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Minutes of the **Regular Meeting** of the **Riverdale City Planning Commission** held Tuesday, **October 13, 2009** at 6:31p.m. at the Riverdale Civic Center, 4600 S. Weber River Drive.

Members Present:     Allen Miller, Chairman  
                              Norm Searle, Commissioner  
                              Brent Ellis, Commissioner  
                              Bart Stevens, Commissioner  
                              Braden Mitchell, Commissioner

Excused:               Blair Jones, Commissioner

Others Present:       Randy Daily, Community Development Director; Marilyn Banasky, City Recorder; and 1 citizen.

## **A. Welcome & Roll Call**

Chairman Miller welcomed everyone present and noted that all Planning Commission members were present except Commissioner Jones who is excused.

## **B. Open Communications**

None

## **C. Consent Items**

- 1. Approval of meeting minutes from:  
September 8, 2009 Work Session  
September 8, 2009 Regular Planning Commission**

**Motion:** Commissioner Ellis moved to approve the consent item. Commissioner Mitchell seconded the motion.

### **Call the Question:**

The motion passed unanimously.

## **D. Action Items**

- 1. Consideration of subdivision of Hayward Business Park located at 5157 South 1500 West.**

Randy Daily reported that Mr. Hayward is asking for a small two lot subdivision which will not alter the approved site plan as far as the location of buildings, parking or landscaping. He explained that this request has to go through the Planning Commission approval process before it can be forwarded to the City Council and then onto the County for recording purposes. Commissioner Ellis inquired if this was a procedural issue as there are currently no buildings on the property to be subdivided and to make future development easier. Mr. Daily replied that it was. He reported that if Mr. Hayward sells the property, there must be a reciprocal agreement for cross access and parking prior to the sale of the property.

**Motion:** Commissioner Searle moved to recommend approval of the proposed subdivision of Hayward Business Park located at 5157 South 1500 West. Commissioner Ellis seconded the motion.

**Call the Question:**

The motion passed unanimously.

**2. Discussion of proposed changes to the A-1 zone.**

Randy Daily reported that the proposed changes to the A-1 zone that included adding a new A-2 zone was denied by the City Council and they requested that the Planning Commission re-look at the zone to include new language and delete some of the more commercial uses in order to protect the integrity of the agricultural zone. He stated that the changes will also address permitting more than two dogs. He reported that the new language would have to go to public hearing and that the Planning Commission has recommended advertising the public hearing in the City newsletter to encourage public participation. Commissioner Stevens reported that he likes the dialogue that they had regarding the A-2 zone and would like to see more dialogue incorporated into how the A-1 zone is reshaped. He feels it is hard to get all the information in one sitting and would like to have several discussions on the topic and explore the A-1 areas that are surrounded by residential areas that are one or more acres, as opposed to those areas that are truly agricultural which may be isolated and undevelopable. Councilor Ellis agreed and feels they need to examine this more and get guidance from the City Council as to their concerns. He stated that he would like to see more public input from the landowners that will be affected from this change and allow the community to be involved.

**3. Consideration of subdivision of property located at 5419 South Weber Drive.**

Randy Daily reported that the Schneiter's have presented a two lot subdivision with the property line going directly behind the portion of the dwelling on lot 2, which would eliminate the rear yard setback for that lot and would not be in conformance with the City's ordinance. A discussion was held regarding changing the property line at an angle so that the rear yard on lot 2 would meet the setback requirement. Mr. Daily replied that there would still be a "triangle" of property that would not meet the 25 foot rear yard setback. He distributed a memo from City Attorney, Steve Brooks, which recommended that the property not be subdivided that way, but recommended that the envelope of the building would be subdivided with any area outside the building walls designated as a common area. Mr. Daily stated that Jake Schneiter was present to answer questions regarding the proposed subdivision. Commissioner Ellis asked Mr. Schneiter if they were opposed to the common area concept. Mr. Schneiter replied that he was under the impression that they had to meet the requirements for a twin home and that it had to be on two separate pieces of land, but that they are not opposed to the common area concept. Commissioner Stevens stated that the building structures will outlive the occupants and is concerned about the future occupants and their needs. He feels it is a unique twin home and is really a condo in the way the units overlap. He reported that with a condominium the owner owns the structure and a general agreement guides how the common areas are used and maintained. He feels that if that was done for this property, it would meet the setbacks and fulfill the ordinance requirements. Commissioner Searle was concerned that a common area may cause problems later on if people who are not related live in the structures. He suggested looking at other options that are still legal. Mr. Daily reported that going with the common area concept is the easiest and

fastest way to record this subdivision. He stated that there would be an agreement detailing who is responsible for what. Mr. Daily suggested that if the Commissioners wish to approve the common area concept, that they give a conditional approval to Mr. Schneiter so that he doesn't have to come back before the Planning Commission. He stated that if the subdivision plan doesn't meet the requirements set forth tonight, it will come back before the Planning Commission.

**Motion:** Commissioner Stevens moved that the consideration of subdivision of property located at 5419 South Weber Drive be denied. Commissioner Ellis seconded the motion.

**Call the Question:**

The motion passed unanimously.

**Motion:** Commissioner Stevens moved to approve consideration of the subdivision of property located at 5419 South Weber Drive with the subdivision of the structures on the plat map in conjunction with a common area of the land. Commissioner Mitchell seconded the motion.

**Call the Question:**

The motion passed unanimously.

**E. Discretionary Business**

Chairman Miller stated that with the resignation of Vice Chairman Gailey, they need to appoint someone to be Chairman Pro Tem. Commissioner Stevens nominated Commissioner Mitchell. Commissioner Searle nominated Commissioner Stevens as he has the most seniority. Commissioner Stevens stated that he appreciates the nomination but asked that his name be withdrawn. **Commissioner Miller asked for consensus to appoint Commissioner Mitchell as Chairman Pro Tem to fill the vacancy left by the resignation of Commissioner Gailey. Consensus was reached.**

**F. Adjournment**

There being no further business to come before the Planning Commission, Commissioner Mitchell moved to adjourn the meeting. Commissioner Ellis seconded the motion. The motion passed unanimously. The meeting was adjourned at 7:08m.

Approved: October 27, 2009

Attest:

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Allen Miller, Chairman

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Marilyn Banasky, City Recorder