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Minutes of the **Regular Meeting** of the **Riverdale City Planning Commission** held Tuesday, **September 12, 2006** at 6:30 pm at the Riverdale Civic Center, 4600 South Weber Drive.

Members Present:

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

Others Present:

Jan Ukena, City Planner  
Marie Alvord, Planning Commission Secretary  
Kelly Bingham, Standard Examiner

### **1. CALL TO ORDER**

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

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

**Motion:** Commissioner Tanner made a motion to approve the Preplanning and Regular meeting minutes of August 08, 2006, with said changes from the Preplanning meeting and waive the reading of the minutes. Commissioner Gailey seconded the motion. The motion passed unanimously.

### **3. DISCUSSION OF PRUD ORDINANCE REVIEW.**

Mrs. Ukena informed the Commission that the City Council would like to see a PRUD Ordinance that the Planning Commission has reviewed. Mrs. Ukena then continued to review an ordinance pertaining to the duration of the agreement, description of property, allowed uses, public health, safety and general welfare, maximum density. Commissioner Hunt stated that the Ordinance could easily be used as a template or format for a Developers Agreement. General discussion continued concerning construction requirements such as city standards for streets, sewer, water which will be dedicated to the City, including setbacks, landscaping, and open space. Chairman Farr reminded the Commission that the issues pertaining to the water, sewer and streets helped them decided to discard the PRUD Ordinance all together. Commissioner

Tanner stated that she had a vivid recollection that the Commission firmly stated that they did not want a PRUD Ordinance and recommended the use of a Development Agreement. Commission Hunt agreed and stated further that this Ordinance would work great as a format but did want an actual Ordinance. Commissioner Tanner requested that another stipulation be added to the subdivision layout stage where the applicant is required to state why a PRUD would be better suited than a subdivision to the particular parcel of land. She also requested that any changes to the conditions, covenants and restrictions (CCR's) of the PRUD be brought before the Planning Commission. Chairman Farr stated that such a tight control over the CCR's would be a conflict of interest and only changes to the CCR's that were stipulated by the City should be brought before the Planning Commission for approval. General discussion on Financial Ability was held, with Chairman Farr and Commissioner Miller requesting City Attorney Brooks counsel on the legality of requiring a the developer to take out a bond for total amount of the PRUD to ensure the completion of the project. Commissioner Tanner noted that "the Council" should be changed to "the City Council" in the Periodic Review and Modification or Termination section and that "City Recorded" changed to "City Recorder" in the Recording of a PRUD Agreement section.

Chairman Farr suggested the following recommendations from the Planning Commission to the City Council:

- Uphold the previous decision to not have a PRUD Ordinance
- Review the PRUD Ordinance with the changes made tonight
- Review the PRUD Ordinance and return to Planning Commission with comments and further direction from the City Council.

Commissioner Tanner requested that the City Council give clear direction on any changes to the PRUD Ordinance or hold a joint Planning Commission and City Council Meeting. Commissioner Gailey and Commissioner Stevens both noted that they were under the impression that the PRUD Ordinance and the next item on the agenda: Item 4, Discussion of Residential Overlay Zone Ordinance were alternative ordinances to each other. Commissioner Stevens requested that the Planning Commission continue to Item 4 to discuss similarities and difference between the two ordinances before the Planning Commission forwards a recommendation to the City Council. The Planning Commission moved to Item 4: Discussion of Residential Overlay Zone (ROZ) Ordinance at this point in the meeting.

#### **4. DISCUSSION OF RESIDENTIAL OVERLAY ZONE (ROZ) ORDINANCE.**

Mrs. Ukena led a general discussion of the ROZ Ordinance. She noted that the main difference between this ordinance and the PRUD Ordinance was with the type of housing allowed: PRUD Ordinance allowing single-family dwellings only with the ROZ Ordinance allowing for patio homes, twin homes and town homes. Areas of concern: Design Review Committee and Parking. Development Standards, D. Architecture and exterior material, such as colors and building height shall be reviewed and approved by the Design Review Committee and Allowed Amenities, B. Screening walls and fences are required on the perimeter of the ROZ. Height, color, and material shall be approved by the Design Review Committee. A consensus was established that the decisions made by the Design Review Committee for the above standards and amenities are too inclusive and need to be made earlier in the approval process than the

Design Review Committee is able to accomplish. Chairman Farr noted that the parking stall minimum at 9x18 is too small, it will not account for the larger extended cab trucks. Commissioner Gailey recommended a 9x18 minimum, whereas Commissioner Tanner recommended 10x20. The Commission agreed on the 10x20. Commissioner Stevens noted that in the ROZ Ordinance it is dictated that an independent finance person or company shall be responsible for the Association dues assessed by the Association for maintenance and improvements to common areas. He stated that this very beneficial and should be added to the PRUD Ordinance.

Commissioner Tanner requested a five-minute break. The Planning Commission took a five-minute break at this time.

On returning from the break Chairman Farr requested a motion for Item 3: Discussion of Prud Ordinance Review following a motion for Item 4: Discussion of Residential Overlay Zone (ROZ) Ordinance.

**Motion:** Item 3: DISCUSSION OF PRUD ORDINANCE REVIEW  
Commissioner Hunt moved to forward the PRUD Ordinance with previous stated comments and recommendations attached to the Ordinance to the City Council with Council giving clear directions on changes to this Ordinance before sending back to the Planning Commission for a Public Hearing. Commissioner Tanner seconded the motion. The motion passed unanimously.

**Motion:** Item 4: DISCUSSION OF RESIDENTIAL OVERLAY ZONE (ROZ) ORDINANCE.  
Commissioner Tanner moved to forward the ROZ Ordinance with a recommendation of approval, excluding all references of the Design Review Committee and including all changes noted earlier, to the City Council with Council giving clear direction on changes to this Ordinance before sending back to the Planning Commission for a Public Hearing. Commissioner Miller seconded the motion. The motion passed unanimously.

## **5. CONSIDERATION OF THE POSSIBLE REZONE OF R-2 AREAS TO R-1-8.**

Mrs. Ukena informed the Planning Commission that this item is for discussion only. She continued to state that it is unique to have the majority of a city zoned R-2. An R-2 Zone is most commonly known to be a multiple family zone whereas Riverdale City's R-2 is owner occupied with the possibility of a rental unit within the home. Mrs. Ukena stated that the locations picked for rezone are newer areas that have few if any duplexes and are targeted in order to protect them as a single-family unit area. Commissioner Searle noted that it looked as if they were only protecting the newer areas of the City yet all areas have need of protection. Chairman Farr stated that all areas should be protected from duplexes not just one or two areas. Commissioner Stevens recommended that they go forward with the proposed rezone as a test case to see how the City's residents respond to it and if the rezone will accomplish what is proposed. Chairman Farr stated that further discussion would be needed. Commissioner Miller commented that the rezone should include the entire City or none, no segregation.

**6. DISCRETIONARY BUSINESS**

There was no discretionary business at this time.

There being no further business to come before the Planning Commission, Commissioner Miller moved to adjourn the meeting. Commissioner Hunt seconded the motion. The motion passed unanimously. The meeting was adjourned at 8:33 p.m.

Attest:

Approved:

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Marie Alvord,  
Planning Commission Secretary

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Don Farr, Chair