



Minutes of the **Regular Meeting** of the **Riverdale City Planning Commission** held Tuesday, **November 12, 2013 at 6:35 p.m.** at the Riverdale Civic Center, 4600 South Weber River Drive.

Members Present: Brent Ellis, Chairman
 Blair Jones, Vice-Chairman
 Kathy Eskelsen, Commissioner
 Lori Fleming, Commissioner
 David Gailey, Commissioner
 Michael Roubinet, Commissioner
 Steve Hilton, Commissioner

Others Present: Michael Eggett, Community Development Director; Ember Herrick, City Recorder and 10 members of the public including Richard Hall, Jane Hall, Joe Vigil, Arlene Vigil, Ron Oleson, Dave Chacon, Matt Hawks, Mike Ford and Nate Reeve.

A. Welcome & Roll Call

Chairman Ellis welcomed everyone to the meeting and stated for the record all members of the Planning Commission are present.

B. Open Communications

Chairman Ellis invited any members of the public present to speak during the open communications portion of the meeting and Riverdale Resident Jane Hall said she would like the Planning Commission to allow public comments after the first agenda item has been discussed in the event residents have concerns and Chairman Ellis said an exception could be made in this case.

C. Presentations and Reports

Community Development Projects Status Report

Community Development Director Michael Eggett said Firehouse Subs will open on November 18, 2013 at 10:30 a.m.

D. Consent Items

Chairman Ellis asked for any changes or corrections to the previous meeting minutes and none were noted.

Motion: Commissioner Eskelsen moved to approve the meeting minutes.
 Commissioner Fleming seconded the motion.

There was no discussion on the motion.

Call the Question: The motion passed unanimously.

E. Action Items

- **1. Consideration of final site plan and amended commercial subdivision plat for Lot 3 of the Hayward Business Park address 5175 S. 1500 W.**
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Mr. Eggett introduced Petitioner Mike Ford and Engineer Nate Reeve and said the developer has presented a final site plan for lot three of the Hayward Business Park located in a CP-3 Planned Commercial Zone at 5175 S. 1500 W. He said the property is currently owned by a bank and the original development plan is still in effect for the property. According to Mr. Eggett, the developer would like to amend the site plan and as part of his development agreement a list of proposed uses has been included. He said draft Covenants Conditions Restrictions and Reservations (CCR&Rs) were also included outlining how public common areas of the 13 unit commercial subdivision will be maintained. Mr. Eggett said Riverdale City Administrator Larry Hansen has requested that language be included in the agreement giving Riverdale's Code Enforcement Department the ability to enforce maintenance and upkeep of the buildings and landscaping if problems arise. Mr. Eggett said the City is asking for a provision in the CCR&Rs requiring that any changes to the bylaws be reported back to Riverdale City.

Mr. Eggett said he would like the developer to discuss berming, fences, bike grades, the transfer of water rights and signage plans. He said gas and electrical line placement needs to be addressed and Riverdale's Public Works Director has requested that separate water and sewer lines run to each individually owned unit. Mr. Eggett said Riverdale's Fire Inspector was concerned about the placement of dumpsters and snow. He said a draft development agreement still must be reviewed by legal counsel on both sides but should include authorization for Riverdale's Code Enforcement Department to enforce maintenance and upkeep of the buildings and landscaping if problems arise.

Mr. Reeve said a commercial subdivision plat will be recorded with Weber County and the development agreement could include language empowering Riverdale's Code Enforcement Department to ensure the property owners operate their businesses in compliance with the adopted covenants and restrictions for the development. He said lighting will be sufficient for the development but will not be overly bright and permitted businesses will include internet and blue collar businesses that will have minimal traffic impact on the neighborhood with employees exiting onto 1500 West to access the freeway from Riverdale Road or Freeway Park Drive.

Mr. Reeve said each structure will have its own gas and power lines and inclines will be bike safety grade. He said he is also working with Riverdale's Engineer to ensure the emergency overflow is up to code for the detention pond and that percolation and snow storage concerns are addressed. Mr. Reeve said this parcel of land has some unique challenges because it falls 22 feet from top to bottom and so it must be terraced and landscaped in such a way that adjacent residential properties are not negatively impacted by water drainage. He said the developer will construct a six foot privacy fence that is wood or vinyl to shield the residential land from the commercial development

Mr. Reeve asked if members of the Planning Commission had additional questions and Commissioner Fleming asked why Mr. Ford is developing this parcel first which is adjacent to a residential neighborhood instead of starting on 1500 West where there is already commercial development. Mr. Ford said Lot 3 is the most economical piece to develop and Commissioner Fleming said she is concerned that if these storefronts don't sell the other three lots will be difficult to develop. She asked which businesses are committed to buying these units and Mr. Ford said three business owners have expressed interest to him and he is confident the units will sell because the Larry H. Miller Dealership has created interest in this area. Mr. Ford said he has done this research on this type of development and feels confident these units will sell and he

pointed out that because the lot is narrow this may be one of the few uses that would work on this land and not generate a lot of traffic. He said his plans for the parcel on 1500 West are to continue the professional office development with something similar to the existing Tullis Office Park. Commissioner Fleming asked what the plans are for the other phases of development and Mr. Reeve said there are other uses planned that would work within the CP-3 Zone but Mr. Ford is not ready to discuss them with the city at this point.

