
Minutes of the **Regular Meeting** of the **Riverdale City Planning Commission** held Tuesday, **March 23, 2010** at 6:30 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 8 citizens.

A. Welcome & Roll Call

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

B. Open Communications

Frank Waikart reported that he has lived across the street from the property that is requesting the rezone for 12 years. He pointed out that most of the people who live in the neighborhood have also lived there a long time. He stated that they all have medium size homes and keep up their yards. He stated that it is a beautiful neighborhood and that they all love their homes and would hate to see this lot subdivided into two small lots with the possibility of two small houses built there. He thinks that could promote people moving in and out of those two homes. He reported that this lot is right on the City line and feels that two small houses there would be inappropriate as people enter the City.

C. Consent Items

- 1. Approval of meeting minutes from:
March 9, 2010 Work Session
March 9, 2010 Regular Planning Commission**

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

Call the Question:

The motion passed unanimously

D. Action Items

- 1. a. Hold public hearing to amend the Riverdale City Zoning Map, specifically to rezone Highland View Subdivision, Lot 15 from R-1-10 to R-1-8 Single Family Residential zone.**

Chairman Miller opened the public hearing at 6:35 p.m.

Jon Gardner reported that he lives on Highland Drive and thinks this is not about the size of the lot as he thinks an 8,000 square foot lot is great. He stated that he chose to live where he does and moved to the older neighborhood because of open spaces. He stated that he looked at the Master Plan and it outlines 5 problem areas in Area 8 which adjoins this property. Those problem areas include two safety issues, the slope issue itself, maintaining open space and water issues. He stated that Area 8 recommends no development. He reported that this lot has all five of those problem areas and feels that this rezone proposes to increase the density in this area. He doesn't think the City can say no to someone if they want to put in a flag lot and build a home in the subdivision if the rezone and subdivision is allowed. He asked the Planning Commission to recommend against the rezone for issues of safety and keeping the long time neighborhood as it is.

Rose Lund reported that she lives on the west side of the lot and that there has been a lot of generations of families in that neighborhood. She stated that she wants to keep the lots and houses as they are as she likes living in an original neighborhood. She stated that she doesn't want the neighborhood cheapened by two cheap homes. She suggested that they just build one home. She submitted a petition to the City Recorder against the rezone request.

Brent Hill reported that he is representing the family. He stated that many of the homes have been built on a divided lot and that there are homes in the area with smaller acreage that these two lots will be if the lot is divided equally. He stated that they plan to divide the lot in a way that it makes the most sense with the hillside. He stated that they originally had enough land to meet the R-1-10 Ordinance if they had not sold part of this lot in order to facilitate the widening of 300 West. He explained they sold the property with the agreement that they could have two lots, as originally intended. Mr. Hill reported that the homes won't be cheap homes and will be well built. He stated that during the last meeting, some residents talked about cutting through the lot and how the slope is not being retained. He feels that having homes there will make it safer by having trees and landscaping. He stated that the egress issue will be taken care of by having cars pull out headfirst.

Karen Gardner reported that she has lived on Highland Drive for 23 years. She stated that the last time lots were divided was in 1954. She wonders why no lots have been divided since then and if dividing lots was allowed now, could the area handle 20 more homes. She inquired if the area would be zoned for that, if the police and fire could handle that, and if the water drainage would be a problem. She stated that there are probably close to 30 children who cut through the lot because their only other option is to walk up the hill without a sidewalk. She thinks this is a slap in the face to those of us who have lived there for years and bought small homes for the lot.

Detra Waikart reported that she lives on Highland Drive and wants to address the safety issues. She states that she hasn't seen any plans, soil tests, or improvements on the property that the Hill family has owned for 40 years. She wonders what would stop them from selling the property to someone else once the subdivision is granted and what would

happen to the neighborhood. She would like to ensure that a new owner would be bound by what the Hills would be bound by. She stated that her concern is safety, and she knows there is no sidewalk in the neighborhood and feels putting in a sidewalk on this property would be setting a precedent. She stated that quite a few children do cut through that lot and they would not be able to do that and would have to walk on the road if homes are built there. She stated that she would like to see the lot improved but would appreciate some sort of good faith to see something happen before anything is built.

