



**RIVERDALE CITY PLANNING COMMISSION AGENDA
CIVIC CENTER - 4600 S. WEBER RIVER DR.
TUESDAY – JULY 9, 2013**

6:00 p.m. – Work Session (*City Council Conference Room*)

The purpose of the work session is to review maps, plans, paperwork, etc. No motions or decisions will be considered during this session, which is open to the public.

6:30 p.m. – Planning Commission Meeting (*Council Chambers*)

A. Welcome & Roll Call

B. Open Communications

(This is an opportunity to address the Planning Commission regarding your concerns or ideas. Please try to limit your comments to three minutes.)

C. Presentations and Reports

1. Community Development Projects Status Report
2. Planning Commission Training Discussion

D. Consent Items

1. Consideration of meeting minutes from:
June 25, 2013 Work Session
June 25, 2013 Planning Commission

E. Action Items

1. Review and consideration of a Conditional Use Permit for Basin Enterprises LLC to allow U-Haul Rentals behind the Sinclair Gas Station at 686 W. Riverdale Road in a C-3 Zone
Petitioner: Basin Enterprises LLC
2. Presentation by Segó Homes and Garbett Homes of new conceptual design layout of a multi-family townhome development located at 900 West and River Park Drive
Petitioners: Segó Homes and Garbett Homes

F. Discretionary Items

G. Adjournment

- The public is invited to attend all Planning Commission meetings.
- In compliance with the Americans with Disabilities Act, persons in need of special accommodation should contact the City Recorder at 394-5541 x 1232.
- This agenda has been properly posted and a copy provided to local news media.

**RIVERDALE CITY
PLANNING COMMISSION AGENDA
July 9, 2013**

AGENDA ITEM: B

SUBJECT: Open Communications

PETITIONER: Anyone Interested

ACTION REQUESTED BY PETITIONER: Open agenda item provided for any interested person to be able to speak about any topic.

INFORMATION: Per Governing Body desire, this item will be placed on the agenda as a permanent and regular item.

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**RIVERDALE CITY
PLANNING COMMISSION AGENDA
July 9, 2013**

AGENDA ITEM: C

SUBJECT: Community Development Projects Status Report

ACTION REQUESTED BY PETITIONER: Information only.

INFORMATION: Opportunity for the Community Development Director to present any updates or information on follow-up issues to the Planning Commission.

[Community Development Report](#)

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COMMUNITY DEVELOPMENT PROJECTS STATUS REPORT

June 26, 2013



Hokulia Shave Ice has opened a drive up location at 1135 W. Riverdale Road (Applebees parking lot).



Batteries + Bulbs has announced that it will open a location at 4093 S. Riverdale Road.



Spherion temporary staffing service will open in the Brook Haven building at 4933 South 1500 west.



In-N-Out Burger is nearing completion of the construction of their new restaurant located at 4040 S. Riverdale Road. They hope to open by the end of August.



Subway is in the process of opening a new location at 1078 W. Riverdale Road. They are currently remodeling the space.



EZ Pawn will open a store in the strip mall in front of Shopko at 4068 S. Riverdale Road.



Intermountain Healthcare is planning to open a billing office in the Brook Heaven office building at 4933 South 1500 west.



Gentiva home Health is planning to open an office in the Brook Heaven office building at 4933 South 1500 west.



**RIVERDALE CITY
PLANNING COMMISSION AGENDA
July 9, 2013**

AGENDA ITEM: D

SUBJECT: Consideration of meeting minutes from:
June 25, 2013 Work Session
June 25, 2013 Planning Commission

PETITIONER: City Recorder

ACTION REQUESTED BY PETITIONER: Approve minutes

INFORMATION: See attached minutes as follows:

[June 25, 2013 Work Session](#)

[June 25, 2013 Planning Commission](#)

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Minutes of the **Work Session** of the **Riverdale City Planning Commission** held Tuesday, **June 25, 2013** at 6:03 p.m. at the Riverdale Civic Center, 4600 South Weber River Drive.

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

Members Excused: Blair Jones, Vice-Chairman

Others Present: Michael Eggett, Community Development Director; Ember Herrick, City Recorder and no members of the public.

Chairman Ellis welcomed the Planning Commission members to the work session stating for the record that all were in attendance except for Commissioner Jones, who is excused. Community Development Director Michael Eggett said a company that offers temp job services will rent office space in the Brook Haven building filling the last vacancy in this building. He said the development is quickly eating up their allowed signage with marquees on the face of the buildings and Chairman Ellis asked about the plan to build three additional buildings and Mr. Eggett said there are no immediate construction plans at this time.

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

Chairman Ellis said the first item on the agenda is review and consideration of a Conditional Use Permit for an Electronic Cigarette Shop called Vapor-Mania proposed at 1071 W. Riverdale Road Ste. 72 in a C-3 Zone. Mr. Eggett said the petitioner Michelle Schmidt is interested in opening an electronic cigarette business in Riverdale and the location meets state guidelines requiring a distance of 1,000 feet from any park, school, or church and 600 feet from any residential area. According to Mr. Eggett, Riverdale City ordinance only allows one smoke shop in the city and the State of Utah classifies electronic cigarettes the same as traditional cigarettes. He said if the Planning Commission approves Vapor Mania's request for a Conditional Use Permit and they obtain a Riverdale business license they will be the only smoke shop allowed in the city. Chairman Ellis asked if the petitioner is planning to attend tonight's meeting and Mr. Eggett said the petitioner should be available to answer questions from members of the Planning Commission.

