
Minutes of the **Regular Meeting** of the **Riverdale City Planning Commission** held Tuesday, **March 9, 2010** at 6:34 p.m. at the Riverdale Civic Center, 4600 S. Weber River Drive.

Members Present: Allen Miller, Chairman
 Braden Mitchell, Commissioner
 Brent Ellis, Commissioner
 Blair Jones, Commissioner
 Bart Stevens, Commissioner
 Mike Hall, Commissioner
 Michael Staten, Commissioner

Others Present: Randy Daily, Community Development Director; Marilyn Banasky, City Recorder and 11 citizens.

A. Welcome & Roll Call

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

B. Open Communications

Rose Lund discussed the proposed two lot subdivision and reported that she is concerned about the danger issue of where the driveways would be placed. She stated that Mr. Hill talked to her husband about putting cheaper houses there and she feels that cheaper isn't necessarily better.

Detra Waikart discussed the two lot subdivision of property and stated that she spoke with the Hills and got a good feeling that they are trying to improve the lot. She stated that it has been the way it is for decades and it would be nice to see it cleaned up and understands why Riverdale wouldn't put in a park there when they could get more money with taxes to have something built on it. She reported that she would like to see something in the lot that reflects what is already in the neighborhood, such as a bigger lot with a nice house and a double car garage. She feels the hill where dirt was piled up when Daneen's parking lot was moved needs to be checked as it has water in it and nothing has been planted on it. She thinks the Hill family needs to retain the hill and not wait for the parking lot to fail. She asked Riverdale to consider putting in a sidewalk on the steep slope on the north side for people to walk on as the hill has two way traffic and people speed through there and it would be safer for people walking on a sidewalk.

John Gardner lives on Highland Drive and hopes they will take a three dimensional look at the lot as the buildable area isn't so big when you consider the slope at the back of the lot. He feels the lots will be small and won't fit in the area. He reported that there is also a need for a guard rail on 300 West or build the home close to the west property line as he feels a car could come off 300 West and end up in the house.

C. Consent Items

- 1. Approval of meeting minutes from:
February 23, 2010 Work Session
February 23, 2010 Regular Planning Commission**

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

Call the Question:

The motion passed unanimously

D. Action Items

- 1. a. Hold public hearing to amend Highland View Subdivision, Lot 15 by subdividing the parcel into two lots.**

Chairman Miller opened the public hearing at 6:43 p.m.

Brent Hill reported that he talked to Mrs. Lund and maybe he mentioned the word cheap but stated that the homes will definitely be built to code and be modern with 2 x 6 frame walls which will be sturdier than most of the homes in the area. He stated that the homes will be bigger than 1200 square feet on each level with a 2 car garage. He discussed the danger issues that were brought up, and stated that they are willing to address those. He proposed to put in some sort of turnaround or hammerhead driveway to eliminate backing out of driveways onto the street which would also allow for off-street parking. He reported that they are willing to pay for some additional signage to say no parking between these points and work with the City on that.

Tom Gilbert reported that he lives on Cherry Drive and has fought to keep the neighborhood as it was. He stated that the average lot is 19,000 square feet and that many homes are updated with 3rd generations living there. He realizes the lot is odd sized and stated that the lot on the west could have a home on it, but feels that putting a home on the lot on the east is opening up a can of worms for someone else because of the hill and parking lot. He is also concerned about the street and driveways as the street is 40 feet wide.

Motion: Commissioner Mitchell moved to close the public hearing. Commissioner Hall seconded the motion.

Call the Question:

The motion passed unanimously

The public hearing was closed at 6:50 p.m.

- b. Consideration of amending Highland View Subdivision, Lot 15 by subdividing the parcel into two lots.**

Randy Daily reported that this request falls under the Small Subdivision Ordinance as there are less than 10 lots. He stated that Mr. Hill has presented a concept plan to subdivide the property which will meet all the setback requirements, but that the property

is 948 square feet shy of being 20,000 square feet and that the R-1-10 zone requires 10,000 square foot lots. He explained that there is a history on this property pertaining to when 300 West was widened and Mr. Earl Hill, who is now deceased, was approached by the UDOT appraiser to sell part of this lot to Daneen's Dance Studio for a new parking lot as her old one was being taken out by the road widening. Rather than forcing the condemnation of the property, Mr. Hill sold the property to Daneen's. Mr. Daily stated that it was initially determined by the engineer that there would still be adequate property for two lots, but that is not the case as the lot is only 19,052 square feet, but it does meet the lot width requirement. He stated that the Planning Commission is bound by ordinance but that there could be legal issues attached with this as far as the discussions during the widening of the road and what the Hill family felt was agreed to at the time that the property was removed from the lot that would need to be reviewed by the City Attorney and the City Council.

