

Minutes of the Regular Meeting of the Riverdale City Planning Commission held Tuesday, February 28, 2017, at 6:30 PM, at the Civic Center, 4600 S Weber River Dr., Riverdale City, Weber County, Utah.

Present:

Commissioners: Steve Hilton, Chairman
Blair Jones, Vice-Chair
David Gailey, Commissioner
Lori Fleming, Commissioner
Robert Wingfield, Commissioner
Gary Boatright, Commissioner

City Employees: Mike Eggett, Community Development
Jackie Manning, City Recorder

Excused: Kathy Eskelsen, Commissioner

Visitors: Mike Roubinet Doug Clark Mary PoVey
Wendy Arave Brad Arave Jarred Valentine
Natalie Valentine

A. Welcome & Roll Call

Chairman Hilton welcomed everyone to the meeting and stated for the record that all members of the Planning Commission were present with the exception of Commissioner Eskelsen who is excused. Chairman Hilton reminded members of the public to please sign the roster of attendance.

B. Open Communications

Chairman Hilton asked for any open communications and there were not any.

C. Presentations and Reports

Chairman Hilton presented former Planning Commissioner, Michael Roubinet, a certificate and a gift and expressed appreciation for all his service to the City. Mr. Roubinet expressed gratitude in serving with the Planning Commissioners. He felt confident that the Planning Commission would continue to do a good job.

Chairman Hilton turned the time over to Mr. Eggett who reported the following:

- Hobby Lobby continues construction.
- Habit Burger continues construction.
- Wing Stop is moving forward.
- Chipotle is moving forward.
- Kia Site Plan received approval from City Council during a Special Session, pending a bonding matter.
- Strategic Planning Session with the Council on 2/25/2017. (Agenda and recording online.)

D. Consent Items

1. Consideration of meeting minutes from the Planning Commission Meeting held on February 14, 2017.

Chairman Hilton asked for changes or corrections to the Planning Commission meeting minutes for the February 14, 2017 Work Session and Regular Meeting. There were no changes requested.

MOTION: Commissioner Jones moved to approve the consent item, meeting minutes as written.
Commissioner Wingfield seconded the motion.

There was no discussion regarding this motion.

CALL THE QUESTION: The motion passed unanimously in favor of the consent items.

E. Action Items

1. a. Public Hearing to receive and consider comments regarding a rezone request for property located at approximately 535 W 5400 S in Riverdale City from Single-Family and Single-Family with Rental Unit Residential (R-2) zoning to Multiple-Family Residential (R-3) zoning.

Chairman Hilton allowed the members of the audience time to sign their names on the attendance roster. Chairman Hilton then opened the public hearing.

Mary PoVey, 555 W 5400 S, lives two lots down from the rezone property. Ms. PoVey expressed concerned about the rezone. She felt there were already several multiple family units in the neighborhood and they [the neighbors] would like to see the zone remain single family as a means to keep the property values. She stated she has had good landlords for the rental units in her neighborhood that have been responsive to the neighbors concerns, but it just takes one bad landlord to have a negative impact in the community.

Brad Arave, 545 W 5400 S, lives directly west of the proposed rezone. Mr. Arave has lived in his house since 1990. He discussed the development in that area, and explained the rezone property has always been more of a farm versus a residential area. He is not completely opposed to the rezone. He stated he knows Doug Clark, the applicant, and felt Mr. Clark would do a good job with the overall project. He felt it would make the area look nicer. Mr. Arave felt the impact of an additional four-plex would be low. He would like to see what Mr. Clark has to offer.

Having no additional comments from the public Chairman Hilton called for a motion to close the public hearing.

MOTION: Commissioner Gailey made a motion to close the public hearing. Commissioner Fleming seconded the motion and all voted in favor to close the public hearing.

b. Consideration to forward recommendations to the City Council regarding rezone for property located at approximately 535 W 5400 S in Riverdale City from Single-Family and Single-Family with Rental Unit Residential (R-2) zoning to Multiple-Family Residential (R-3) zoning.

Mr. Eggett summarized an executive summary which explained:

Doug Clark, the petitioner in this matter, is requesting a rezone of property located at approximately 535 West 5400 South from the current Single-Family and Single-Family with Rental Unit Residential (R-2) zone to a proposed Multiple-Family Residential (R-3) zoning to allow for potential future development opportunity for this property. This request is for approximately 0.34 acres of land that would be affected by the proposed rezone request (see the attached zoning map document for more information). As required by State Code and to allow for public commentary, a public hearing has been noticed and scheduled to receive and consider public comment on the proposed amendment to the zoning map.