Commissioner Hilton asked if a traditional tobacco smoke shop could argue that they are different from an electronic cigarette business and should be allowed to secure a city business license and Mr. Eggett said state law classifies businesses that sell electronic cigarettes as smoke shops so the city would be justified in denying that request. Chairman Ellis said in the past traditional smoke shops have been cited by the police for selling other controlled substances like spice and he asked who will monitor this electronic cigarette business to ensure they are only selling the products allowed under their license. Mr. Eggett said the petitioner Ms. Schmidt said Vapor Mania will only sell electronic cigarettes and will not carry tobacco products and he said he clearly explained she will only be allowed to sell the items listed on her business license application and that the police will enforce city ordinance and state law. Commissioner Eskelsen said she likes the idea of the petitioner clearly stating in writing on their business license application what products they will sell. Commissioner Gailey asked what recourse the city will have if this business were to start selling products beyond what the Planning Commission has approved and he said the previous smoke shop was subject to periodic police inspections. Mr. Eggett said city staff could investigate any complaints that additional products beyond those listed on the license application are being sold and the police will investigate any accusations that spice or other prohibited substances are being sold. Chairman Ellis asked if Vapor Mania is part of a national chain and Mr. Eggett said the petitioner appears to be a local business owner who has successfully quit smoking tobacco using electronic cigarettes.

Commissioner Fleming asked if this will be a second location in Utah or if the business is leaving their current location because there have been issues and Mr. Eggett encouraged her to ask the petitioner that question during the public meeting. Commissioner Roubinet asked what accessories Vapor Mania will sell and Mr. Eggett suggested he ask the petitioner that question during the public meeting. Chairman Ellis said 1071 W. Riverdale Road is a busy location and he asked if traffic congestion could be a concern. There was a brief discussion about electronic cigarettes being subject to a higher tax in Utah.

Chairman Ellis said the second item on the agenda is consideration of amending a conditional use permit application for Hokulia Shave Ice at 1135 W. Riverdale Road in a C-3 Zone. He asked if the petitioners are planning to attend tonight's meeting and Mr. Eggett said at least one of the petitioners should be available to answer questions from members of the Planning Commission. Mr. Eggett said this is a request to amend the existing conditional use permit to allow for a section of the parking area to be cordoned off for patron seating. He said the location is not ideal with other businesses using the parking lot and no landscaped pad nearby to accommodate seating, so the proposal is to rope off the parking area around Hokulia and put up tables, chairs, lights and umbrellas, if possible. Mr. Eggett said DDR Representative Ted Anderson emailed the city indicating that the property owner is in support of the petitioner's request to create a seating area so that patrons aren't sitting on the curb. Mr. Eggett said Mr. Anderson said the parking stalls where seating is proposed are only filled on Black Friday and Hokulia's manager has made temporary arrangements with Honey Baked Ham to use their outdoor seating until a permanent solution can be found. Mr. Eggett said some cities like Orem and Bountiful have allowed Hokulia stands to put up seating but Midvale denied a request at their Fort Lane Shopping Center.

Commissioner Eskelsen said her concern is with the location as there isn't a lot of room for tables and chairs where the stand currently sits and she suggested it be moved to the other side of the parking lot near Target. Commissioner Fleming said Hokulia will only be in Riverdale for the summer and it will bring people to the shopping district so she supports the proposal to allow an area for seating. Commissioner Eskelsen said creating a seating area in a parking lot puts cars and children in close proximity to each other which creates a safety concern. Commissioner Gailey said he would rather see a roped off seating area than allowing patrons to loiter in the parking lot eating the product or taking food into the nearby businesses. Commissioner Fleming said the only seasonal business in Riverdale allowed to sell food is shaved ice stands and so she isn't concerned permitting this conditional use permit will trigger other requests for seating in other parking lots throughout the city.

Commissioner Hilton said if Riverdale's Hokulia location is as popular as the picture of Bountiful's stand included in the packet, he is not confident the current location can support crowds of 30 or more people. He said this area is a traffic thoroughfare and he said he has concerns about not only protecting the seating area from parking lot traffic but in creating a barrier to prevent children from running out into Riverdale Road. Commissioner Fleming said children are already at risk with no seating area or barrier currently in place and she asked why the Planning Commission did not express concerns about safety before approving a shaved ice stand in this location. Chairman Ellis said when the Planning Commission approved the initial conditional use permit no seating proposal was included so he was under the impression that patrons would buy their snow cones and then drive off to eat them elsewhere. He said the stand's current location is a high traffic area of DDR's parking lot and although he likes Hokulia's product and the concept of creating an oasis, he doesn't think a busy parking lot is a good location for long lines of patrons and a temporary seating area. Commissioner Hilton asked if Hokulia is willing to cordon off their seating area and Mr. Eggett said the proposal is to use a rope line barrier but the Planning Commission has discretion if they would like to see a different type of barrier. Mr. Eggett told the Planning Commission whatever they decide during tonight's public meeting will set precedence for Hokulia and other temporary business requests in future years.

There were no additional comments or questions and there being no further business, the Planning Commission adjourned at 6:30 p.m. to convene into their regular session.

Approved: July 9, 2013

Attest:

Brent Ellis, Chairman

Ember Herrick, City Recorder



Minutes of the **Regular Meeting** of the **Riverdale City Planning Commission** held Tuesday, **June 25, 2013 at 6:33 p.m.** at the Riverdale Civic Center, 4600 South Weber River Drive.

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

Member Excused: Blair Jones, Vice-Chairman

Others Present: Michael Eggett, Community Development Director; Ember Herrick, City Recorder and six members of the public including Greg Nichols, Brenton King, Bob Strong, Michelle R. Schmidt, Robert Collier and Jason Jones.

A. Welcome & Roll Call

Chairman Ellis welcomed everyone to the meeting and stated for the record all members of the Planning Commission are present except for Commissioner Jones who is excused.

B. Open Communications

Chairman Ellis invited any members of the public present who would like to speak during the open communications portion of the meeting to come forward and there were none.

C. Presentations and Reports

Community Development Projects Status Report

Community Development Director Michael Eggett said In-N-Out Burger is expected to open in August and he asked if there were any questions or comments about the Community Development Projects Status Report and there were none.

D. Consent Items

June 11, 2013 Work Session

June 11, 2013 Planning Commission

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

Motion: Commissioner Fleming moved to approve the consent items. Commissioner Eskelsen seconded the motion.

