

Minutes of the Regular Meeting of the Riverdale City Planning Commission held Tuesday, November 27, 2018, at 6:30 p.m., at the Civic Center, 4600 S Weber River Dr., Riverdale City, Weber County, Utah.

**Present:** Commissioners: Robert Wingfield, Chairman  
David Gailey, Commissioner  
Steve Hilton, Commissioner  
Blair Jones, Commissioner  
Kathy Eskelsen, Commissioner  
Amy Ann Spiers, Commissioner

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

Visitors: Tyler Knight Doug Spiers Brian Sauve  
Taylor Falk

**A. Welcome & Roll Call**

The Planning Commission Meeting began at 6:30 p.m. Chairman Wingfield welcomed everyone to the meeting and stated for the record that all members of the Planning Commission were present.

**B. Public Comment**

Chairman Wingfield asked for any public comments and there were not any.

**C. Presentations and Reports**

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

- There will be a new planning commissioner to be ratified at the upcoming city council meeting, Rikard Hermann.
- A new business called Cycle Gear will be replacing the recently closed Deseret Book.
- A new business called Eye Mart will be replacing the recently closed Blue Hills Dental.
- A new business called La-Z- Boy will be opening next to the business At Home.
- Quick Quack is still progressing forward.
- The joint land use study between Hill Air Force Base and all surrounding communities is moving forward.

**D. Consent Items**

**1. Consideration of meeting minutes from the Planning Commission Meeting held on November 13, 2018.**

Chairman Wingfield asked for changes or corrections to the Planning Commission meeting minutes for the November 13, 2018 Work Session and Regular Meeting. There were no changes requested.

**MOTION:** Commissioner Eskelsen moved to approve the meeting minutes as written. Commissioner Jones seconded the motion.

There was no discussion regarding this motion.

**CALL THE QUESTION:** Commissioner Wingfield, Gailey, Hilton, Jones, Eskelsen and Spiers all voted in favor of the motion.

**2. Consideration of setting a public hearing on December 11th, 2018 for consideration of a recommendation to City Council regarding an update to the General Plan housing policies section.**

There was no discussion regarding this item.

**MOTION:** Commissioner Eskelsen moved to approve the consent item as proposed. Commissioner Gailey seconded the motion.

There was no discussion regarding this motion.

**CALL THE QUESTION:** Commissioner Wingfield, Gailey, Hilton, Jones, Eskelsen and Spiers all voted in favor of the motion.

**E. Action Items**

**1. Consideration of a Conditional Use Permit for an Infill Lot Development at approximately 4286 South 1000 West, Riverdale, Utah as requested by Falk Construction and Brian Sauve.**

Mr. Eggett summarized an executive summary which explained:

Petitioner Falk Construction, on behalf of the new property owner Brian Sauve, has requested development of an infill lot (like a flag lot) in a Single-Family and Single-Family with Rental Unit Residential R-2 zone located at approximately 4286 South 1000 West (parcel id #06-004-0024). The property contains approximately 0.58 acres of land and has approximately 60 feet along 1000 West which could accommodate the driveway to access the entirety of the lot (see the attached proposal documentation for more information).

This property was previously owned by Jared and Brittany Olson and had received two infill lot development conditional use approvals by the Planning Commission for two alternative development plans. The new applicants are not pursuing these old plans and the new plan has been included for your review.

A public hearing is not required for this request and the Planning Commission, subject to Title 10, Chapter 12 "Infill Lots", are the land use authority for this request. Following discussion of the request, the Planning Commission may make act accordingly to approve the request as submitted, approve the request with the imposition of additional conditions and requirements to grant the request, or deny the infill lot development request with sufficient findings of fact to support the action.

Title 10 Ordinance Guidelines (Code Reference)

This rezone request is regulated under City Code 10-9C "Single-Family and Single-Family with Rental Unit Residential Zone (R-2)", 10-12 "Infill Lots", and 10-14 "Regulations Applicable to All Zones" in addition to Fire Codes noted in the attached Departmental Staff report document by the Fire Department.

The infill lot development is currently still showing as owned by Jared S Olson and wife Brittany, however the property is either planned to be owned or currently owned by the Sauve Family. Historically, this property has sat vacant off of 1000 West due to lack of appropriate frontage to meet zone requirements for a legal building lot. Therefore, this infill lot development request is before the Planning Commission for review and consideration.

