

1 Minutes of the **Regular Meeting** of the **Riverdale Planning Commission** held Tuesday, **November 1,**
2 **2005** at 6:30 p.m. at the Riverdale Community Center, 4360 South Parker Drive.

3
4 **Members Present:** Don Farr, Chair
5 Brent Coleman
6 Don Hunt
7 Bart Stevens
8 Kathy Tanner

9
10 **Members Excused:** Kathy Eskelsen
11 Allen Miller
12

13 **Others Present:** Larry Hansen, City Administrator
14 Randy Daily, Community Development Administrator
15 Jan Ukena, City Planner
16 Cindi Mansell, City Recorder
17

18	Sandra Davies	Jessie Szalay	David Gibby
19	Stan Hadden	Rick Thomas	Wayne Belka
20	Helene Liebman	Doug Peterson	Kent Holsten
21	Alex Pommier	Pam Kramer	Marc Desobeau
22	Glenna Desobeau	Shelly Jenkins	Bruce Burrows
23	Stacey Haws	David Hansen	Jock Glidden
24	Jean Braithwaite	Lisa Hancock	Andrea Hancock

25
26 Chair Farr called the meeting to order and welcomed all those in attendance. He excused
27 Commissioners Eskelsen and Miller and acknowledged that all other members were in attendance
28 and welcomed Staff.
29

30 **Public Hearing - Rezone Request for 90 acres located at 5100 South Weber River Drive**

31 Mrs. Ukena introduced the rezone request for 17.49 acres from A-1 to R-1-8 and 50.25 acres from
32 A-1 to MU. She stated the petitioners (Rick Thomas and Wayne Belka of Unity Enterprises) are
33 present and happy to answer any questions.
34

35 Mrs. Ukena outlined the property in question located between the railroad tracks and the river
36 south of the Civic Center. She stated there is really no access except through Riverdale property.
37 She continued to reference the 100-year FEMA floodplain line; as well as the 500-year FEMA
38 floodplain area. She stated what has been outlined in green is proposed to remain A-1 and is not
39 considered as part of the rezone. She stated the proposal is to rezone the remaining area to R-1-8
40 (17 acres) and MU (Mixed Use) (50 acres). Mrs. Ukena stated the only issue this evening is the
41 rezone. She explained the land is currently zoned A-1.
42

43 Chair Farr affirmed proper legal notice has been provided, and opened the Public Hearing at this
44 time (6:36 p.m.).

1 Marc Desobeau addressed the Commission and inquired as to zoning term definitions. Mrs. Ukena
2 explained A-1 is agricultural or 1 house per acre with basic agricultural use, farming, cattle, etc.
3 She stated R-1-8 is residential single-family at 8,000 minimum lot size; or they can be bigger per
4 single family. She explained that Mixed Use is a new zone that the City Council approved in June
5 2005, and is a use that is compatible to mixed commercial and residential together. She stated
6 each use is conditional and everything that is proposed comes to the Planning Commission and then
7 the City Council; and would have to be compatible with each other.

8
9 Sandra Davies, 1351 29th Street, explained she is present to represent a friend who resides in
10 Riverdale (Jean Braithwaite) as well as herself as a trail user. She stated she uses this land
11 regularly about three times a week along the pathway and in the area of the property that is being
12 considered for rezone. She stated her strong suggestion is that before anyone makes a decision on
13 rezoning, they should see this property and its beautiful riparian habitat. She stated she has lived
14 all over the world in different countries and especially Europe, where the value of land and green
15 space is highly recognized. She stated this is a unique property that is close to commercial and
16 congested areas; and she believes it would be of great value to have this land preserved. Ms. Davis
17 stated this area would serve as a wonderful donation if the owner would give this land to Riverdale
18 and its citizens to educate their children as to nature and be able to offer them such an area that
19 is one of few remaining. She stated she would love to see this area protected.

20
21 Pam Kramer, Utah Division of Wildlife Resources, stated she has been involved in providing input as
22 to critical information with this area since 1990. She referred to a copy of a letter in 1996 to the
23 City in regards to General Planning issues south of the City offices. She stated when she initially
24 heard about the proposed plan; she contacted Mr. Daily and requested to provide input as to
25 wildlife areas. She stated she then walked the property and identified those areas which have the
26 highest wildlife value. Ms. Kramer explained that Riverdale has an unusual area along the river, in
27 that most other northern Utah areas have been lost.