There was no discussion on the motion.

Call the Question: The motion passed unanimously.

E. Action Items

1. Consideration of amending a Conditional Use Permit between Hokulia Shave Ice and Riverdale City

Mr. Eggett said the Planning Commission approved a Conditional Use Permit for Hokulia Shave Ice on May 14, 2013 and now the petitioners Brenton King and Mark Scott are requesting an amendment to enhance the experience for patrons by creating a seating area. According to Mr. Eggett the concerns include safety as the stand and proposed seating area are located in a parking lot and possible negative impact on the image of the shopping center. He said a representative from the property owner DDR sent a letter stating they approve Hokulia's request.

Mr. King introduced himself as the franchise owner and said Hokulia's product is large and patrons in Riverdale are currently standing in the parking lot or sitting on the curb to eat their shaved ice. He said this request to amend the conditional use permit will allow him to create a seating area by roping off several stalls of the parking lot, which will help minimize safety hazards to customers. According to Mr. King, Hokulia is currently using the outdoor seating at Honey Baked Ham through a verbal agreement but would like to have their own dedicated area for patrons. Greg Nichols also with Hokulia said his company has built state of the art shaved ice stands that meet all health code standards and now is requesting that Riverdale City allow them to enhance the area where they are located. Mr. Nichols said they would like permission to use several parking stalls to set up tables, chairs, umbrellas and string some lights to create an island oasis and increase safety. He requested the Planning Commission favorably recommend approval of this request to the City Council. Riverdale resident and Director for Hokulia Franchise Development Bob Strong said this product is unique in the shaved ice business and has ten locations across the state in Utah, Salt Lake, Davis and Weber Counties with seating areas that are well maintained and safe.

Commissioner Eskelsen said she would like to see the parking lot area cordoned off with barriers to discourage children from running out into traffic and she asked about garbage disposal. Mr. King said the Riverdale Hokulia staff frequently cleans the parking lot pavement removing garbage and putting ice on spills and he said the location at the Gateway Mall in Salt Lake City in near the Olympic fountain area on decorative bricks and keeping the area clean hasn't been a concern and no complaints have been received to date.

Commissioner Hilton said when the Planning Commission initially approved Hokulia's conditional use permit he was under the impression this was a traditional shaved ice stand where people would buy the product then walk off or leave in their cars to eat it instead of loitering in the parking lot. He said the picture of the Bountiful Hokulia included in the packet shows a large crowd and seating area and he said he has concerns with the current location as there isn't room to expand to accommodate crowds and the stand is only 15 feet away from Riverdale Road traffic. Commissioner Hilton asked if Hokulia would be willing to consider another location and he said there appears to be room to expand and better accommodate crowds on the West side of the parking lot which is still on DDR property and in a lower traffic area. Mr. Nichols said it would be difficult to move the business at this time as the current location was the only area in the parking lot near the required electrical outlets.

Commissioner Fleming said patrons are currently in danger from traffic by sitting on the curb to eat the product and she said in her opinion allowing Hokulia to create a barrier roping off an area for seating will increase safety. She said she hasn't noticed large crowds congesting the area and

as this is just a temporary business that will only be at this location for four months she would not be in favor of requiring Hokulia to relocate. Commissioner Fleming asked where the Bountiful Hokulia is located and Mr. Nichols said it is in a high traffic area but there have not been any problems with safety because the city allowed Hokulia to rope off an area to set up tables. Commissioner Fleming said establishing a seating area where children can sit and eat will reduce safety concerns and Mr. Strong suggested a bamboo or picket fence be used as a barrier to prevent children from wandering into traffic and to create a nice area for families to enjoy their shaved ice. Chairman Ellis asked if a fence could create a visual impediment for turning traffic and he said there are strict regulations on fencing in Riverdale City Hokulia would need to comply with. Mr. Nichols said instead of a fence, a barrier with flower planter boxes and ropes strung between them could be used and Mr. King said they could also use chains and poles like those used in the lines for the amusement park rides at Lagoon.

Chairman Ellis said these are all interesting ideas, but the petitioners need to pick one and present the Planning Commission with one concept to consider approving. Commissioner Fleming said the information included in the packet from the petitioners did describe a proposal to rope off an area of the parking lot for seating. She said the issue of patrons sitting on the curb or loitering in the parking lot to eat their snow cones needs to be addressed as quickly as possible and she recommended the Planning Commission approve a seating area be created and leave the details to the discretion of the petitioners. Chairman Ellis said if Hokulia plans to continue using Honey Baked Ham's seating area they will need to get an agreement in writing and Mr. King said if Riverdale City will allow them to create their own seating area they will no longer need to use Honey Baked Ham's seating. Chairman Ellis said he was under the impression using Honey Baked Ham's seating area was a part of the petitioner's proposal and Mr. Eggett said it is only a temporary solution to Hokulia's seating problem. Chairman Ellis said he still has concerns about this location because of the traffic hazard created by vehicles that cut through the parking lot to reach Applebee's Restaurant and he said it is the job of the Planning Commission to make sure requests are ready before forwarding them to the City Council for their consideration. He said the petitioner needs to be clear about what they are proposing and he recommended the Planning Commission table this request. Commissioner Gailey said if people see a roped off area it should act as a traffic calming measure and could also discourage vehicles from cutting through the parking lot at this location.

Commissioner Roubinet asked what the Planning Commission's next step should be and Mr. Eggett said they can approve the request with conditions, deny it or table it. Commissioner Hilton said he is concerned a rope won't contain children from wandering out into traffic and he said the only way he is comfortable approving this request tonight is if the motion clearly states that approval is conditional on the petitioner addressing the Planning Commission's concerns before this petition is advanced to the City Council for their consideration. Commissioner Roubinet said his only concern with tabling the request is that no safety measures will be put in place for several weeks until the Planning Commission can review an amended request at their next meeting on July 11, 2013. Commissioner Eskelsen said she is not comfortable approving this request until she is confident the petitioner will install an effective safety barrier between patrons and traffic. Mr. King said if this is tabled until the next meeting the current situation will continue with no barriers in place to prevent kids from running out into the street.

