



Minutes of the Regular Meeting of the Riverdale City Planning Commission held Tuesday, June 08, 2010 at 6:30 p.m. at the Riverdale Civic Center, 4600 S. Weber River Drive.

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

Excused: Brent Ellis, Commissioner
Bart Stevens, Commissioner

Others Present: Randy Daily, Community Development Director; Marilyn Banasky, City Recorder and 2 citizens.

A. Welcome & Roll Call

Chairman Miller welcomed everyone and noted that all members were present except Commissioners Ellis and Stevens.

B. Open Communications

None

C. Consent Items

- 1. Approval of meeting minutes from:
May 25, 2010 Work Session
May 25, 2010 Regular Planning Commission**

Motion: Commissioner Staten moved to approve the consent item. Commissioner Hall seconded the motion.

Call the Question:

The motion passed unanimously

D. Action Items

- 1. Consideration of Conditional use Request for wall mounted cellular antennas located at the Motor Vu Drive-in, 5368 S. 1050 W.**

Randy Daily reported that this is a request from Clear Wire to attach three antennas to the west movie screen at the Motor Vu Drive-in. He reported that the structure is in an Agricultural zone that allows for this. He stated that the antennas are considered wall mounted antennas as per Riverdale City ordinance §10-17-8 and the antennas must meet certain requirements. He stated that the diagram provided by the petitioner shows the antennas to be above the movie screen and that the ordinance states "Wall-mounted antennas shall not extend above the roof line of the building or structure or extend more than four feet

horizontally from the face of the building”. Additionally, they shall not be located within one hundred feet of any residence. Mr. Daily stated that he measured the setback from the adjacent residence and reported that the antenna would be located 100 feet from the house. He reported that Mr. White has submitted all the documents for a Conditional Use Approval permit and that this request can be approved by the Planning Commission and doesn’t need to be forwarded to the City Council. He stated that if the Planning Commission approves the request, Clear Wire will need to apply for a Riverdale City business license and provide additional information on their FCC licensing and permits.

Jared White reported that he is representing Clear Wire, who provided wireless internet service. He stated that in order to provide the coverage needed they required a structure that was 60 feet tall and the Motor Vu Drive-in screen is 62 feet tall. He stated that they did look at building a monopole at the golf course but would prefer using the movie screens. He reported that they have spoken to the property owners and they are still in process of negotiating a lease with them, but that the landowner did sign an agreement to allow testing. Mr. White reported that they are requesting to mount three antennas, one on each side of the screen and one on the back with a small microwave dish that is 18” and shoots a signal to a tower one to six miles away. He stated that the ground equipment will sit immediately next to some existing equipment and that it is similar to the size of a traffic light box. He stated that the coaxial cable will be tight against the structure and ran into the box. Chairman Miller inquired if Mr. White could install the dish on the back and not above the screen. Mr. White replied that they use the same mount on the antenna and microwave dish. He stated that they don’t need all three antennas right now, but wanted to seek approval for three. Chairman Miller inquired if the dish could be mounted below the top of the structure. Mr. White replied that the antenna needs to be at the top but moving it down would not make a difference. He explained that the antenna and dish could move down two feet to be below the roof line and that he would ensure that the drawings reflect that when applying for their building permit.

Motion: Commissioner Hall moved to allow the wall mounted cellular antennas at the Motor Vu Drive-in, flush to the top of, or below the structure. Commissioner Jones seconded the motion.

Call the Question:

The motion passed unanimously.

2. a. Public Hearing to amend Title 10, Chapter 8, Agricultural Zone.

Chairman Miller opened the public hearing at 6:40 p.m.

No comments were given from the public.

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

Call the Question:

The motion passed unanimously

The public hearing was closed at 6:41 p.m.

b. Consideration of amending Title 10, Chapter 8, Agricultural Zone.

Randy Daily reported that this is a combination of both Agricultural zone ordinances that the Planning Commission forwarded to the City Council a few months ago. He stated that this will create a new A-2 zone to allow more intensive uses in an Agricultural Zone and remove those uses from the A-1 zone. He explained that there are currently no A-2 zones and if anyone wanted to do any of those intensive uses, they would need to request a rezone to an A-2 zone.

Motion: Commissioner Mitchell moved recommend approval to the City Council of Title 10, Chapter 8, Agricultural Zone. Commissioner Hall seconded the motion.

Call the Question:

The motion passed unanimously.

3. a. Public Hearing to create a new section in Title 10 for Property Line Adjustments.

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

Courtney Dayton reported that his neighbor has built a brick terrace with flowers in it on a piece of Mr. Dayton's property. He expressed concern that this portion of his property could become his neighbors if he doesn't do anything about it for a number of years and that his neighbor could claim that property. He stated that he gave his neighbor permission to use his property, but wonders what would happen if a new neighbor moved in and wanted to continue to use Mr. Dayton's property. He wants to permanently ensure that his property line will always remain his property line, even though he allowed the neighbor to build on it.

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

Call the Question:

The motion passed unanimously

The public hearing was closed at 6:47 p.m.

b. Consideration of creating a new section in Title 10 for Property Line Adjustments.

Mr. Daily stated that Mr. Dayton's issue is civil and that he needs to talk to an attorney about it. He reported that this ordinance would protect Mr. Dayton. Chairman Miller recommended that Mr. Dayton set up a time to meet with Mr. Daily to discuss the issue. Mr. Daily stated that the City Attorney felt this language covers what is lacking in the code and Mr. Daily recommended approval.

Motion: Commissioner Staten moved recommend approval to the City Council of creating a new section in Title 10, for Property Line Adjustments. Commissioner Mitchell seconded the motion.

Call the Question:

The motion passed unanimously.

E. Discretionary Business

None

F. Adjournment

There being no further business to come before the Planning Commission, Commissioner Mitchell moved to adjourn the meeting. Commissioner Jones seconded the motion. The motion passed unanimously. The meeting was adjourned at 6:55 p.m.

Approved: July 27, 2010

Attest:

Allen Miller, Chairman

Marilyn Banasky, City Recorder