



Minutes of the **Regular Meeting** of the **Riverdale City Planning Commission** held Tuesday, **September 23, 2008** at 6:30 pm at the Riverdale Civic Center, 4600 South Weber Drive.

Members Present:

Allen Miller, Chair
Brent Ellis, Member
David Gailey, Member
Blair Jones, Member
Norm Searle, Member
Bart Stevens, Member

Others Present:

Randy Daily, Community Development Director
Doug Illum, Fire Chief
Marie Alvord, Planning Commission Secretary

1. CALL TO ORDER

Chairman Miller welcomed everyone present and noted that all Planning Commission members were present.

2. CONSIDERATION OF APPROVAL OF THE MEETING MINUTES.

Comments and changes were requested in the preplanning meeting.

Motion: Commissioner Stevens moved to approve the September 09, 2008 Regular session minutes with noted corrections and waive the reading. Commissioner Ellis seconded the motion.

Call the Question:

The motion passed unanimously.

3. DISCUSSION AND NOMINATION OF PLANNING COMMISSION CHAIRPERSON.

This item was discussed in the preplanning meeting at 6:00 pm.

4. DISCUSSION AND RECOMMENDATION CONVEYANCE OF PROPERTY LOCATED 3895 SOUTH 950 WEST.

The petitioner was not present.

Motion: Commissioner Stevens recommended to table discussion for conveyance of property located 3895 South 950 West. Commissioner Jones seconded the motion.

Call the Question:

The motion passed unanimously.

5. DISCUSSION AND RECOMMENDATION OF SITE PLAN AMENDMENT OF THE FAMILY CENTER WEBER RIVER EAST.

Mr. Daily noted that the petitioners Mr. North and Mr. Taylor were present to answer any questions. He reviewed the changes to the subdivision: building envelope size will change with the elimination of one

building in the middle, increase of parking and landscaping, and the relocation of the swamp area. Mr. Daily stated that the City Engineer has reviewed and submitted a letter of approval.

Mr. Arverd Taylor noted that the plan is to take the wetland area and relocate from the Family Center to a parcel at a different location which will increase parking and building mass to the east of JoAnn's. Drainage system was discussed. Mr. Taylor stated that they will be moving ½ acre of wetland area and create 2 acres of wetland in the other location. Commissioner Stevens asked for a definition of wetland. Mr. Taylor explained that there are three components required for an area to be designated wetland; water, specific plant type and specific soil type. He also noted that once an area is designated wetland the Corps of Engineers has jurisdiction of the land. Discussion was held on the pond system proposed to create and maintain the wetland area.

Commissioner Gailey asked if the relocation of the wetland will affect the trail. Mr. Daily stated that there is not a trail on that side of the river. He noted a fisherman's access trail and said the area will be regulated differently when it is developed. Mr. Daily said that the developer has agreed to run the sidewalk behind the Wal-Mart building so once the surrounding areas are developed a continuous sidewalk will be in place. Commissioner Stevens asked who the developer is. It was noted that Developers Diversified is the developer.

Mr. Dan North, Developers Diversified noted that he has been the director of the development for the past 5 years. He reviewed the requirements of the Corps of Engineers to move the wetland and noted that they have been required to ensure the survivability of the wetland for the next five years. He stated that they will hire a wetland specialist to make sure it all works.

Motion: Commissioner Stevens recommended approval to the City Council for amending as presented the Family Center Weber River East site plan. Commissioner Gailey seconded the motion.

Call the Question:

The motion passed unanimously.

Commissioner Stevens stated that he particularly likes how the current wetland has been maintained and requested that the same care and maintenance will be done with the relocated wetland when it is less in public view.

6. DISCUSSION AND RECOMMENDATION OF SUBDIVISION AND CONSOLIDATION OF PROPERTY LOCATED AT APPROXIMATELY 4800 SOUTH RIVER PARK DRIVE.

Mr. Arverd Taylor reviewed the transaction between Mr. Cutrubus and DDRC to create the subdivision and new plat. Commissioner Gailey asked if Mr. Cutrubus has already signed off on this agreement. Mr. Dan North noted that an executed exchange agreement took place earlier that day and the due diligence period is enough time to get the Planning Commission and City Council approval before the property exchange.

Motion: Commissioner Searle moved to recommend the subdivision and consolidation of property located at approximately 4800 South River Park Drive to the City Council. Commissioner Ellis seconded the motion.

Call the Question:

The motion passed unanimously.

7. DISCUSSION AND RECOMMENDATION OF FINAL SITE PLAN FOR PEACOCK RIDGE PRUD LOCATED AT APPROXIMATELY 5675 SOUTH PEACOCK RIDGE LANE (1225 WEST).

Mr. Daily stated that Public Works, Engineering, and Community Development have all reviewed and recommend approval of this plan as presented. He recommended that that Planning Commission forward a positive recommendation to City Council for final approval.

Commissioner Searle noted that the PRUD Ordinance refers to the subdivision ordinance applies to all developments and noted the street width in 10-21-9D. Mr. Daily stated that the preliminary site plan with street width and layout has been approved and final approval is of specific engineering requirements. Commissioner Searle asked about streetlights, CC&R's, traffic study and the developer's agreement. Mr. Daily reminded the Planning Commission that they needed to stick to Title 10 issues under the previous PRUD ordinance only and that the City Attorney, Steve Brooks, will review all other information. Commissioner Searle asked about fire hydrant placement. It was noted that Fire Chief, Doug Illum has reviewed and approved the site plan. Commissioner Searle asked how they would remove snow from the area, noting that there is a lot at each end of the street with retaining walls on the sides with vinyl fencing leaving little room for the snow. He voiced concern for the cost of snow removal to the association and homeowners. Commissioner Searle stated that open space is required in the ordinance and open space is not indicated on the final site plan. Mr. Daily stated the open space was included in the land swap with the city to settle the lawsuit.

