



Minutes of the **Regular Meeting** of the **Riverdale City Planning Commission** held Tuesday, **January 08, 2008** at 6:30 pm at the Riverdale Civic Center, 4600 South Weber Drive.

Members Present:

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

Others Present:

Randy Daily, Community Development Director
Marie Alvord, Planning Commission Secretary
Approximately ten (10) Citizens

1. CALL TO ORDER

Chairman Farr called the meeting to order and welcomed all those in attendance. He acknowledged that Commissioner Hunt had been elected as a City Council Member and Commissioner Tanner had resigned therefore they would no longer be on the Planning Commission.

2. CONSIDERATION OF APPROVAL OF THE MEETING MINUTES

Comments and changes were requested in the preplanning meeting.

Motion: Commissioner Miller moved to approve the Preplanning and Regular meeting minutes of December 11, 2007 with corrections noted and waive the reading of the minutes. Commissioner Searle seconded the motion.

Call the Question:

The motion passed unanimously.

3. PUBLIC HEARING: PROPOSED PRUD LOCATED AT 4345 SOUTH 600 WEST

Chairman Farr noted that the public hearing has been legally noticed in the newspaper and the City has gone above required notification by sending out letters to all residents within 500 ft of the proposed PRUD. Chairman Farr asked Mr. Daily to review the request. Mr. Daily said the Public Hearing is to satisfy the PRUD Ordinance. He reviewed the history of the property and noted that the concept plan has been reviewed and approved by the City Council and the General Plan has been amended to depict this property as site specific for a PRUD. Chairman Farr opened the public hearing.

Fred Schafer, 632 West 4275 South: Mr. Schafer noted that he is opposed the development and does not think it should be placed in the proposed area. He noted that the area is called The Woods, if the PRUD is allowed there will be no more trees left to make the woods.

Irene Voit, 4324 South 650 West: Mrs. Voit displayed pictures of her back yard and noted that the 15 house development will place several houses within 15 ft of her backyard fence. She requested that the Planning Commission look out for Riverdale City residents, the parkway trail and flood zone. In her opinion, the development will create problems for the current residents, diminish the natural wooded area which currently creates a visual and sound barrier to the railway, and cause over crowding to the small kayak parking lot. Mrs. Voit recommended that the area be developed into a true park that would serve the residents in that part of Riverdale City. She noted previous meetings that were held on the proposed property and noted that if the development will commence to consider the following restrictions; retain a wooded buffer strip between the houses and the parkway, only allow single family homes on large lots – PRUD lots are far too small, require that as many of the trees be reserved and require a detention pond to capture water run off. Mrs. Voit requested that the Planning Commission pave the way for the area to be made into a park or require fewer homes retaining most of the trees. In doing this they will protect current residents from potential damage, insuring the health, peace, comfort of the inhabitants of the city while maintaining property rights and value.

Don Voit, 4324 South 650 West: Mr. Voit noted that he was informed by another resident of the past flood threat in the area and asked why the City was allowing a high density development of homes in an area with a history of flooding. He noted that he is opposed to the proposed PRUD.

Carol Maughan, 4290 South 600 West: Mr Maughan stated that he is opposed to the PRUD. In his opinion, it will decrease property value and he is against the proposed PRUD.

Ralph Hess, City Resident: Mr. Hess said he recently bought his home in Riverdale City. He stated that he is afraid of how the proposed development will impact his property, indicating that it may devalue property and/or compound flooding. Mr. Hess does not want devaluation or increased probability of flooding to anyone in existence in the area.

Motion: Commissioner Searle moved to close the Public Hearing. Commissioner Gailey seconded the motion.

Call the Question:

The motion passed unanimously.