The appropriate supporting documentation has been submitted and provided to the Planning Commission for your review (please see attached proposal documentation and reports for more). The infill lot development consideration does require that specific requirements and conditions may be imposed upon the property "development as outlined by the Planning Commission, Department of Community Development, Fire Department, Department of Public Works, City Attorney, and City Administration" (Riv City Code 10-12-3(A.)9.). Comments reflecting departmental concerns, requested conditions, and other comments are attached on the document entitled "Departmental Staff Reports". This property is listed as residential, low density use.

Brian Sauve, the applicant, stated the home is a two story building approximately 29.5 feet in height. Mr. Suave confirmed he was the new property owner and would be living in the home.

**MOTION:** Commissioner Spiers moved to approve the Conditional Use Permit for an Infill Lot Development at approximately 4286 South 1000 West, Riverdale, Utah as requested by Falk Construction and Brian Sauve. Commissioner Hilton seconded the motion.

There was no discussion regarding this motion.

**ROLL CALL VOTE:** Commissioners Jones, Hilton, Gailey, Spiers, Eskelsen and Wingfield all voted in favor.

**2. Consideration of recommendation to City Council for approval of the Garff-Lesley Small Subdivision request at approximately 671 West 4400 South, Riverdale, Utah as requested by Matt Garff.**

Mr. Eggett summarized an executive summary which explained:

Matt Garff, as represented by Brad Brown and/or Mr. Garff, has provided an application for a Residential Small Subdivision Site Plan review for a two-lot subdivision proposal located at approximately 671 West 4400 South within the Mobile Home Park-Recreational Vehicle Park (Rmh-1) Zone. The proposed subdivision comprises 5.25 acres of land within the proposal.

This site plan is being proposed for the two-lot subdivision and subsequent development of a large parking area on the easternmost lot (Lot 2) in this subdivision. A small portion of Lot 2 will include an off premises large advertising sign (billboard). The western lot (Lot 1) will continue to exist as a mobile home park. All properties affected by this proposal are currently owned by Garff Properties Riverdale, LLC.

A public hearing is not required to consider this Site Plan proposal. Following the presentation and discussion of the proposal, the Planning Commission may consider making a motion to recommend to the City Council final approval of the Garff-Lesley Small Subdivision site plan proposal, recommend approval of the proposed site plan with any requested modifications, table the matter to allow for further discussion and review, or not recommend final approval of the Garff-Lesley Small Subdivision site plan. If a recommendation for final approval is provided, then this matter could move forward to a future Final Small Subdivision and Site Plan approval consideration process with the City Council.

**Title 10 Ordinance Guidelines (Code Reference)**

This Small Subdivision Site Plan review is regulated under City Code 10-21 "Subdivisions", specifically 10-21-12 "Small Subdivisions; Special Provisions", and is affected by City Codes 10-9G "Mobile Home Park-Recreational Vehicle Park Zone (Rmh-1)", 10-14 "Regulations Applicable to All Zones", 10-15 "Parking, Loading Space; Vehicle Traffic and Access", and 10-16 "Sign Regulations".

The proposed development parcel is located on property on the western end of 4400 South, currently operated as the Leslie's Mobile Home Park on property currently owned by Garff Properties Riverdale, LLC. The property is located in a Rmh-1 zone and the requested use of an ancillary parking lot is a permitted use in this zone as noted in 10-9G-14 of the City Code.

Attached with this executive summary is a document entitled "Small Subdivision Site Plan Review – Garff-Lesley Small Subdivision"; this is a supplementary document addressing items on the Residential Subdivision Site Plan application document. Also attached, following this executive summary, are comments from the Public Works Director, the Fire Chief, the Police Chief, the Fire Inspector, and contracted City Engineer. The Planning Commission should discuss any concerns raised by these summaries.

Staff would encourage the Planning Commission to review this matter and then discuss with the petitioner concerns raised by staff and/or the Planning Commission. If a recommendation for final approval is provided, then this matter could move forward to a future Final Small Subdivision and Site Plan approval consideration process with the City Council.

