Administrative Offices
4600 So. Weber River Drive
Riverdale, Utah 84405

Minutes of the **Regular Meeting** of the **Riverdale City Planning Commission** held Tuesday, **January 22, 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
Steve Brooks, City Attorney
Marie Alvord, Planning Commission Secretary
Irene Voit, Citizen

1. CALL TO ORDER

Chairman Farr welcomed everyone present and noted that all Planning Commission members were in attendance.

2. CONSIDERATION OF APPROVAL OF THE MEETING MINUTES

Comments and changes were requested in the preplanning meeting.

Motion: Commissioner Searle moved to approve the Preplanning and Regular meeting minutes of January 08, 2008 with corrections noted and waive the reading of the minutes. Commissioner Miller seconded the motion.

Call the Question:

The motion passed unanimously.

3. TRAINING: UTAH LEAGUE OF CITIES AND TOWNS, POWERS & DUTIES OF THE PLANNING COMMISSION

Training moved to after Item 5: Discussion and Review of Title 10, Chapter 16: Sign Regulations.

4. PLANNED RESIDENTIAL UNIT DEVELOPMENT REQUEST FOR PROPERTY LOCATED AT 4345 SOUTH 600 WEST. THIS REQUEST WHICH WAS RECOMMENDED TO NOT APPROVE AS A PRUD IS ON THE AGENDA TO ESTABLISH FINDINGS AS REQUIRED BY ORDINANCE 10-22-7.

Commissioner Searle noted that he personally voted against the amendment to the General Plan because he does not feel it is a good use for the area. He continued to state that the current PRUD's have beautiful homes and landscaping but are lacking in sidewalk, driveway length, adequate parking, and street design. He

expressed concern for the current ordinance, questioning if it is strong enough to regulate the proposed PRUD. He specifically sited 10-22-4 and pointed out language that is too vague.

Commissioner Stevens explained that he became involved with the Planning Commission because he was frustrated with things that were going on in the City. He noted that some of the current PRUD's have nice features but also some quirks and idiosyncrasies that the City does not want replicated such as inadequate parking and snow removal. He felt that they had tried to work through some of those issues and expressed frustration that they still exist. He said his concern with this PRUD was heightened by Mr. Hill's inconsistent remarks on how the development will be completed noting the uncertainty and doubt led him to vote against recommending the PRUD as a use for the area. He feels that petitioners need to be more forthright in how they present the proposed development in lieu of the unspecific nature of the concept plan.

Mr. Daily noted that while the City Council deliberated to resolve litigation, he informed them that the PRUD would be a perfect transition from a mobile home park to the lower density housing development to the north. It is not ideal to have a mobile home park on the border of a low density development. He also noted that the PRUD was ideal for the area due to the limited amount of land and requirements for the private road serving the area. Chairman Farr said as the Planning Commission asked the developer questions and he didn't know what he wanted and noted that it was hard to identify and provide facts and findings to a vague development. Mr. Daily informed him that the Planning Commission should be looking at use for the land not a specific development. The development is open to changes and all concerns pertaining to parking, depth of driveways, and sidewalks will come at a later date. Discussion was held on type of information required at this stage in the request. Mr. Daily said that the Planning Commission can't judge this on a preconceived notion. They should look at the area and see if it is a good area to accommodate the PRUD. In his mind the answer is yes, it is a prime area for the development all items beyond that needs to be determined during the development process. Chairman Farr noted that for him to feel comfortable in approving the use he would like to see a schematic of the development. Mr. Daily said that they are bound by Title 10, and it is unfair to require any developer to go beyond the scope of the ordinance.

Commissioner Searle asked about the home that sits in the middle of the proposed PRUD. Mr. Daily gave a history of the property owner and land subdivision. Commissioner Stevens asked for a review of the litigation and what agreement the City is bound to honor. City Attorney, Mr. Brooks reviewed the litigation and told the Planning Commission that the petitioners need to get certain assurances from the City before they can proceed. Ordinance 10-22-7 requires an application for a PRUD and findings as to how this is consistent or inconsistent with City goals. Mr. Brooks said in his mind it is consistent because it is on the General Plan. He noted that the property owners' rights are impacted by their decision and asked them to find something that supports their decision. He continued to note that the City Council sat down and looked at the options and thought that this PRUD might work. It is a required step to present to the Planning Commission to determine if it is an appropriate use for the area. Discussion was held on findings of fact.