Title 10 Ordinance Guidelines (Code Reference)

This rezone request is regulated under City Code 10-5 "Rezone Requests" and is affected by City Codes 10-10-9C "Single-Family and Single-Family with Rental Unit Residential Zone (R-2)" and 10-10-9D "Multiple-Family Residential Zone (R-3).

The petitioner's property is currently listed in the County Records under the ownership of DC Properties LLC. The property is currently being utilized as a vacant lot with a small residence to the south adjacent to an existing apartment complex property also owned by Doug Clark and zoned with an R-4 zoning (Multiple-Family Residential Zone).

Mr. Clark desires to consider the future development of this property for one four-plex building that would look like a "big house" in design concept and provide two entrances in the front and two entrances in the rear to each respective unit in the structure.

The General Plan designation for this property is established in the General Plan Land Use section as Residential – Low Density and the request is for a Residential – Medium Density request due to the nature of the Multiple-Family Residential (R-3) zoning proposal.

Public hearing notifications required by State and City Codes have been completed in conformance with the standards established by these Codes and as reflected in the attached documentation. The public hearing was also scheduled based on input from the Planning Commissioners who were in support of holding the public hearing for this request on February 28, 2017.

Staff would encourage the Planning Commission to review this matter, including concerns outlined herein, and then discuss with the petitioners any concerns that may arise in this matter. Staff would then recommend that the Planning Commission act accordingly to recommend, table, or not recommend the rezone to the City Council based upon sufficient findings of fact to support the Planning Commission recommendation.

General Plan Guidance (Section Reference)

Listed as Residential – Low Density, which is differing from the petitioner's request for Residential – Medium Density use as a Multiple-Family Residential (R-3) zoned property.

Doug Clark, the rezone applicant, referred to the design sample and floor plan sample and clarified there would only be one four-plex. The floor plan was to provide a general idea of the square footage for each unit. Mr. Clark has been a landlord for 15 years, and has always tried to be a good landlord. He discussed the properties he maintains and manages that already exist in that area.

Mr. Clark referred to the picture in the packet, that shows the existing state of the property, showing an excess of

weeds. Mr. Clark hopes this development clean up the property. Mr. Clark stated his intent to eliminate the multiple mailboxes that align the street and have one multiple box mailing unit. He felt the improvements would add value to the neighborhood. He discussed his expenses in developing this property, such as tearing down an older home currently on the lot, as well as relocating a telephone pole. Mr. Clark displayed a Google Earth view of the neighborhood and explained which houses in the neighborhood were single family and which were multiple families.

Commissioner Gailey asked how many tenants would be allowed to rent per unit. Mr. Clark explained the contract stipulates the number of tenants allowed in the home. He further explained the units will have two bedroom, so the usual demographic is a married couple with two children.

There was a discussion regarding street access and parking. The Planning Commission wanted to ensure there would be enough off-street parking not only for the residents who live in the four-plex, but any visitors visiting residents. Mr. Clark showed on the Google Earth view where the access points would be and discussed the off street parking.

Commissioner Boatright commented on the size of the four-plex and wondered if it would be larger than other buildings within the area. Mr. Clark explained the size is comparable in square footage for the existing complex rental units within the area.

Chairman Hilton discussed the hesitation regarding rezoning any property, but added he felt this rezone would be compatible, as there are existing apartments/complexes within the area. Commissioner Jones asked if there had been any problems with renters in the past. Mr. Clark explained in the past 15 years there had only been one mishap, which occurred approximately 8 years prior.

Commissioner Boatright expressed his hesitation in rezoning this property, because there is no way to ensure a future property owner/landlord would maintain the property as well as this applicant has.

MOTION: Commissioner Fleming made a motion to forward a favorable recommendation regarding rezone for property located at approximately 535 W 5400 S in Riverdale City from Single-Family and Single-Family with Rental Unit Residential (R-2) zoning to Multiple-Family Residential (R-3) zoning. Commissioner Wingfield seconded the motion.

There was no discussion regarding this motion.

ROLL CALL VOTE: Commissioner Fleming, Wingfield, Gailey, Boatright, Jones, and Chairman Hilton all voted unanimously in favor of the rezone request.