Commissioner Hilton said he shares some of Commissioner Fleming's concerns and he said the recession could explain why this property has been vacant for several years. He asked the members of the Planning Commission if this is the type of development they want to see in this CP-3 Zone as it will likely set a precedent for the other three lots. Commissioner Hilton said in his opinion the proposed development looks like occupied storage sheds and is not what he envisioned for this area. Mr. Reeve said when he and Mr. Ford brought this proposal to the Planning Commission for their preliminary review a month ago the Planning Commission was in favor of the development. Commissioner Hilton said he was excused from that meeting so he did not vote on the preliminary plan. He said after reviewing the minutes from that meeting it appears the site plan application is still deficient in addressing many of the concerns identified by staff and members of the Planning Commission. Commissioner Hilton asked the developer what his five year vision is for the project and Mr. Ford said he anticipates selling these units to contractors who want to move their businesses out of their homes and garages to have a space for their equipment and a small office. Mr. Ford said any retail use will be for online businesses that need a space to store the parts they are selling on Amazon or eBay. Commissioner Hilton asked if Mr. Ford would be willing to modify the look of the units so that they don't resemble storage spaces and won't discourage a professional office development from locating on an adjacent lot. He asked if Mr. Ford or Mr. Reeve have any pictures of similar developments that they could show the Planning Commission and Mr. Reeve said not that he brought with him.

Mr. Hilton said a lot of information appears to still be missing from the site plan application and said all items in yellow should be addressed before he will feel comfortable forwarding it to the City Council for their consideration. Mr. Ford said the CCR&Rs and Development Agreement still need to be reviewed by Mr. Ford and Riverdale City's Attorney Steve Brooks but the other issues should be able to be addressed quickly. Mr. Reeve said 99 percent of the comments in yellow are technical and his office is in the process of working out items involving utilities to the building with Questar, Rocky Mountain Power and Weber County. Commissioner Jones said he feels the petitioner has addressed the majority of the concerns identified at the last Planning Commission meeting and he said he is willing to approve the petitioner's request during tonight's meeting with the stipulation that consent is subject to the developer completing the remaining items.

Commissioner Gailey asked how long it will take to complete this first phase of the development and Mr. Ford said if approved by the City Council construction should begin in spring 2014 as soon as the weather permits. He said units will only be built as they are sold and Mr. Eggett asked the Planning Commission to review the list of permitted uses to see if they have any concerns.

Mr. Ford said he took his list of potential uses from those permitted in CP-3 Zones under Riverdale City's Code. Chairman Ellis asked what the process will be if a business not included on the list wants to purchase a unit and Mr. Eggett said the City Council would consider the

request as an amendment to the development agreement. Chairman Ellis said because of the proximity to a residential zone he doesn't think a mechanic shop that does auto repair or detailing would be appropriate and Mr. Ford confirmed this will not be a permitted use but the retail sale of auto parts would be allowed at this location. Commissioner Hilton asked about a reference to auto sales and Mr. Ford said they will be prohibited from this location. Commissioner Hilton asked about the definition of "store" and Mr. Ford said it means store front not storage.

Chairman Ellis invited any members of the public present to speak during the open communications portion that was moved to this point in the meeting to allow residents to hear the developer's proposal and then determine if they still had questions or concerns they felt needed to be addressed.

Riverdale Resident Richard Hall asked if these proposed units will be rented or sold and Chairman Ellis said they will be owner occupied, not rentals. Mr. Hall asked about landscaping and the city recorder put an artist's rendering on the projector for the audience to review

Riverdale Resident Jane Hall asked Mr. Eggett to read the list of proposed uses included in the draft of the development agreement and he did. Chairman Ellis asked about the possibility of combining two units to create a dance studio and Mr. Ford said this type of use would not work because of the limited parking.

Riverdale Resident Arlene Vigil said her concern is for the south side of the street and the homes at the bottom of the hill and she asked what measures are being taken to avoid flooding the yards when the landscaping for this commercial development is watered. Mr. Reeve said the project has been engineered to avoid flooding in a 100 year storm event and has also been reviewed by Riverdale City's Engineer and a Geotechnical Engineer. Ms. Vigil asked if a concrete wall will be built to contain water from the hillside and Mr. Reeve said a liner will insulate the drainage pond if deemed necessary by the City Engineer and dividing the two properties will be a six foot fence lined with four evergreen trees and grass area. Ms. Vigil said she is concerned about the difference in elevation from the top of the property to the residence and Mr. Reeve said the development will be terraced so that the 22 feet elevation drop is gradual.