Jay Hill reported that he lives in Layton and that they are not trying to hurt any feelings or do harm to subdivision. He stated that they would provide a sidewalk if needed, as they are not trying to harm the children, but reiterated that the property does belong to them. He feels that the two homes will fit in nicely with the neighborhood and be as big or bigger than the existing homes.

Motion: Commissioner Staten moved to close the public hearing. Commissioner Ellis seconded the motion.

Call the Question:

The motion passed unanimously

The public hearing was closed at 6:53 p.m.

b. Consideration of amending the Riverdale City Zoning Map, specifically to rezone Highland View Subdivision, Lot 15 from R-1-10 to R-1-8 Single Family Residential zone.

Randy Daily reported that he doesn't know if it is appropriate to answer subdivision questions as this request is for a rezone and not to subdivide the property. He stated that the subdivision will be dealt with at a future meeting, if the Hill family chooses to apply for it. He explained that the Planning Commission denied the request to subdivide the property into two lots at their last meeting, as the parcel wouldn't allow for two 10,000 square foot lots. He stated that it was the attitude of the Planning Commission and the Hill family to have two conforming lots rather than one or two non conforming lots, and the Hill family requested to rezone their property. Mr. Daily reported that the Planning Commission can impose certain conditions in the subdivision that would be recorded with Weber County and would come out in a title search. He stated that one of the benefits to rezoning the property to an R-1-8 zone is that the lot width would be 70 feet instead of 80 feet which would allow them to move the lot line to the west and accommodate for better drive approaches and get them off the hillside. He reported concerns were raised about subdividing other properties in the subdivision, but stated that Riverdale City does not allow flag lots and the infill lot ordinance does not apply to lots in subdivisions, so no other lots could be subdivided unless the home was torn down. He stated that the request tonight is to rezone the property and not on whether they plan on subdividing the parcel.

Chairman Miller stated that he would like to address the safety concern that was expressed regarding the Fire Department. He reported that there have been two structure fires in that neighborhood that he responded to as a member of the Riverdale City Fire Department and that they had no problems putting the fires out. He stated that if this

property is subdivided, the Fire Department wouldn't have a problem putting out any fire in that area. Commissioner Hall stated that he is concerned about pulling in and out of the driveways of the two homes as well as children walking near the road. He inquired if Mr. Hill had any thoughts to address these issues. Jay Hill reported that they have discussed several plans and involved many people. He stated that they looked at having hammerhead or circular driveways so that a car could pull onto the street going forward. Commissioner Jones stated that everyone is bringing up the issue of safety and he doesn't feel that the property owner should suffer because of the safety of that area. He realizes the safety issues and feels the property owner should be able to develop their property in concurrence with Riverdale City's ordinances. Commissioner Stevens discussed that studies are expensive and wondered what the Hill family would do if they find it is economically not viable. Mr. Hill reported that they haven't had a geotec study done and if the City wants one, they would comply. He stated that they are well financed to take care of most things. Commissioner Staten reported that he is a civil engineer by profession and spends a portion of his time laying out subdivisions. He stated that he wanted to speak to some of the audience concerns. He stated that looking at the entire subdivision plot, it appears that this is the only lot on Highland or Cherry Drive that could be subdivided into two lots. He stated that he has walked the subdivision and it is nice and understands the concerns that the character of the subdivision should be maintained. He explained that this area lies within the Land Use Master Plan for low density housing and the R-1-8 zone meets that need. He feels that the ground water and hillside justify a soil study and would like to see the intersection and driveways looked at by a professional civil engineer. He said that when the time comes, he would to see more than pencil sketches and legal descriptions.

