usually part of the city's responsibility and that the Developer is relied on for those. The Planning Commission does have the right to look at the size of the dwellings, in his opinion, and the developer has the ability to appeal the decision. Mr. Daily noted that most developments will show a building size envelope and they cannot go beyond that. He reminded the Planning Commission that the minimum building size will be part of the final plan. Commissioner Hunt requested that the minimum square footage of a home be pinned down now. Mr. Daily stated that the developer will need to show that to them before final approval and they must be satisfied. Chairman Farr requested that the minutes from previous meetings be pulled to determine what Mr. Frost indicated the minimum square footage of homes in the PRUD would be and that the minutes of the April 25, 2006 meeting reflect that request.

6. ADJOURNMENT

There being no further business to come before the Planning Commission, Commissioner Tanner moved to adjourn the meeting. Commissioner Stevens seconded the motion. The motion passed unanimously.

Attest:

Approved:

Marilyn Hansen
City Recorder

Don Farr, Chair