

Minutes of the **Regular Meeting** of the **Riverdale Planning Commission** held Tuesday, **May 10, 2005** at 6:30 p.m. at the Riverdale Community Center, 4360 South Parker Drive.

Members Present: Greg Limburg, Chair
Brent Coleman
Kathy Eskelsen
Allen Miller
Kathy Tanner

Members Excused: Don Farr
Don Hunt

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

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

Conditional Use Permit / Home Occupation Application

Billie Kaye Perczak - ABC dEsigs

Ms. Billie Kaye Perczak was present at the meeting to discuss her conditional use permit for a home occupation business license for a craft business. She explained that she would paint wood items and make items with fabrics. She went on to explain she would sell her wares at fairs and boutiques, and she would not have any individuals at her home.

It was inquired what kind of supplies Ms. Perczak would utilize in conjunction with her home occupation. Ms. Perczak explained that she would utilize fabric, wood, and craft paint. She went on to explain that the majority of the work she does is completed at her kitchen table or a table in her basement.

Ms. Perczak explained that she rents her dwelling from her brother-in-law, and as of yet, she does not have a letter of approval from him to utilize the home for a home occupation. She noted that he is in Canada, and she has paged him regarding the letter; and she is just waiting a reply from him.

Motion Commissioner Tanner moved to grant the conditional use permit for a home occupation located at 3713 S River Valley Drive for Billie Kaye Perczak, ABC dEsigs, upon receipt of a letter of approval from the property owner, as requested. Commissioner Eskelsen seconded the motion. The motion passed unanimously.

Dennis Judd - Clean & Green Yard Care

Mr. Dennis Judd was present at the meeting to discuss his conditional use permit for a home occupation business license for up keep and basic lawn care service. Mr. Judd informed the Commission that he has a trailer and the trailer will be kept at the dwelling; however, everything else associated with the home occupation will be kept at his father-in-law's home in Clinton City.

Mr. Judd went on to explain that he would dispose of the grass clippings at the dump immediately or the very next morning.

It was noted that Mr. Judd's mother owns the mobile home; however, Mr. Judd needs to bring in a letter from the park manager prior to approval of his conditional use/business license.

Motion Commissioner Miller moved to grant the conditional use permit for a home occupation located at 4375 Weber River Dr. #45 for Dennis Judd, Clean & Green Yard Care, upon receipt of a letter of approval from the park manager, as requested. Commissioner Eskelsen seconded the motion. The motion passed unanimously.

Proposed General Plan Review and Amendments

Chair Limburg said he thought the Commission was going to hold off on this agenda item until they find out what the City Council does with the Mixed-Use Zone. Mrs. Ukena indicated they were; however, she did not address Area 8.

Discussion followed regarding Area 8; Mrs. Ukena informed the Commission that her recommendation is to keep the Hillside Ordinance and to go with the C-3 zone. She went on to say from what she has heard, most of the residents in the area are anxious to move from the area. The two things that are a buffer to the area are Cherry Drive and 300 West, which is being widened. She noted once there is curb and gutter on 300 West, it should stop the illegal movement down the hillside.

It was noted that the front part of Area 8 is already a commercial designation. Mrs. Ukena indicated for a large or good development to go into the area, there needs to be space to accommodate the project. With the different zoning designations, a good development cannot be accomplished. Mrs. Ukena reiterated to the Commission it is her recommendation to reconsider Area 8 and go with a commercial designation.

Mrs. Ukena inquired if there were any other places within, which have not been discussed as of yet, that the Commission would like her to study. She added that the areas of the City that have been modified, due to boundary adjustments, need to be addressed as well.

Discussion followed regarding the area behind the "old TCI" building. The area is master planned residential; however, it is zoned CP-3. Chair Limburg inquired if the City is still planning on constructing a road through the area. Mrs. Ukena stated, in her opinion, the biggest mistake the City could make would be to connect 1500 West to 1275 West; she believes it should connect to Ritter Drive. She went on to say the Transportation Plan is still in limbo as well. Mrs. Ukena noted the Commission will not even send the City Council a recommendation regarding the General Plan amendments until the Fall; they are just doing clean-up at this point.

Chair Limburg questioned about the legal aspects of the up-coming rezone, which is located just south of the Riverdale Civic Center (the rezone of approximately 90 acres by Unity Enterprises). He inquired if the City has to legally grant the rezone. Mrs. Ukena explained if the City has the property master planned as A-1, the City does not have to grant the rezone and all of the property is master planned A-1. Mrs. Ukena went on to say there are a lot of things that take into play in

regards to this rezone, and Mr. Daily wants the Planning Commission to be aware of these issues. One, Riverdale City's parks and trails are a priority; if the City does not grant the rezone, the City will not get their parks and trails on the south end of the City. Two, the petitioners have enough money; they will sit on their land. Three, in all honesty, they have presented Staff a good plan, and they are willing to give the City another access.

Mrs. Ukena question will everyone forget the lawsuit. She suggested that everyone line up the positives and line up the negatives and evaluate the plan. She reminded the Planning Commission that Hermes was the corporation that brought the lawsuit against the City and Unity Enterprises broke off. Then, Developers Diversity Realty Corp (DDRC) bought out Hermes and took over the lawsuit, and Rick Thomas worked for DDRC.

Mrs. Ukena explained the other issue that is stopping them is the AICUZ zone, and they have to make concessions in their plan because of this; such as, a PRUD and a reversed road to make the sound mitigated to the homes. Mrs. Ukena stated she does not want the Commission to think the entire plan will be commercial; they can put townhouses in the commercial zone as well. She noted that Mr. Daily suggested to the petitioners that they implement a theme. Chair Limburg inquired what is allowed in the City's C-3 zone. Mrs. Ukena explained that anything and everything is allowed in the City's C-3 zone.

With no further business to come before the Commission at this time, Commissioner Eskelsen moved to adjourn the meeting. Commissioner Miller seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 7:21 p.m.

Attest:

Approved: July 26, 2005

Michelle Douglas
Planning Commission Secretary

Greg Limburg
Chair