Chairman Ellis asked what barriers have been used at the other nine Hokulia locations in the state and how effective they have been and Mr. King said in Provo a nylon barrier is being used

and patrons line up on the sidewalk and Mr. Strong said at one location plastic tape is being used and Mr. Nichols said he would like a barrier that enhances the look of Hokulia. Mr. King said currently at the Riverdale location two small signs have been set out instructing vehicles to slow down because there are children in the area and patrons are using seating at Honey Baked Ham or sitting on the curb. Mr. Nichols said creating a seating area cordoned off from the parking lot with a rope, chain or fence barrier or any other type of material the Planning Commission wants to stipulate would be preferable to the current setup. There were no additional comments or questions.

Motion: Commissioner Roubinet moved to forward to the Council with a favorable recommendation the petitioner's request to amend their Conditional Use Permit with Riverdale City to allow a seating area at the Hokulia Shave Ice stand at 1135 W. Riverdale Road in a C-3 Zone with the condition that an aesthetically pleasing barrier be created around the seating area. Commissioner Fleming seconded the motion.

There was no discussion on the motion.

Call the Question: Commissioner Ellis, nay; Commissioner Hilton, aye; Commissioner Gailey, aye; Commissioner Roubinet, aye; Commissioner Eskelsen, nay; and Commissioner Fleming, aye. The motion passed with four in favor and two opposed.

Chairman Ellis asked the petitioners to work with Mr. Eggett to have a clear plan in place before taking their request to the City Council for consideration and Commissioner Gailey recommended the petitioners have a good drawing of their site plan before petitioning the Council.

2. Review and consideration of a Conditional Use Permit for an Electronic Cigarette Shop Vapor-Mania proposed at 1071 W. Riverdale Road Ste. 72 in a C-3 Zone.

Mr. Eggett said Vapor Mania owner's request for an electronic cigarette shop meets all state distance requirements for a smoke shop because the proposed location is more than 1,000 feet from a park, school, library or church and more than 600 feet from a residential area. He said the petitioner has completed a business license and affirmed that tobacco products will not be sold at this location. Vapor Mania Jason Jones said his business will not carry anything with tobacco or that is combustible. He said some of the electronic cigarette liquids sold contain nicotine and others are flavored. Mr. Jones said his current location in Sunset has reached capacity and he is looking to expand and he referred the Planning Commission to his website which shows photos of his Sunset store. He said no one under 19 years of age is allowed in the store and he has worked with the Davis County Health Department and Sunset Police to comply with all state and city standards and plans to do the same with Riverdale and Weber County.

Commissioner Hilton said he did review Mr. Jones' website in preparation for tonight's meeting and he said the Planning Commission is considering this application with the understanding that tobacco products and other controlled substances will not be sold at the Riverdale store.

Commissioner Roubinet asked if Mr. Jones' Sunset location has received any citations and Mr. Jones said they have not and were informed by the Sunset police recently that they conducted a

sting to see if the employees at his store would sell to a minor and service was refused in compliance with state law. Commissioner Gailey said if the Planning Commission approves a conditional use permit and the city issues this business license to Vapor Mania they will be subject to periodic inspections by Riverdale police and the Weber County Health Inspector and Mr. Jones said he understands that and has no concerns. Chairman Ellis asked if Vapor Mania will sell any other chemicals or synthetic products that could negatively impact the health of consumers and Mr. Jones said the liquids he sells for the electronic cigarettes contain propylene glycol, vegetable glycerin, food grade flavorings and nicotine.

Chairman Ellis said this store will be located in a high traffic area and he asked how many customers are expected on an average day. Mr. Jones said in Sunset they average 200 customers a day but most are in and out quickly with an average of five or six an hour. He said he does not anticipate that traffic or parking will present a problem at this proposed Riverdale location. Chairman Ellis asked if a traffic study should be performed and Mr. Eggett said when this shopping district was built parking was designed to work for any type of retail use and he does not feel a traffic study is necessary at this time. Mr. Eggett said traffic congestion could be addressed in the future if an issue were to arise. Commissioner Gailey asked if the City Council will also review this conditional use permit and Mr. Eggett said they will not for this type of request as the Planning Commission is empowered through ordinance to make the final determination.

Motion: Commissioner Gailey moved to approve a request for a Conditional Use Permit for an electronic cigarette shop 'Vapor-Mania' at 1071 W. Riverdale Road Ste. 72 in a C-3 Zone. Commissioner Hilton seconded the motion.

Chairman Ellis asked for discussion on the motion and Commissioner Fleming asked if it would be appropriate to add a friendly amendment to Commissioner Gailey's motion prohibiting Vapor Mania from selling tobacco products of any kind. Commissioner Hilton said legally tobacco sales could be allowed at this location so if the petitioner wanted to amend their business license at a later date to sell tobacco the Planning Commission could not prohibit their request. Mr. Eggett said he agrees there is no legal basis for this type of restriction. Chairman Ellis said the owners of Vapor Mania couldn't just start selling tobacco products; they would need to amend their license and appeal to the Planning Commission for a new conditional use permit first. Commissioner Fleming withdrew her friendly amendment. There was no additional discussion on the motion.

Call the Question: The motion passed unanimously.

F. Discretionary Items

Chairman Ellis thanked Community Development Director Randy Daily for his work with the Planning Commission as he is scheduled to retire at the end of June after 35 years with Riverdale City. Chairman Ellis wished Mr. Daily well with his retirement and said he appreciates all Mr. Daily contributed during his tenure with the city and will be missed. Commissioner Gailey reminded members of the Planning Commission that they are invited to a retirement luncheon in Mr. Daily's honor to be held at the Civic Center on Wednesday June 25, 2013 at Noon. There were no additional discretionary items.