Commissioner Gailey noted that in his opinion the findings support the approval of the PRUD; it is in compliance with the General Plan and he would recommend sending a positive recommendation to the City Council.

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

Call the Question:
Roll Call Vote:
Commissioner Miller, yes; Commissioner Searle, yes; Commissioner Stevens, yes; Commissioner Gailey, yes; Chairman Farr, yes. The motion passed unanimously.

Discussion on the Vote:
Commissioner Stevens noted that he does not like the narrow scope of the findings, in particular, if the PRUD is in compliance or not in compliance with the General Plan. He asked what they are voting on or having a Public Hearing on if their hands are tied to the General Plan. Commission Gailey said with the Public Hearing residents came in with personal reasons not to approve it but did not give facts or findings against the City Plan and therefore he feels the PRUD should be approved. Commissioner Stevens said since he cannot locate a specific finding where it is not in conformance with City goals he voted in favor of the PRUD.

Mr. Brooks noted that the motion was approved but it did not include specific findings of why the PRUD is consistent with City goals. Mr. Daily commented that Commissioner Gailey made a specific finding before he made the motion. Mr. Daily asked the Planning Commission if they all agree with the findings given by Commission Gailey. All concurred.

5. DISCUSSION AND REVIEW OF TITLE 10, CHAPTER 16: SIGN REGULATIONS. SET PUBLIC HEARING.
Mr. Daily requested that the Planning Commission take home the proposed amendments to the sign ordinance and review prior to the Public Hearing. Commissioner Searle noted several mistakes with the changes to the ordinance. Mr. Daily said that it is a rough copy and it will be corrected before the Public Hearing. Chairman Farr asked if the ordinance will protect the City with the widening of Riverdale Road. Mr. Daily noted that those signs which become incompliant with City code will need to be changed so they are compliant. Mr. Farr asked if the current signs will be grandfathered in with the current ordinance and not be required to adhere to the proposed ordinance once instituted. Mr. Daily said that issue will need to be discussed and considered legally.

Commissioner Stevens left at this time, 7:21 pm.

TRAINING: UTAH LEAGUE OF CITIES AND TOWNS, POWERS & DUTIES OF THE PLANNING COMMISSION
Watched DVD (see Attachment A)

Commissioner Searle recommended that when there is a public hearing to inform the public that all decisions are based on City Ordinance. He noted that it could be done either when the public hearing is opened or after it is closed before discussion is held. He also suggested citing the specific ordinance that will determine the decision. He said it will help inform the public on the decision process and hopefully alleviate the frustration of feeling that concerns are going unheard. Mr. Daily remarked that this was a good statement and that they may need to focus on educating the public. Discussion was held on when it is appropriate to table an item. Mr. Daily discussed the PRUD Ordinance pertaining to club houses and noted that the ordinance currently is too vague to require a club house; they may recommend but not require one. Commissioner Miller noted that if the club house is shown on an approved preliminary site plan then the petitioner is obligated to have it.

6. DISCRETIONARY BUSINESS
Commissioner Searle noted that he did not see that the rezone application for the north end of the City, Mr. Cummins' property, had been before the City Council and asked if they had reviewed it. Mr. Daily noted that it had been part of the executive session details during previous City Council meetings and that it will be on the City Council agenda in the near future. Pertaining to the Cummins' lawsuit, Mr. Daily informed the Planning Commission that the judge ruled in favor of Mr. Cummins. Commissioner Miller said that from the training just given he was under the impression that when an application is submitted it must follow current ordinance, not previous ordinance. He noted that Mr. Cummins was given assurances under one ordinance but did not turn in an application for development until another ordinance was in place which no longer gave those

assurances. Mr. Daily noted it was the ruling of the judge that Mr. Cummins has the right to build storage units under Ogden City Ordinance.

7. ADJOURNMENT

There being no further business to come before the Planning Commission, Commissioner Miller moved to adjourn the meeting. Commissioner Gailey seconded the motion. The motion passed unanimously. The meeting was adjourned at 8:07 pm.

Attest:

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Marie Alvord,
Planning Commission Secretary

Approved:

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Allen Miller, Chair pro tem