2. a. Public Hearing to receive and consider public comment regarding proposed amendments to the Riverdale City Code, Title 10, Chapter 14, Section 12, "Nonresidential and Residential Development Landscape Requirements.

Chairman Hilton opened the public hearing. Every member of the public left after the previous item, so having no member of the public present, Chairman Hilton called for a motion to close the public hearing.

MOTION: Commissioner Jones made a motion to close the public hearing. Commissioner Wingfield seconded the motion and all voted in favor of closing the public hearing.

b. Consideration to forward recommendations to the City Council regarding proposed amendments to the Riverdale City Code, Title 10, Chapter 14, Section 12, "Nonresidential and Residential Development Landscape Requirements.

Mr. Eggett summarized an executive summary which explained:

During the joint strategic session last Fall, the City Council directed city staff to prepare an update to the landscape ordinances that supports improved landscaping standards and design concepts in nonresidential areas of the City. As a result of this direction, city staff worked on an update to the landscape ordinances reflective of comments made during that meeting, which includes: updates to required amounts for xeriscaping and drought-tolerant plantings, updates to the requirements for all landscape improvements, and updated requirements for the maintenance and upkeep of landscaped areas within the nonresidential areas. Additionally, new proposed language has been added to the residential landscaping section of the ordinances to better hold new residential property owners accountable for installing landscaping in yard areas along the roadways and fronting the residence. In order to consider amending the City Code, Utah State Law requires that we hold a public hearing regarding proposed changes to the City Code. Therefore, a public hearing has been set for this meeting to consider these proposed changes, and advertised accordingly to the public per State Law.

Following the public hearing, the Planning Commission should discuss the proposed language amendments and then determine how to proceed. City Staff would recommend that the Planning Commission decide whether to recommend City Council approval of the proposed City Code changes, recommend City Council approval with suggested amendments

or changes to the proposed language, or not recommend City Council approval of the proposed changes with the appropriate findings of fact to support the decision.

Title 10 Ordinance Guidelines (Code Reference)
Residential and nonresidential landscaping standards are regulated under City Code 10-14-12 "Nonresidential and Residential Development Landscape Requirements". Subdivision review and approval is regulated under City Code 10-21 "Subdivisions". Site plan review and approval is regulated under City Code 10-25 "Development in All Zones".

Landscaping percentages established within the proposal are suggestions for discussion purposes and may be changed accordingly by the Planning Commission with a supportable reason for the proposed changes to these established percentages.

The attached documentation has been reviewed and changed multiple times by the City Attorney Steve Brooks and City Administrator Rodger Worthen in order to put together a proposal that matches guidance provided to City Staff by the City Council.

City Staff would recommend that the Planning Commission decide whether to recommend City Council approval of the proposed City Code changes, recommend City Council approval with suggested amendments or changes to the proposed language, or not recommend City Council approval of the proposed changes with the appropriate findings of fact to support the decision.

Mr. Eggett stated after the work session, as a means to reflect the comments of the Planning Commission and the change recommended by Commissioner Boatright, Mr. Eggett suggested the following change to the ordinance, "fifty (50) percent of the 20 percent landscape requirement shall be xeriscape." Mr. Eggett also would like an additional amendment to item B, "the planning commission shall require a combination of plant cover, xeriscape, and drought tolerance landscape features. Ten percent (10%)..."

Having no further discussion Chairman Hilton called for a motion.

MOTION: Commissioner Fleming made a motion to forward a favorable recommendation to the City Council for regarding proposed amendments to the Riverdale City Code, Title 10, Chapter 14, Section 12, "Nonresidential and Residential Development Landscape Requirements, to include the proposed amendments added by Mr. Eggett as listed above. Commissioner Wingfield seconded the motion.

There was no discussion regarding this motion.

ROLL CALL VOTE: Commissioner Boatright, Wingfield, Fleming, Gailey, Jones, and Chairman Hilton all voted unanimously in favor of the motion.

F. Discretionary Items

Chairman Hilton asked if there were any discretionary items and there were none.

G. Adjournment.

MOTION: There being no further business to discuss, Commissioner Fleming moved to adjourn the meeting. Commissioner Wingfield seconded the motion; all voted in favor.

The meeting adjourned at 7:10 PM.

Steve Hilton
Planning Commission Chair

Jackie Manning
City Recorder

Date Approved: **March 14, 2017**