4. CONSIDERATION AND RECOMMENDATION OF PRUD, LOCATED AT 4345 SOUTH 600 WEST.

Mr. Daily requested that the petitioners Mr. Kent Hill and Mr. Lorin Parks be given an opportunity to address some of the concerns introduced by the public. Chairman Farr asked Mr. Hill and Mr. Parks to address the public and Planning Commission. Mr. Hill noted that they are proposing a small retirement home subdivision where people like himself who do not like stairs or a big yard may live. He said the conceptual site plan includes a 15 lot subdivision with the average unit as 1600 sq ft. Mr. Hill said he plans to live in the subdivision and is confident that the neighborhood property values will remain the same. To save as many trees as possible to retain the wooded feel is the developer's goal. Mr. Parks noted that the subdivision is still in the preliminary phase and that it will be a nice subdivision which is appropriately planned.

Commissioner Stevens asked if the petitioners have considered the feasibility of putting in a smaller number of larger homes into the development. Mr. Hill stated in his opinion the proposed homes are not much smaller than the existing homes in the area. Mr. Parks noted that the development without the PRUD was a problem because of setback and street width requirements. Commissioner Gailey noted there was concern with the height of homes was voiced and asked about proposed unit height. Mr. Parks said there are one and two story homes in the neighborhood and the proposed units will also be one and two story. Chairman Farr asked Mrs. Voit, the square footage of her home. Mrs. Voit stated that her house is 3000 sq ft and that the average lot is 8000 sq ft. She requested that the proposed development be consistent in home and lot size. A general discussion was held on the proposed lot size. Chairman Farr asked Mr. Hill on which lot he planned to build

his home. Mr. Hill noted that the development is still in the preliminary stage and that he is negotiating with a property owner to buy the property and that would change the layout of the PRUD. Discussion was held on setbacks, road width and parking. Commissioner Stevens stressed the need for adequate parking and requested that Mr. Hill and Mr. Parks address that specifically in the preliminary site plan. Commissioner Searle echoed Commissioner Stevens with the need for adequate parking and stated that he would like to see sidewalks on both sides of the street. Mrs. Voit requested to address the Planning Commission and noted that with the purchase of the home and abutting ground the development will be opened to a wider range of possibilities to avoid the PRUD.

Commissioner Miller reviewed his neighborhood according to lot and home size. He noted that the smaller homes did not impact the value of the bigger homes and said the size of lot they are proposing is a decent lot for a PRUD. Commissioner Stevens asked if the property was purchased if the house and land will be grandfathered in to the PRUD. Mr. Daily said the General Plan must be reviewed and amended to include the property in the PRUD use. He noted that it is likely the developers will not tear down the house but just include it with the PRUD's homeowner's association. Mr. Hill indicated that was their intent. Mr. Daily said another public hearing will be required to change the General Plan but he would have to get advisement from the City Attorney as to whether another public hearing would be necessary for the PRUD Ordinance. The Planning Commission discussed flooding hazards, the protective measures the developers will take, and flood plain determination.

Motion: Commissioner Gailey moved to recommend approval of the PRUD located at 4345 South 600 West to the City Council so that the developer may start the process of site plan development. The motion failed do to the lack of a second motion.

Motion: Commissioner Miller moved to table the agenda item until further information is received from legal counsel pertaining to the possible purchase of the surrounding property if another public hearing would be required. Commissioner Stevens seconded the motion.

Discussion on the Motion:

Mr. Daily noted that the land purchase was not part of the current request and it is important to not assume things that may or may not happen. He reminded the Planning Commission that they recommended the change to the General Plan for this area to be a PRUD and they are not approving a development plan tonight. Commissioner Miller said he feels they should table it if the petitioner purchases the property. Mr. Daily said it is not part of their plan tonight, they are requesting a PRUD in the specified area only and to go beyond the plan is to speculate that the petitioner has other things in mind. He noted that if they do choose to purchase the property they will need to come before the Planning Commission with a new request. Chairman Farr noted that a less circumstantial reason must be given to table an item and that they must make a decision based on public input and what has been discussed. Mr. Daily clarified that he is not requesting the Planning Commission to vote one way or the other but noted that tabling the item is not pertinent to the request from the petitioner.