Motion: There being no further business to come before the Planning Commission, Commissioner Roubinet moved to adjourn the meeting. Commissioner Eskelsen seconded the motion. The motion passed unanimously. The meeting adjourned at 7:25 p.m.

Approved: July 9, 2013

Attest:

Brent Ellis, Chairman

Ember Herrick, City Recorder

**RIVERDALE CITY
PLANNING COMMISSION AGENDA
July 9, 2013**

AGENDA ITEM: E1

SUBJECT: Review and consideration of a Conditional Use Permit for Basin Enterprises LLC to allow U-Haul Rentals behind the Sinclair Gas Station at 686 W. Riverdale Road in a C-3 Zone

PETITIONER: Basin Enterprises LLC

ACTION REQUESTED BY PETITIONER: Review and consideration of a Conditional Use Permit for Basin Enterprises LLC to allow U-Haul Rentals behind the Sinclair Gas Station at 686 W. Riverdale Road in a C-3 Zone

INFORMATION: [Executive Summary](#)

[Conditional Use Permit Application and Receipt](#)

[Map](#)

[Site Pictures](#)

[BACK TO AGENDA](#)



Planning Commission
Executive Summary

For the Commission meeting on: 7-9-2013

Petitioner: Steve Heil/Bruce Stephens,
operator/owner

Summary of Proposed Action

Conditional Use request for Basin Enterprises LLC to vend U-Haul Rentals as an amended use on their property located at 686 West Riverdale Road in a C-3 zone.

Title 10 Ordinance Guidelines (Code Reference)

Conditional uses are regulated as outlined in City Code 10-19 "Conditional Uses".

10-19-1: PURPOSE AND INTENT:

The purpose and intent of conditional uses is to allow in certain areas compatible integration of uses which are related to the permitted uses of the zone, but which may be suitable and desirable only in certain locations in that zone due to conditions and circumstances peculiar to that location and/or upon certain conditions which make the uses suitable and/or only if such uses are designed, laid out and constructed on the proposed site in a particular manner. (1985 Code § 19-7-1)

10-19-2: CONDITIONAL USE PERMIT:

A conditional use permit shall be required for all uses listed as conditional uses in the zone regulations. A conditional use permit may be revoked by the city council after review and recommendation by the planning commission upon failure to comply with the conditions imposed with the original approval of the permit. (1985 Code § 19-7-2)

10-19-3: REVIEW PROCEDURE:

- A. Application: Application for a conditional use permit shall be made to the community development department.
- B. Plans: Detailed location, site and building plans shall accompany the completed application forms provided by the city. For structures in existence, only a location plan need be provided.
 - 1. New construction: Detailed location, site and building plans shall accompany the completed application.
 - 2. Existing structures: A detailed location plan shall accompany the completed application.
- C. Approval Authority: Consideration will be made by the community development staff. All other applications will be forwarded to the planning commission. The application, together with all pertinent information, shall be considered by the planning commission at its next regularly scheduled meeting.
 - 1. New construction: Planning commission.
 - 2. Existing structures: Community development department staff. (Ord. 665, 8-19-2008)

D. Public Hearing: The planning commission may call a specific public hearing on any application after adequate notice if it is deemed in the public interest. The planning commission shall take action on the application by the second meeting of the planning commission after the application filing date. A record of the hearing, together with a recommendation for denial or issuance of the conditional use permit with conditions of approval or reasons for denial, shall be forwarded to the city council. (1985 Code § 19-7-3)

10-19-4: DETERMINATION:

In authorizing any conditional use, the planning commission shall impose such requirements and conditions necessary for the protection of adjacent properties and the public welfare. (Ord. 665, 8-19-2008)

10-19-5: BASIS FOR REVIEW OF CONDITIONAL USE PERMIT:

The planning commission shall review a conditional use permit with evidence presented to establish that:

- A. A conditional use shall be approved if reasonable conditions are proposed or can be imposed to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.
- B. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied.
- C. The proposed use of the particular location is necessary or desirable to provide a service or facility which will contribute to the general well being of the community; and
- D. Such use will not, under the circumstances of the particular case and the conditions imposed, be detrimental to the health, safety and general welfare of persons nor injurious to property or improvements in the community, but will be compatible with and complementary to the existing surrounding uses, buildings and structures when considering traffic generation, parking, building design and location, landscaping and signs; and
- E. The proposed use conforms to the goals, policies and conditions specified in this chapter for such use; and
- F. That the proposed use conforms to the goals, policies and governing principles and land use of the master plan for the city; and
- G. The proposed use will not lead to the deterioration of the environment, or ecology of the general area, nor will it produce conditions or emit pollutants of such a type or of such a quantity so as to detrimentally affect, to any appreciable degree, public or private property, including the operation of existing uses thereon, in the immediate vicinity or the community or area as a whole. (Ord. 665, 8-19-2008)

This use is regulated under 10-10A-4 "Commercial Zones (C-1, C-2, C-3) - Uses" as outlined below.

10-10A-4: USES:

In the following list of possible uses, those designated in any zone as "P" will be a permitted use. Uses designated as "C" will be allowed only when authorized by a conditional use permit obtained as provided in [chapter 19](#) of this title. Uses designated "N" will not be allowed in that zone.

	C-1	C-2	C-3
Automobile including:			

Convenience store, with car wash, no gas	N	C	P
Gas island and convenience store, with car wash	N	C	P
Rental, U-haul type	N	C	C

There does not appear to be any issues or concerns associated with this additional use at this location in relation to 10-19 of the City Code when applied to the application being considered herein.

Maps have been provided with this summary for Planning Commission use and review and the applicant will be present to answer any questions associated with this request for U-Haul rental use at this location.

