



Minutes of the **Regular Meeting** of the **Riverdale City Planning Commission** held Tuesday, **October 26, 2010 at 6:30 p.m.** at the Riverdale Civic Center, 4600 S. Weber River Drive.

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

Excused: Blair Jones, Commissioner
Bart Stevens, Commissioner

Others Present: Randy Daily, Community Development Director; Lynette Limburg, Administrative Assistant; and 7 citizens

A. Welcome & Roll Call

Chairman Miller welcomed everyone and noted that all members were present with the exception of Commissioner Jones and Commissioner Stevens who are excused.

B. Open Communications

None

C. Consent Items

- 1. Approval of meeting minutes from:
September 28, 2010 Work Session
September 28, 2010 Regular Planning Commission**

Motion: Commissioner Ellis moved to approve the consent items. Commissioner Hall seconded the motion.

Call the Question:

The motion passed unanimously.

D. Action Items

- 1. Consideration of final site plan for the Larry H. Miller Chrysler Jeep Dodge development located a 1481 W Riverdale Road.**

Randy Daily noted that representatives from Larry H. Miller were in attendance to answer any questions that the Planning Commissioners may have. He reported that the site plan has been reviewed by the City Engineer, Fire Department, Public Works, and Community Development Director and they have all recommend approval of the final site plan. The landscape plan has been reviewed by a nurseryman who was very impressed with the overall plan. There are some issues with the UDOT owned property that will one day be conveyed to Larry H. Miller and with storm water. Trent Jones with FFRK architects stated that they

are expecting approval letters this week but have not received anything from UDOT yet. Dee Hansen stated that they had received a letter permitting them to go into the storm drain system. He stated that when the Miller group acquired additional property, the location was relocated which necessitated UDOT updating their records; however it has been conceptually approved. Mr. Daily noted that the dumpster has been moved to an interior location on the site. He stated that the lighting plan has been reviewed and it was noted that the lighting will be screened and should not be a problem. He stated that the building design will have to go through the Design Review process to approve colors and materials. Commissioner Ellis asked how many fire hydrants the site will have. Mr. Daily reported that the site plan shows three fire hydrants. He reported that Chief Illum has reviewed that portion of the plan and is comfortable with the three fire hydrants. Chief Illum also stated that he feels the traffic flow through the site is adequate for any needs of the Fire Department. Mr. Daily noted that there will be an emergency gate at the back of the property and the Fire Department will have access through it, if needed. He stated that the building will also have fire sprinklers. Commissioner Hall asked about servicing of vehicles on site and how the oil will be contained. Bruce Bigelow with the Miller Group, stated that they will have above ground oil storage tanks and that these storage tanks have safety features built in to contain any leakage which could possibly occur. He stated that used batteries are stored in an inside tool room until they can be picked up by a vendor for recycling. Commissioner Mitchell voiced his concern about test driving cars in the residential areas and asked if they could be pushed onto Riverdale Road. He stated that he would appreciate anything that could be done to encourage the test drives to be away from the residential streets. Commissioner Staten stated that he had had some concerns about the detention pond but that those have been resolved. He stated that the plans appear to be thorough and he is pleased with the overall project.

Motion: Commissioner Ellis moved to approve the final site plan for the Larry H. Miller Chrysler Jeep Dodge development located a 1481 W Riverdale Road and forward it to the City Council with the Planning Commission's favorable recommendation. Commissioner Staten seconded the motion.

Call the Question:

The motion passed unanimously.

2. Consideration of final site plan for In-N-Out Burger located at 4040 Riverdale Road.

Randy Daily reported that the site plan for In-N-Out Burger has been reviewed by the City Engineer, Fire Department, Public Works Director, and Community Development Director and they all recommend approval of the final site plan. He stated that the landscaping has been reviewed by Dennis Miller, the city's nurseryman, who feels that the landscape plan is very well done for a site this size. A discussion was held regarding the concerns about the size of the landscape rock had been discussed in a previous meeting. Barney Michaelchuck from In-N-out displayed a picture showing the landscaping rocks that are in place at the Centerville store and stated that the Riverdale store will have the same palate. Mr. Daily stated that In-N-Out still has some issues to resolve with some of the property owners, but that they are confident these issues will be resolved and construction will begin in the spring. He stated that In-N-Out should be a big draw and have a positive impact on this area.

Motion: Commissioner Mitchell moved to approve the final site plan for In-N-Out Burger located at 4040 Riverdale Road and forward the Planning Commission's favorable recommendation on to the City Council. Commissioner Hall seconded the motion.

Call the Question:

The motion passed unanimously.

3. a. Discussion on amending Title 10, Chapter 14 and creating a new section 3: Non-household animals and fowl in residential areas.

Randy Daily reported that this item is being presented for discussion due to several citizen requests. He reported that he looked at what other cities have done and put together an ordinance proposal. He stated that he has written it as a Conditional Use in residential zones with minimum lot size requirements of 6000 square feet. He reported that there will be a limit of six animals or a combination of animals equaling six, which excludes dependant young. He stated that the area must be fenced and not become a public nuisance. A discussion was held regarding the proposed ordinance. Commissioner Staten reported that he would like to see an ordinance. Chairman Miller agrees, however, he would like to reduce the number of allowed animals from six to three. Commissioner Mitchell is also in favor of setting a public hearing and looking at having an ordinance. Commissioner Ellis expressed concern with health issues that could arise. His is worried that this is that the door may be opened to some unintended consequences and may just create another code enforcement issue. Commissioner Ellis would prefer not to hold a public hearing and feels that if citizens want this ordinance they can bring it to the City Council. Commissioner Staten stated that he would like to set a public hearing to see if anyone is actually interested in having an ordinance. Commission Hall stated that it would be good to have guidelines to work from. He is in favor of setting a public hearing. Commissioner Mitchell agreed that a public hearing would allow people to voice their opinion on the matter. Mr. Daily noted that this is a Conditional Use with a \$50.00 fee and each request would come before the Planning Commission.

b. Consideration of setting a public hearing to amend Title 10, Chapter 14 and creating a new section 3: Non- household animals and fowl in residential areas.

Motion: Commissioner Staten moved to set a public hearing to discuss amending Title 10, Chapter 14 and creating a new section 3: Non- household animals and fowl in residential areas. Commission Hall seconded the motion.

Call the question:

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

Discussion followed in regard to some changes in the proposed ordinance to clarify that all requests must be in compliance with the 6000 square foot lot. Consensus was reached to lower the number of animals total or in combination from six to four in section C-2. Building restrictions in regard to size and height of coops will be added. Chairman

Miller asked that the public hearing not be set for the first meeting in November as he will not be present.

E. Discretionary Business

Commission Hall asked if some development has begun on the Hill property at the south end of Cherry Drive. Mr. Daily stated that it is just being cleaned up as the agreement with the property owners requires. Commission Ellis asked if anything is going to be done with the problem of thistles on the Knudsen property. Mr. Daily reported that he will talk to the property owners about cleaning up that problem.

F. Adjournment

There being no further business to come before the Planning Commission, Commissioner Staten moved to adjourn the meeting. Commissioner Hall seconded the motion. The motion passed unanimously. The meeting was adjourned at 7:15 p.m.

Approved: November 9, 2010

Attest:

Allen Miller, Chairman

Marilyn Banasky, City Recorder