28
29 Ms. Kramer explained she is concerned about the loss of this unique area, and would like to protect
30 as much as possible as outlined in the map. She stated she also considered access along the river,
31 and support connection. She stated when looking at the bridge crossing area as proposed, this is
32 not the best area as far as the river is concerned. She discussed concerns associated with
33 containing water flow, and referenced her letter and identification of two bridge options. She
34 stated she appreciates the opportunity to work with Riverdale and the developers to be able to
35 come to a win/win situation to retain some of the wildlife area and trails.

36
37 Helene Leibman, Weber County Pathways, stated she would like to thank the City and Unity for
38 providing the opportunity to work with and have discussions over this proposal. She stated her
39 group has worked with Pam Kramer to come up with an alternative plan for the area. She stated she
40 would like to emphasize this area is hoped to be part of the Centennial Trail Corridor, ranging 27
41 miles around the county and over half completed. Ms. Liebman expressed appreciation to Unity for
42 proposing donation of a ribbon of land along the river and trail. She stated it is felt the alternative
43 provides a few more acres and would make for a better trail experience for the public as well as
44 provide a more natural surrounding. She stated this would provide the citizens and users a chance
45 to enjoy that area, and she would like to see as much of the native vegetation preserved as possible.

1 She summarized that the Weber Pathways support the Utah Division of Wildlife Resources
2 alternative for this area.

3
4 Jock Glidden, 1777 Binford Avenue, Ogden, addressed the Commission. He explained he has
5 supported the Legacy Parkway as it is now negotiated with UDOT, and feels this is perhaps along
6 the same lines of preserving what wetlands can be preserved. He stated Riverdale, more than any
7 other city, needs to do this the most because of the overwhelming amount of traffic, commercial
8 and big box retail development. He discussed the need to preserve as much wildlife habitat as
9 possible. Mr. Glidden stated this is not for humans, but for the wildlife itself. He stated this is a
10 very special area and he would hope that development would not prevent connection to Ogden and
11 their pathways.

12
13 Mr. Glidden stated it seems to be unfair that Riverdale residents have to bear the brunt of
14 development. He stated this parkway and wildlife area is necessary for recreation and refreshment
15 of the citizens. He further discussed a concept wherein people from Riverdale will then be forced
16 to go to Ogden and their amenities will become overused. He urged the Planning Commission to deny
17 the rezoning.

18
19 Mark Desobeau inquired if the current property owners could wipe out or would need special
20 permission to modify the entire parcel and start raising cows or hay on the currently zoned A-1
21 (agricultural) property. Mrs. Ukena explained the zoning would allow any type of agricultural use;
22 and one home per acre could be built as well.

23
24 Inquiry was raised as to the canal that exists on this property, along with the fact this area has not
25 been farmed for 15 years. Mrs. Ukena explained that Riverdale actually owns and has the water
26 rights at this time. She stated portions of the canal have been utilized further down which would
27 render it not useable as a ditch; it will most likely become abandoned. Inquiry was raised as to
28 whether water rights travel with right-of-way to the City. Mrs. Ukena explained the right-of-way
29 or water rights are unknown. She stated some of the area may have contained pasture, but the
30 area does not lend itself to farming. She stated this is currently private property with no public
31 thoroughfare, and anyone using the property is trespassing. It was stated that the Frisbee Golf
32 Course is on both Unity as well as City properties.

33
34 Shelly Jenkins inquired as to this alternative plan being referenced, stating the audience is not
35 aware of what this entails. Mr. Daily outlined the effects as to what is being proposed, stating that
36 if in the future, the Division of Wildlife Resources (DWR) has the ability to acquire property in this
37 area, they would have the ability to change the zone of the property. He stated the rezone request
38 will not change this evening, and any future purchase of property can be dealt with at a later date.

39
40 Nancy Brough explained she has received permission to speak from the Riverdale City Attorney.
41 She pointed out that one area is floodway, and provided pictures from this spring wherein some of
42 the area was underwater. Chair Farr explained even though portions of the area are within a
43 floodway, the developers will have to deal with this at a later date. Mrs. Brough stated she would
44 have concerns with rezoning within a floodway. She explained the 1972 City Master Plan shows the
45 intent for low density in this area; and the current Master Plan reveals the same thing. She
46 referenced a section from the 1972 Master Plan, regarding the need for nature as much in the City

1 as in the countryside. She summarized the extent which present decisions makers determine to
2 preserve open space within Riverdale will largely determine the quality of life that will ultimately
3 determine the heritage of Riverdale citizens.