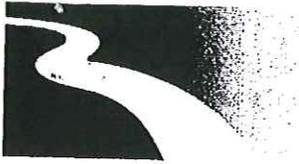
General Plan Guidance (Section Reference)

Legal Comments - City Attorney

Steve Brooks, Attorney

Administrative Comments - City Administrator

Larry Hansen, City Administrator



Riverdale City

Community Development
4600 So. Weber River Drive
Riverdale, Utah 84405

CONDITIONAL USE PERMIT APPLICATION

DATE 7-1-13
ADDRESS OF SITE 686 West Riverdale Road
APPLICANT'S NAME Basin Enterprises LLC
ADDRESS P.O. box 17333 Holladay UT 84117
PHONE NUMBER (801) 712-9440

NOTE: Plans: Detailed location, site and building plans shall accompany the completed application forms provided by the city. For structures in existence, only a location plan need be provided.

SITE PLAN RECEIVED BUILDING PLANS RECEIVED

Present Zoning of the Property: C-3 Present Use of the Property: 5 for work fuel
Acreage of the Property: 0.61 Width of Property on the Street: see site plan
Proposed Conditional Use of Property: U-HAUL RENTALS

SIGNED: [Signature] DATE: 6/27/13

I authorize STEVE HEIL to act as my representative in all matters relating to this application.

[Signature]
OWNER 801-725-8832 AGENT AS AUTHORIZED BY OWNER
BRUCE STEPHENS, ANCHOR PROPERTIES, LLC.

PLANNING COMMISSION SCHEDULED TO HEAR THIS APPLICATION FOR CONDITIONAL USE ON:

DATE: 7/9/13 DECISION OF COMMISSION: _____
SIGNATURE OF CHAIRPERSON: _____ DATE: _____

PLANNING COMMISSION PUBLIC HEARING:

DATE: _____ DECISION OF COMMISSION: _____
SIGNATURE OF CHAIRPERSON: _____ DATE: _____

Fee \$50.00 Date Paid: 7-1-13 Receipt No. 15461134

RIVERDALE CITY CORPORATION
4600 SOUTH WEBER RIVER DRIVE
RIVERDALE UT 84405

394-5541

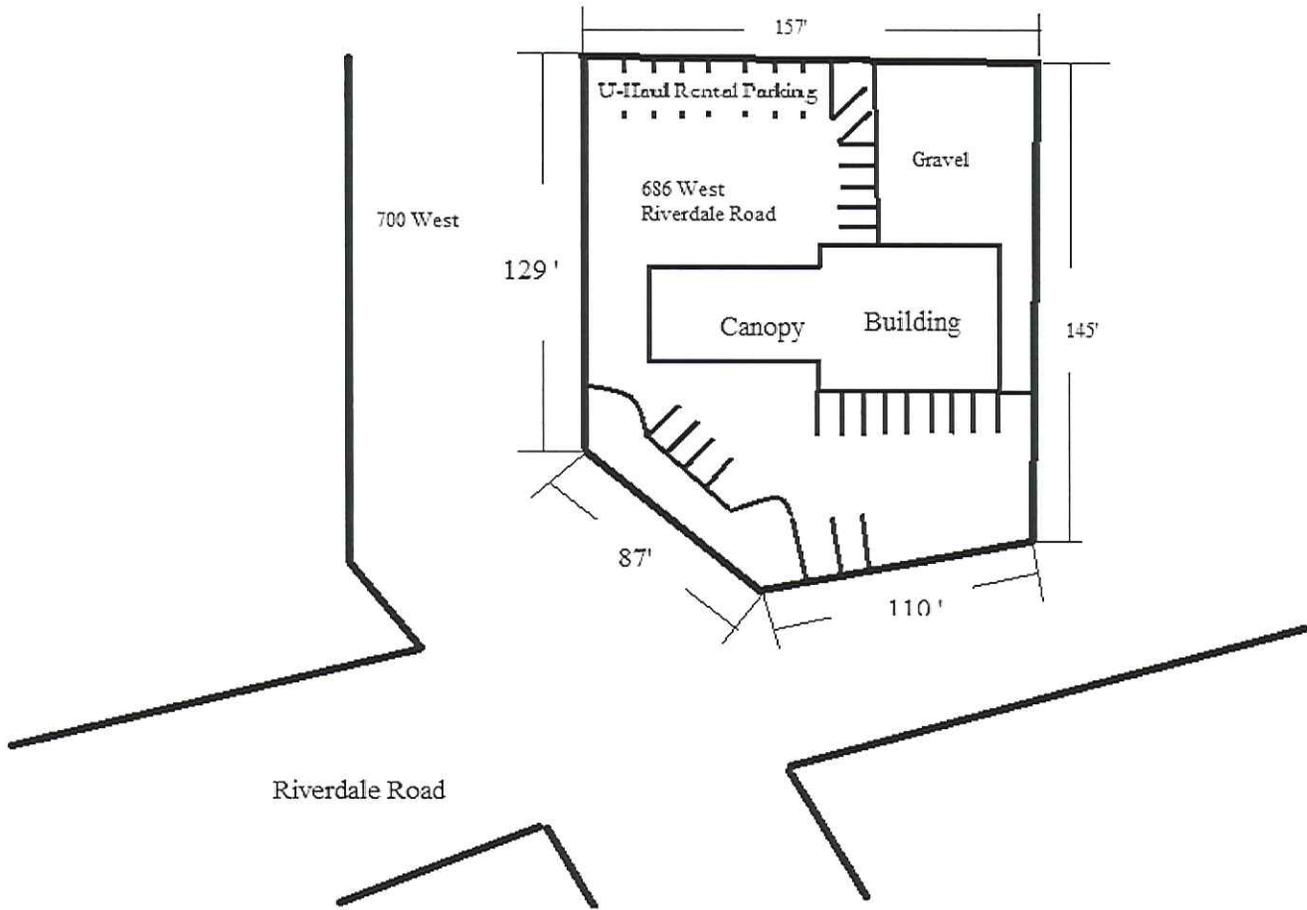
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Jul 1, 2013