Motion: Commissioner Miller moved to recommend to the City Council approval of the PRUD located at 4345 South 600 West. Commissioner Gailey seconded the motion.

Call the Question:

The motion failed with two (2) in favor, Commissioner Miller and Commissioner Gailey and three (3) against, Commissioner Searle, Chairman Farr, and Commissioner Stevens.

5. CONSIDERATION AND RECOMMENDTION OF PRELIMINARY SITE PLAN FOR RIVERDALE TOWNHOUSE DEVELOPMENT AT 550 WEST RDA AREA

Mr. Shawn Strong, petitioner noted that the parking and sidewalk on the east side has been reconfigured. Previous concern for open space was addressed by the addition of a tot lot and possible pool area. Chairman Farr noted that there are several items missing from the preliminary site plan. Mr. Strong asked for the specific items missing. Chairman Farr noted that lighting, fencing, and club house were missing. Mr. Strong noted that a club house was not part of the development. Mr. Daily informed the Planning Commission and Mr. Strong that the ordinance needs to be interpreted as to whether or not a club house is required in a PRUD per City Ordinance. He continued to quote the PRUD Ordinance, 10-22-4C and 10-22-4O. Chairman Farr asked how the street 500 West was to be connected to the other streets. A general discussion was held on street placement and connection. Mr. Daily noted that there is a question on how the street will be treated at the juncture where the public road meets the private. He said Public Works and Fire Department are to review and give directions which will be included on the final site plan.

Commissioner Stevens expressed concern over the liability a swimming pool will be to the homeowner's association. He noted that pools are costly and that there is a lot of open space that must also be maintained by the association. He noted that he would hate to see a lack of landscape maintenance due to the pool. Mr. Strong said the pool is just preliminary right now and as the project becomes more final cost will determine if it will be part of the development. He also noted that the no build area and hillside are planned to be natural vegetation which will require little maintenance. Commissioner Searle asked what type of material will be between the road and garages. Mr. Strong said it will be concrete with double wide driveways. Commissioner Searle asked if there is to be sidewalk on just one side of the street with curb and gutter on both. Mr. Strong informed him that is what is requested. Mr. Daily said there are several items missing from the preliminary site plan that the Planning Commission should see before approval, they are as follows:

- Time frame, if the development will be completed in phases or all at once
- Legal description of the property to show density
- Club house issues need to be addressed
- Hillside area, landscaping and maintenance to prevent fire hazard
- Traffic study, to ensure the development is on the right track as to the amount of traffic generated , width of roads and other features required
- Financial information, if developer has the financial means to start the project and finish it within the said time frame.

Mr. Daily noted that items such as lighting, hydrant location, garbage collection, water meters, and water retention/detention area should all be part of the final site plan. Mr. Strong stated that he was under the impression that the time frame was indicated on the PRUD application he submitted to the City. Commissioner Searle asked where the water run off will go and if a catch basin has been considered. Mr. Strong noted that a detention pond is already in existence with piped storm drains. Mr. Daily asked if it was sufficient. Mr. Strong said they are using engineers that know the history of the piece of property and will determine if it is sufficient. Commissioner Miller requested that Mr. Daily go back through the meeting minutes and create a list of things that should be completed for the final site plan. Chairman Farr noted that the layout of the development looks nice and recommended that Mr. Strong's engineers read the City's ordinances to ensure all items are complete and included on the final site plan. A discussion was held on the requirement of a club house, it was determined that the City Attorney will be asked to interpret the ordinance. Commissioner Searle stated that he believes the new layout to be an improvement but said he is concerned with parking and sidewalk. He noted that there is not enough parking with the narrow street and would like to see sidewalk on both sides of the street. He also stressed the importance of the curb and gutter to be sufficient to carry the amount of storm water run off. Commissioner Stevens reiterated the importance of enough parking spaces and requested that the developers consider more parking for the PRUD. Mr. Daily asked about the tot area and if it was in a good location. Mr. Strong indicated that it is a small playground for small children and that it is in a good spot, noting that the entire area will be fenced.