4
5 Mr. Daily explained a floodway cannot be developed, but can be regulated by the City through the
6 flood insurance rate map. He stated what the developer has shown thus far as a proposal is not
7 going to effect the floodway.

8
9 Wayne Belka, representing Unity Enterprises, stated he appreciates the comments this evening. He
10 stated they are not foreign or strange because all of these issues have been considered in terms of
11 development. He stated the developer knew going in that the City had plans for a parkway or
12 pathway along the river. He stated even though Unity is not a charity organization, and are hoping
13 to develop the property to earn a living; they are proposing to give the City approximately 25 acres.
14 He stated this constitutes over $\frac{1}{4}$ of the property, which he feels to be a fair and equitable balance.

15
16 Mr. Belka explained he is a fisherman. He stated he has fished this section of the Weber River
17 before, and there are not a lot of access points. He stated some of the few off I-84 have recently
18 been closed by UDOT. He stated giving this river parkway to the City will allow access to the river
19 and nature at various points. Mr. Belka explained the narrowest point off the river is 80 feet, and
20 that is the width of most residential lots. He stated there is plenty of room to develop a parkway.

21
22 Mr. Belka explained Unity is aware of the 100-year floodplain, and have allowed for additional
23 acreage in this area. He stated he was down in this area at the peak of flooding, and explained that
24 topography tends to step up or plateau in several locations. He stated the floodwaters came into
25 the area about 1/3 through the 100-year floodplain; and he feels comfortable it will not go beyond
26 this point. He reminded the Commission that the developer will be under dictates of the Army Corp
27 of Engineers in terms of the bridge. He summarized these are aside from zoning and the developer
28 will deal with these and other planning issues as the project moves along.

29
30 Mr. Belka stated the concern of DWR is well founded, as is the concern of users. He stated Unity
31 has tried to be as generous as possible in creating this river parkway. He stated he would envision
32 access to the river from the Riverdale side, but also from the main public road. He stated access
33 points are in addition to, or coinciding to, power line rights-of-way. Mr. Belka summarized that
34 Unity is very aware of the public need to access the river and maintain this riparian area.

35
36 Jock Glidden discussed the 25 acres to be dedicated for a walkway. He stated although paving may
37 serve the people to walk along, it will sterilize the wildlife habitat because it will be next to houses,
38 parking lots, cars, dogs, and everything else that will drive it away. He stated so it will actually be
39 an exercise trail and not remain natural. He urged those present to consider what will be done to
40 this area.

41
42 Mr. Glidden inquired as to the emergency and why this must be done at this time. Chair Farr
43 explained the Planning Commission has a rezoning petition before them, and have held discussion
44 several meetings prior. He stated he does not feel it is urgent, but certainly, legal aspects must be
45 considered. Mr. Glidden expressed his distaste for the project.

1 **Motion:** There being no further public comment, Commission Tanner moved to close the Public
2 Hearing at 7:08 p.m. Commissioner Hunt seconded the motion. The motion passed
3 unanimously.
4

5 The Commission discussed their options. Chair Farr reminded them they could table the rezoning
6 and make a determination at a later date. Discussion followed regarding the current General Plan,
7 with Mrs. Ukena confirming this area is listed as recreation and open space. She stated the
8 General Plan is merely an advisory tool.
9

10 Commissioner Hunt inquired as to correspondence or agreements that may have transpired between
11 Unity and DWR. Mr. Daily explained that DWR is proposing some changes to the development, and
12 the developers have stated they would be willing to negotiate to some degree. He stated the
13 property owners have rights as long as they act within legal framework; however, there is the
14 encouragement to protect the wildlife resources as well. He stated Weber Pathways has also been
15 involved, and it would appear there is an agreement in principal to which each is satisfied. Mr. Daily
16 summarized that Unity has taken this under advisement and is providing consideration to this
17 proposal.
18

19 **Motion:** Commission Tanner moved to table the rezone request until the November 22, 2005
20 meeting to enable the Commission time to provide consideration to all items as
21 presented. Commissioner Hunt seconded the motion. The motion passed unanimously.
22

23 **Discretionary Business**

24 There was no discretionary business discussed at this time.
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27 With no further business to come before the Commission at this time, Commissioner Tanner moved
28 to adjourn the meeting. Commissioner Hunt seconded the motion. The motion passed unanimously.
29 The meeting adjourned at approximately 7:13 p.m.
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31 **Attest:**

Approved: November 22, 2005

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Cindi Mansell, City Recorder

Don Farr, Chair