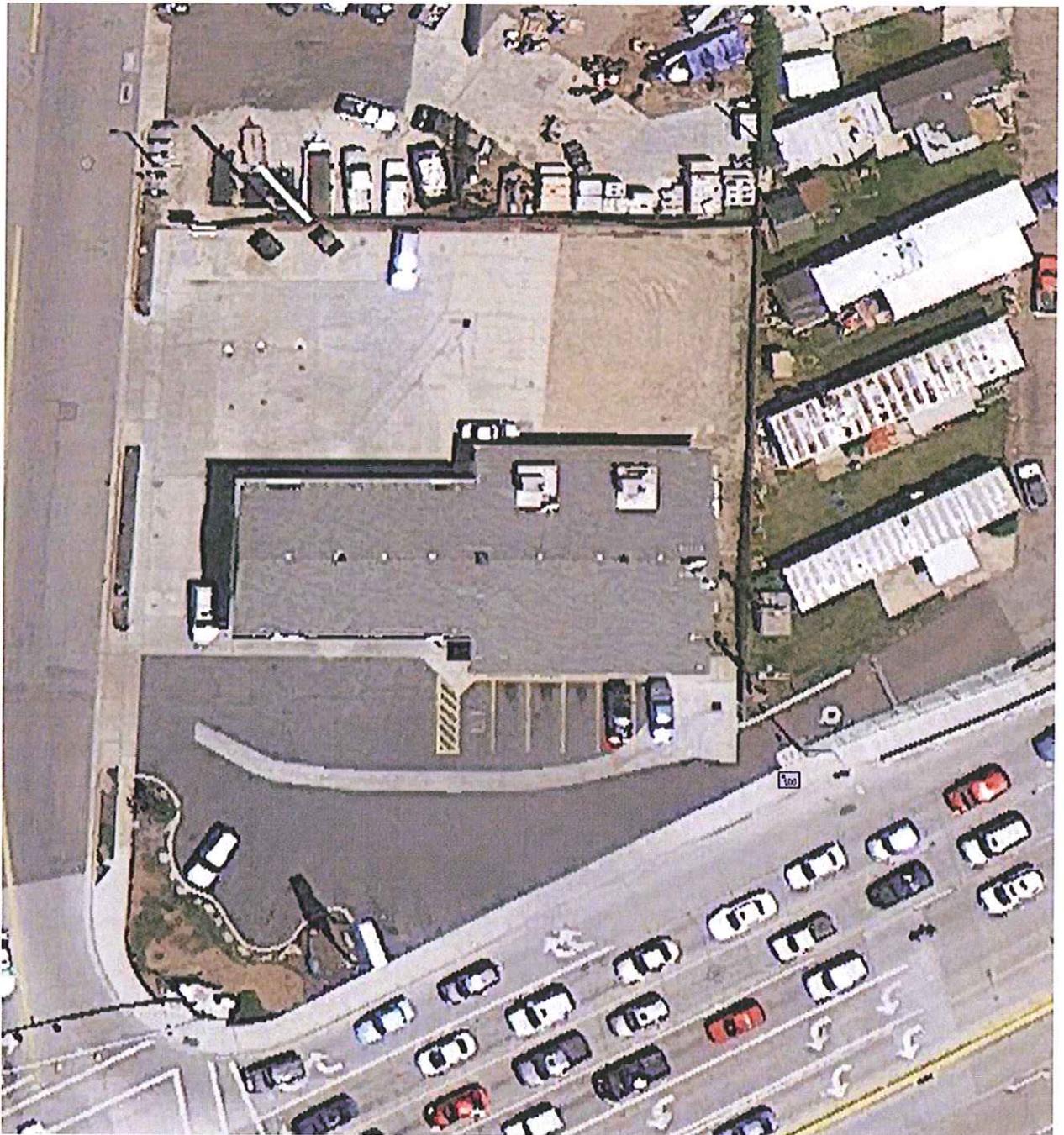
STEVE HEIL

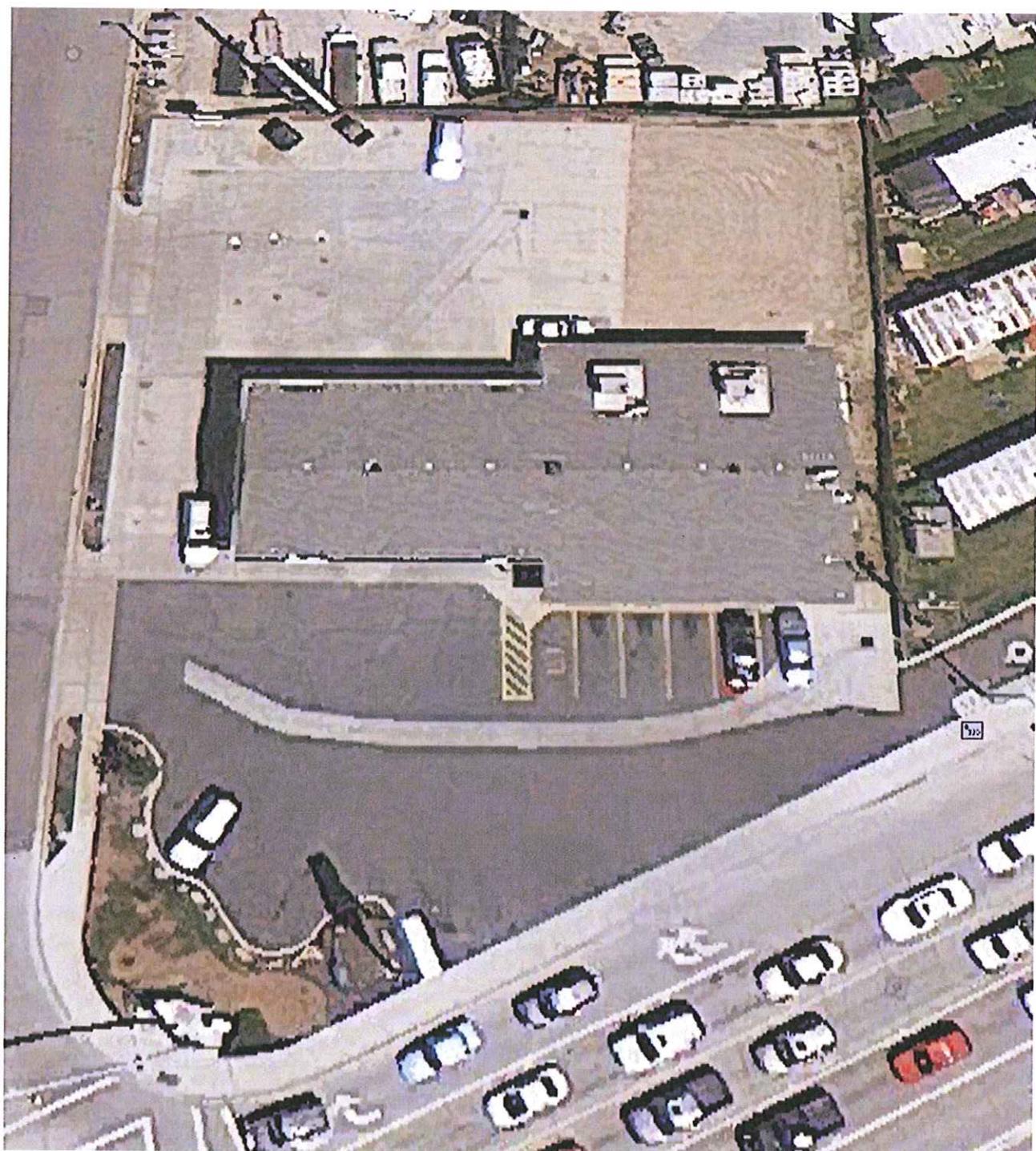
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MISCELLANEOUS - CONDITIONAL USE PERMIT		50.00
10-36-9000 SUNDRY REVENUE		
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Total:		50.00
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CHECK	Check No: 8619	50.00
Total Applied:		50.00
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Change Tendered:		.00
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07/01/2013 10:58AM