Riverdale Resident Ron Olsen said he would like the developer to consider reducing the number of units from 13 to 12 to create a larger buffer between the commercial and residential areas. He asked if the artist's depiction on the front of the buildings represents garage doors and Mr. Reeve confirmed each unit will have a large garage door and a standard door entrance.

There were no additional questions or comments from the public.

Chairman Ellis asked for Planning Commission discussion and Commissioner Eskelsen said she plans to vote against this final site plan proposal because she doesn't feel the developer has addressed the concerns identified in the last meeting and to approve it conditionally listing all of the remaining items that need to be fixed would not be practical. She said aesthetically she agrees with Commissioner Hilton that the look of the units is unpleasing and she said Riverdale is a small city and wants its commercial districts, especially where it is adjacent to a residential area, to be attractive. Commissioner Eskelsen said during the last Planning Commission meeting the developer and engineer said this model has worked elsewhere and the Planning Commission

expressed interest in seeing pictures of similar developments but Mr. Reeve did not bring examples for the Planning Commission to consider tonight. She said she doesn't want to rush approval of this project and will be voting against approval of the final site plan although she voted in favor of the preliminary plan. Mr. Reeve said he feels many of the concerns staff and the Planning Commission identified in the last meeting have been addressed and he said the remaining list are primarily technical issues the developer plans to work through with Riverdale's Public Works and Engineering Departments.

Commissioner Roubinet said he supports this development proposal because future proposals could be worse and have a greater impact on the residential neighborhood like a high density housing development. He said if some members of the Planning Commission don't like the look of the proposed development it could be useful to give the citizens and developers an idea about what type of development they would like to see on these parcels or how the current proposal could be modified to be more aesthetically pleasing. He said the citizens who have voiced concerns tonight seem to be concentrating on the need to have a sufficient buffer zone and Planning Commission members seem concerned with the overall look of units. Mr. Eggett said Riverdale's Design Review Committee will also have an opportunity to give input on the look of the units before this is considered by the City Council.

Commissioner Gailey said these proposed low profile buildings with low light pollution are preferable to high density housing to protect the privacy of the adjacent neighborhood and have minimal impact on infrastructure and traffic. He said in his opinion this is a good project for the area and it fits the current zoning and will improve the current look of the property which has become an eyesore with unkempt weeds and blowing sand. Commissioner Gailey said if the developer is willing to address the remaining concerns before this goes to the City Council he would be in favor of forwarding it with a favorable recommendation tonight. Mr. Eggett said the Development Agreement and CCR&Rs will also regulate the noise in this proposed development.

Commissioner Fleming said she voted in favor of the preliminary site plan at the last meeting because she was under the impression the four phases would be done together. She said she has concerns now she knows that it will be done one phase at a time because if this first industrial development doesn't work the other parcels could remain vacant for years. She said she doesn't understand why Lot 3 is being developed first because in her opinion it would make more sense to continue the office buildings on 1500 West as phase one where professional office space has already proven viable. Commissioner Fleming asked what type of development is being considered across the street from Lot 3 and Mr. Ford said it will likely also be industrial units similar to the ones being proposed in this first phase. She said she understands that the next proposal could be less desirable but she reiterated her concern that if this first phase isn't successful the other three parcels will be difficult to market for development. Commissioner Roubinet asked if the landscaping and detention pond will be completed as part of phase one and Mr. Reeve said the detention basin and irrigation system will be completed but the landscaping may be done in phases at the developer's discretion as a block of three building units are sold.

Chairman Ellis said the Planning Commission has three options to approve, reject, or table the current proposal. He thanked everyone for their input and the developer for the research and work he and his engineer have put into addressing Planning Commission, staff, and resident concerns.

- **Motion:** Commissioner Gailey moved to approve the final site plan and amended commercial subdivision plat for Lot 3 of the Riverdale Business Park address 5175 S. 1500 W. subject to the remaining concerns being addressed to the satisfaction of staff. Commissioner Jones seconded the motion.

- **Roll Call Vote:** Commissioner Jones, aye; Commissioner Hilton, nay; Commissioner Gailey, aye; Commissioner Roubinet, aye; Chairman Ellis, aye; Commissioner Eskelsen, nay; and Commissioner Fleming, aye. The motion passed with five in favor and two opposed.

F. Discretionary Items

Chairman Ellis asked for any discretionary items and Commissioner Jones said there is a speed limit sign missing from 950 W. and 4400 S. on the East side of the road from a pole with a neighborhood watch sign. The city recorder said she will let the public works dept know the sign needs to be replaced. There were no additional comments.

Motion: There being no further business to come before the Planning Commission, Commissioner Roubinet moved to adjourn the meeting. Commissioner Jones seconded the motion. The motion passed unanimously. The meeting adjourned at 7:49 p.m.

Approved: December 10, 2013

Attest:

Brent Ellis, Chairman

Ember Herrick, City Recorder