Motion: Commissioner Searle moved to table the preliminary site plan until landscape plans are submitted and other items are addressed such as lighting and geo tech study.

Discussion on the Motion: Mr. Daily noted that the information requested in the motion will be reviewed by the City Engineer and will come in the final site plan. He recommended that if the Planning Commission likes the concept and the layout to approve this as a concept site plan and let the petitioner bring a preliminary site plan back for review and approval. Mr. Daily said the road layout is nicer and the number of units and with a few more necessary additions this could be a good preliminary site plan. Chairman Farr noted that if Mr. Daily will get a list of items to complete to the petitioner that he feels the preliminary site plan may be approved. Commissioner Stevens stated that he likes what has been done with the layout but would have liked to see a more complete preliminary site plan. He will support the approval of the site plan but is disappointed it was not more complete.

Motion: Commissioner Miller moved to approve the preliminary site plan for the Riverdale Townhouse Development at 550 West RDA area with the following recommendation that Community Development Director Mr. Randy Daily provide the petitioner with a list of all items discussed in the meeting and staff comments that need to be complete for the final site plan. Commissioner Stevens seconded the motion.

Call the Question:

The motion passed with four (4) in favor and one (1) against.

6. DISCUSSION AND REVIEW OF PROPERTY LOCATED AT 4190 SOUTH 300 WEST FOR DEVELOPMENT OF COMMERCIAL RETAIL/SERVICE USE

Mr. Daily noted that this is a discussion item only. It is being proposed that this piece of property be rezoned from R-1-8 to a commercial zone. Ms. Penny Clements, petitioner, stated that she would like to place a salon on the site and would like to know the Planning Commission's feeling and recommendation for the property. Chairman Farr asked if Ms. Clements has purchased the property. Ms. Clements noted that she has not yet purchased it but it is under contract. Mr. Daily said that part of the rezone and development process will include landscaping and parking. He also noted that the property is in an RDA area and the RDA board will need to approve the use but he felt it was important to start the rezone process. In his opinion, Mr. Daily, thinks it is a great use for the property. He informed the Planning Commission that he will contact Shopko about a cross access between the proposed salon and Shopko and noted that the Planning Commission will need to push for voluntary cross access since the City does not have an ordinance requiring it. Commissioner Gailey asked for clarification on Ms. Clements plans for the proposed property and the property she owns just east of it. Ms. Clements noted that it was her intent to develop both but has run into difficulties on the furthest east property. Commissioner Miller said that if the development is something Ms. Clements desires that she should proceed with the process. Commissioner Stevens noted that the development will beautify the area and encouraged her to continue. The Planning Commission agreed that this would be a good development and encouraged Ms. Clements to continue with her development plans. Mr. Daily noted that he will set a meeting with the RDA board for use approval and then proceed to the rezone where it will tie into Shopko's zone as a C-3.

7. DISCRETIONARY BUSINESS

Mr. Daily reminded the Planning Commission that they needed to elect a chair pro tempore since Mr. Don Hunt is no longer on the Planning Commission. Commissioner Stevens moved to elect Commissioner Miller as chair pro tempore because of his knowledge and leadership abilities. Commissioner Searle seconded the motion. The motion passed unanimously.

Commissioner Gailey recommended that the Planning Commission honor Commissioner Kathy Tanner for her years of service on the Planning Commission. Mr. Daily noted that the City will honor her with a plaque at a City Council meeting.

8. ADJOURNMENT

There being no further business to come before the Planning Commission, Commissioner Miller moved to adjourn the meeting. Commissioner Stevens seconded the motion. The motion passed unanimously. The meeting was adjourned at 8:20 pm.

Attest:

Approved:

Marie Alvord,
Planning Commission Secretary

Don Farr, Chair