**General Plan Guidance (Section Reference)**

The General Plan use for this area is currently set as "Residential – Medium Density" and this proposed project would be allowed with this land use as a result of the Rmh-1 language regarding hard-surfaced area establishment.

Mr. Eggett read each department staff report and noted the lengthy list of concerns as well as outstanding items, as noted within the packet materials.

Tyler Knight, representative for the applicant, stated most of the outstanding items have been addressed. Commissioner Gailey asked Mr. Knight if staff had reviewed the addressed items and Mr. Knight stated he had not submitted anything formal to staff as of yet. Mr. Knight stated he was confident all outstanding items had either been addressed or would be addressed shortly.

There was a brief discussion regarding the parking lot portion and it was noted the lot would be gated and not for public use. There was a general expression of concern among the planning commissioners regarding the numerous amount of outstanding items as noted and outlined by city staff department reports.

**MOTION:** Commissioner Spiers moved to table the action item, regarding the Garff-Lesley Small Subdivision request for property located approximately 671 West 4400 South, Riverdale, Utah as requested by Matt Garff, until the outstanding items have been addressed and reviewed by city staff.

There was a discussion regarding the time frame for this project with an emphasis on whether tabling would set the applicant behind schedule. It was noted the tabling would not hinder the applicant's ability to be on the earliest City Council agenda, the December 18, 2018 meeting, subject to the applicant addressing all outstanding items.

Commissioner Hilton seconded the motion.

**ROLL CALL VOTE:** Commissioners Hilton, Gailey, Spiers, Eskelsen, Wingfield and Jones all voted in favor.

**3. Consideration of amending Planning Commission Bylaws Title II., Chapter A.**

Mr. Eggett summarized an executive summary which explained:

Recently, City Staff has run into an issue relative to the passing of action items on the Planning Commission as a result of quorum membership and existing current bylaws as found in Title II. (A.) "Quorum" of the Commission's current bylaws. As a result there are difficulties at times passing action items when the quorum membership is set at four-five members present.

The issue namely derives from the existing language which states the following:

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“Quorum. Four (4) members shall constitute a quorum for the transaction of business and the taking of official action; any matter considered by the Planning Commission must be passed by four (4) votes in favor of the motion.”

This language creates scenarios wherein the membership has to either vote unanimously or be allowed to have one dissenting vote in order for an action item to still pass the Commission when the present quorum membership is only 4-5 members present.

The proposed alternative option and potential solution for this issue is to amend the bylaws with language that would allow a majority of the quorum present to approve an action item. Therefore in the event that the minimum number of members were present, which is four members, a motion of 3-1 would still allow an action item to be approved or proceed to the City Council for their review.

Therefore, the suggested bylaws change is reflective on the attached documentation. Clearly, this language could be modified before any motion was made to consider approving the updated language to the bylaws.

**Title 10 Ordinance Guidelines (Code Reference)**

The establishment of Planning Commission bylaws are regulated under City Code 2-3-6 “Rules of Procedure and Conduct”.

Following discussion in this matter, the Planning Commission should discuss the proposed bylaws language amendments and determine how to proceed. The Planning Commission may then decide whether to approve the proposed Planning Commission bylaws changes, approve with suggested amendments or changes to the proposed language, or not approve the proposed changes.

**MOTION:** Commissioner Hilton moved to approve the amendment to the Planning Commission Bylaws Title II, Chapter A, as proposed. Commissioner Jones seconded the motion.

There was no discussion regarding this motion.

**ROLL CALL VOTE:** Commissioner Gailey, Spiers, Eskelsen, Wingfield, Jones and Hilton all voted in favor of the motion.

**F. Discretionary Items**

Commissioner Spiers inquired about model home ordinances. Mr. Eggett explained Riverdale City does not have a model home ordinance, and once a project is approved through the city council model homes can be built with a building permit.

There was a brief discussion regarding the time frame for the road widening project of Ritter Drive. Mr. Eggett explained the public works department are currently acquiring bids with anticipated construction to begin next year.

**G. Adjournment**

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

The meeting adjourned at 7:06 p.m.

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Robert Wingfield  
Planning Commission Chair

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Jackie Manning  
City Recorder

Date Approved: **December 11, 2018**