Commissioner Ellis asked if the developer has worked with the canal company to make sure it would not undermine or compromise the canal. Mr. Daily noted that according to the reports submitted by Mr. Hill and Mr. Parks it will not impact the integrity of the canal. He also stated that there are further studies that need to be completed on the area before the development can continue. Commissioner Ellis asked if any other developments have impacted the canal system. Mr. Daily noted that comparisons are not appropriate and that the developer has completed all that was required. Discussion was held on open space. Chairman Miller said the question is simple: have all conditions that were set forth at preliminary site plan review been met? Mr. Daily noted that they have all been met.

Motion: Commissioner Gailey moved to recommend final site plan approval for Peacock Ridge PRUD located at approximately 5675 South Peacock Ridge Lane (1225 West). Commissioner Jones seconded the motion.

Call the Question:
The motion passed.

8. DISCUSSION AND REVIEW OF GENERAL PLAN: PUBLIC SAFETY.

Chairman Miller noted that Chief of Police, Dave Hansen gave a presentation in the preplanning meeting and asked Fire Chief, Doug Illum to present his portion of the General Plan. Chief Illum stated that the current format is extremely outdated and what was submitted for approval reflects the current goals and needs of the fire department. Commissioner Gailey commented that he liked the change of the word problems to challenges. Discussion was held on the challenge of providing public safety services for over 100,000 people during the day and 9,000 at night. Commissioner Stevens expressed concern for the fire trucks traveling on residential streets, specifically noting 1150 West. Chief Illum noted that they drive carefully and that the large trucks have engine breaks, brush truck engine retarder, and are only allowed to drive 10 mph over the posted speed limit. Commissioner Stevens requested that Fire Department look into parking restrictions on the street along 1150 West. Commissioner Searle commented that he liked seeing the improvement of average response time and it shows what kind of job the fire department is doing.

The Planning Commission recessed at 7:31 pm.
The Planning Commission reconvened at 7:57 pm.

9. DISCUSSION AND REVIEW OF TITLE 10; CHAPTER 9C: SINGLE-FAMILY AND SINGLE-FAMILY WITH RENTAL UNIT RESIDENTIAL ZONE (R-2).

Mr. Daily reviewed the changes discussed in previous meetings and noted that he spoke to Chief Illum pertaining to inspections on rental units. It was noted that the fire department does not have the man power to complete annual inspections. Commissioner Searle recommended that they set the public hearing. Commissioner Stevens agreed that the ordinance changes need to go forward.

Mr. Daily noted that the definition of family may need to be changed, he read 10-2-2: *“Family: One or more persons related by blood, marriage or adoption, plus domestic servants employed for service on the premises, or a group of bachelors or bachelorettes of not more than four (4) persons who need not be so related, living together as a single, nonprofit housekeeping unit”*. He stated that the most complaints come from single-family dwellings that are rented out to individuals living together. He also noted that if the definition is to be changed it needs to change in conjunction with this ordinance. Commissioner Gailey asked who came up with the definition. Mr. Daily said Weber County created the definition in the 1970’s. Commissioner Stevens asked if there are several distinct families renting the same single-family dwelling, who has jurisdiction to enforce the ordinance. Mr. Daily said it is addressed in the language of the definition of family, he believes if the math is done correctly with the *“not more than four persons who need not be so related”*. He also noted that it could be a health issue and therefore the health department would get involved. Commissioner Searle asked if this definition only applies to R-2 ordinance or does it apply to any of the other zones as well. Mr. Daily stated that it applies to all residential zones for example; apartments, only one family unit cannot have more than 4 people unrelated. He noted that most complaints are for single-family dwellings.

Commissioner Searle noted that as he read the ordinance it looked like duplexes in Riverdale are owner occupied and asked that was correct. Mr. Daily stated that was the intent of the ordinance but now it is in question if it infringes on constitutional rights and City Attorney Steve Brooks will review and determine. Commissioner Gailey noted that previous discussion was if the owner lived there it would be better maintained. Discussion was held on owner occupied duplexes. Commissioner Stevens requested that they leave in the stipulation. Commission Gailey suggested that it be worded that the owner lives in the unit or have a local property manager. Mr. Daily stated that something is needed to make the owner responsible to the City.

Mr. Daily stated that he will get Mr. Brook’s counsel concerning the owner occupied duplex stipulation and asked if the Planning Commission felt the definition of family need to be changed. Commissioner Stevens noted that he would like to see how other cities are defining the family so as to not reinvent the wheel. Mr. Daily agreed and noted that he will set a public hearing.

10. DISCRETIONARY BUSINESS.

Commissioner Stevens thanked the City for the shirts given to the Planning Commission.

Commissioner Searle noted that last week he and Commissioner Gailey attended a seminar given by the Utah League of Cities and Towns. He stated that there was one interesting seminar on the sustainment of community specifically focusing on going green and leaving the community better than we found it. The suggestions were to include certain allowances in the zoning ordinance to promote conservations; such as, allowing gardens in the front yard, orient homes in a new subdivision to maximize solar energy, and require a subdivision to plant a few fruit trees. Mr. Daily asked if they discussed water conservation. Commissioner Searle noted that it was suggested that instead of curbs and gutters to have berms and have storm water run off collected locally. Discussion was held on gray water and requirements in California, drought resistant plants, and solar panels.

11. ADJOURNMENT.

There being no further business to come before the Planning Commission, Commissioner Gailey moved to adjourn the meeting. Commissioner Ellis seconded the motion. The motion passed unanimously. The meeting was adjourned at 8:23 pm.

Attest:

Approved:

Marie Alvord,
Planning Commission Secretary

Allen Miller, Chair pro tem