Brent Hill stated that he appreciates the neighbors and wants to make the neighborhood a nice place. He feels that having a home with a basement and adding landscaping would make the hill more stable and enhance the beauty and safety of the parking lot. He reported that the lot is cone shaped and the subdivision has been designed so that the water will drain between the two houses. He thinks it will be nicer with two homes rather than one as it makes more sense to take care of the water issues. He reported that they had an agreement and remembers being told that there could be two lots there. He explained that these will still be 9,800 square foot lots and stated that the restrictive covenants say that you can divide it into two lots. He feels they are going the extra mile to require hammerheads, turnarounds and parking signs and that the homes will be bigger than the ones already there and will be built to code. He reported that there is a slope easement on the parking lot that can't be disturbed and the future homeowner would have to maintain that. He feels it makes sense to build two houses, as agreed with the City when they agreed to take the property and not force condemnation several years ago. He stated that he wants to move on and get the project done to beautify the neighborhood.

Commissioner Hall stated that he is pleased with Mr. Hill's desire to improve the lot and make it beautiful. He reported that he sees the ingress and egress coming into a basin and feels it is dangerous. He inquired if Mr. Hill had talked with an engineer to make that safer. Mr. Hill replied that they drew up a possibility to do a shared circular driveway and another one was two hammerheads or a possible shared hammerhead. Commissioner Hall stated that if they have two driveways it will create five points with a basin and he is concerned with safety. Commissioner Jones reported that he is concerned with the square footage of the lot as the R-1-10 zoning requires a 10,000 square foot minimum lot and this request doesn't meet that requirement. He thinks they would set precedent and open up the city to people wanting to do this in other areas. He likes the idea to improve the area but feels the square footage issue is a problem. Mr. Hill replied that the agreement was made before the land was deeded and feels the houses will fit into the neighborhood. He feels that the safety issues that have been voiced can be worked out. Commissioner Staten reported that he lives in a 1,100 square foot home on an 8,000 square foot lot and likes to think he makes an OK neighbor. He stated that Mr. Hill is asking the Planning Commission to give it's blessing to a subdivision that meets all the requirements except the square footage and from that perspective it doesn't seem like they should approve it, while on the other hand it could be a good development for the neighborhood. He

doesn't think they can approve this by sticking to the ordinance and the agreement with the City would need to be taken up with City Council. He stated that he would have liked to see more detail on the proposed development. Commissioners Jones and Ellis agreed and felt that it would have helped the presentation to have visual representation on how the houses would be situated and subdivided, and where the driveways would be. Mr. Hill reported that he has several conceptual plans that would work on the property. Chairman Miller inquired if Mr. Hill had considered rezoning the property from R-1-10 to R-1-8 and then subdividing it as an R-1-8 which would meet the minimum lot requirements and he would be able to build two houses on the two lots. Mr. Hill replied that he was hoping to move fast and start one home now and not go through the rezone if he didn't have to. Chairman Miller stated that they have to follow the ordinance to be fair to everyone. Commissioner Stevens stated that he would not be inclined to grant an exception and that rezoning and applying under the R-1-8 zone would meet the requirements.

Motion: Commissioner Stevens moved deny the consideration for amending the Highland View Subdivision, Lot 15 to subdivide the parcel into two lots. Commissioner Jones seconded the motion.

Call the Question:

The motion passed unanimously

E. Discretionary Business

Marilyn Banasky reported that the City Council has set a joint meeting with the Planning Commission to discuss the Agricultural zone along with the General Plan on April 6, 2010 to begin after the Council meeting ends.

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 7:28 p.m.

Approved: March 23, 2010

Attest:

Allen Miller, Chairman

Marilyn Banasky, City Recorder