Motion: Commissioner Stevens moved to approve amending the Riverdale City Zoning Map, specifically to rezone Highland View Subdivision, Lot 15 from R-1-10 to R-1-8 Single Family Residential zone with a favorable recommendation to the City Council. Commissioner Jones seconded the motion.

Call the Question:

Roll Call Vote: Commissioner Jones, Aye; Commissioner Mitchell, Aye; Commissioner Hall, Nay; Commissioner Stevens, Aye; Commissioner Ellis, Aye; Commissioner Staten, Aye; and Chairman Miller, Aye. The motion passed with six in favor and one opposed.

2. Consideration of amending the Parks Riverwalk PRUD site plan.

Randy Daily reported that this request is to amend the original site plan that had a requirement for 20 foot front setbacks in the Parks Riverwalk PRUD. He stated that the PRUD has all private roads and that the 20 foot front setback requirement was recorded as part of the approval. Mr. Daily reported that Kent Hill is requesting that the 20 foot front setback be reduced to a 15 foot front setback for the homes while maintaining a 20 foot setback for the driveways.

Kent Hill reported that when he started the project he made a commitment to build nice homes. He stated that they increased the street width by 10 feet which made it impossible to build a 1,500 square foot home with a 2 car garage on some lots. He stated that he is also proposing to build a 1,910 square foot home with a 4 car garage whose primary driveway

would have a 20 foot setback and the secondary driveway would have a 18 foot setback. He stated that it is really better for the entire neighborhood to have the reduced setbacks. Chairman Miller inquired if the average house would have a 4 car garage. Mr. Hill replied that lots 1-5 and 10-11 will have bigger homes, while the other lots will have 1,500 square foot homes. He explained that they combined two lots and now has 14 lots instead of 15. Commissioner Staten inquired if any of the lots been sold or if any homes have been built. Mr. Hill replied they haven't and that he is still the owner of the property. Commissioner Staten reported that he doesn't like 15 foot front setbacks, but that if Mr. Hill owns it and it is his wish, he is the one with the property rights. Commissioner Stevens inquired if any of the lots would have two-story homes. Mr. Hill replied that the homes on lot 2 and 14 could have two-story homes. Commissioner Miller stated that all the driveways will still need to meet the 20 foot front setback and just the home will have a minimum 15 foot front setback. Mr. Daily reported that Mr. Hill agreed that each home would have a two car garage and that he would provide two parking spaces with a 20 foot driveway. He stated that if Mr. Hill chooses to have a third or fourth car garage that wouldn't need to adhere to the 20 foot front setback. He explained that there is no parking on the road and if a car is parked in a driveway and is blocking the road, the fire department can cite them. Commissioner Staten stated that they should clarify that the recommendation is that the two car garage and two off street parking spaces have a minimum front set back of 20 feet. Mr. Hill reported that when they combined the two lots, he also added 5 guest parking stalls.

Motion: Commissioner Ellis moved to approve amending the Parks Riverwalk PRUD site plan with a favorable recommendation to the City Council. Commissioner Hall seconded the motion.

Commissioner Staten inquired if the motion should clarify that only the two car garage and two off-street parking stalls need to meet the minimum 20 foot front setback. Mr. Daily felt that was a good idea.

Amended Motion: Commissioner Ellis moved to add that the primary driveways must have a 20 foot setback from the road. Commissioner Hall agreed as second.

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.

Randy Daily reported that he is drafting a brand new landscape ordinance to bring before the Planning Commission as the City Council felt that it needed some additional changes but didn't feel good about the landscape ratios.

F. Adjournment

There being no further business to come before the Planning Commission, Commissioner Jones moved to adjourn the meeting. Commissioner Mitchell seconded the motion. The motion passed unanimously. The meeting was adjourned at 7:48 p.m.

Approved: April 27, 2010

Attest:

Allen Miller, Chairman

Marilyn Banasky, City Recorder