U-Haul Sinclair Conditional Use Permit Request Site Pictures





**RIVERDALE CITY
PLANNING COMMISSION AGENDA
July 9, 2013**

AGENDA ITEM: E2

SUBJECT: Presentation by Sego Homes and Garbett Homes of new conceptual design layout of a multi-family townhome development located at 900 West and River Park Drive

PETITIONER: Sego Homes and Garbett Homes

ACTION REQUESTED BY PETITIONER: Presentation by Sego Homes and Garbett Homes of new conceptual design layout of a multi-family townhome development located at 900 West and River Park Drive

INFORMATION: [Executive Summary](#)

[RCC 10-13H-8](#)

[Sego Homes and Garbett Homes Conceptual Site Plan](#)

[Comments Riverdale Public Works Director](#)

[Comments Riverdale Fire Chief](#)

[Site Pictures](#)

[BACK TO AGENDA](#)



Planning Commission Executive Summary

For the Commission meeting on: 7-9-2013

Petitioner: Wayne Corbridge, Sego Homes and Rich Welch, Garbett Homes

Summary of Proposed Action

This is an applicant's Conceptual Site Plan presentation, review, and discussion for a proposed multi-family townhome/duplex development located at approximately 900 West and River Park Drive. Applicant would also be applying for a rezone to Multi-Family Residential Overlay Zone (MFROZ) at this location as part of the development review and approval process.

Title 10 Ordinance Guidelines (Code Reference)

MFROZ developments are regulated as in City Code 10-13H "Special Use Districts - Multiple-Family Residential Overlay Zone (MFROZ)".

The applicants submitted their proposed development request, along with related drawings, for conceptual site plan review and discussion purposes with the Planning Commission (please see attached documents).

In preparation for this meeting, the conceptual site plan proposal was provided to the Public Works Director and Fire Chief for their review and commentary. These comments have been included for your use and review and staff encourages the Planning Commission to discuss this material with the applicants.

Community Development staff also has concerns associated with the application of the MFROZ to this conceptual design, namely as follows:

- There are concerns associated with the integration of the two styles of development. Garbett homes are seeking a twin-home style development, while Sego homes are pursuing three and four-plex style homes. At this point we do not have enough information to determine how connected these two concepts are but do have concern about continuity of theme, style, and design between the two developers in this proposed project.
- Staff currently does not know what the building elevations for both developments conceptually will look like and how they may be applied to the proposed development plan for this subdivision.
- There are concerns regarding the parking areas for visitors to the residential development, specifically the lack of parking areas being made available to visitors in the Garbett homes section of the development. With the right-of-way width being reduced, on-street parking will create more conflicts to through traffic in this area of the development. Additionally, any visitor desiring to have access to the trail system and river access will have nowhere to park in the Garbett homes section most adjacent to the trail system proposed to be installed in that location.
- There are concerns associated with the development agreement and CC&R's that will be developed for this design. Staff is concerns about whether or not there will be one or two development agreements and likewise one or two CC&R's for the two residential areas in this development. Staff would highly prefer that there only be one development agreement and one CC&R's document for application to the entirety of the development so as to avoid any future confusion that may arise within this development plan.

- There are currently concerns associated with floodplain designations along the Weber River area of this development. FEMA has designated some areas within this area as hazard areas and the City in conjunction with DDR efforts has filed an appeal of these FEMA flood area designations. This appeal was filed in April of this year and no official action has yet taken place by FEMA to make changes to the current designation. This matter would need to be resolved with FEMA prior to development of land affect by these flood area designations.

The applicants have provided a conceptual site plan drawing with this executive summary for your use and review. A hard copy of the plan drawing will also be provided for Planning Commissioners the night of the meeting (or beforehand if arrangements are made to get a drawing). Staff would encourage the Planning Commission to review this matter, including concerns discussed above, and then discuss with the petitioners concerns raised by Community Development, Public Works, and Fire Department staff in addition to any items of discussion and concern raised by the Planning Commission. Should the Planning Commission accept the proposed concept plan or some variation of the concept plan on behalf of the City, it will be important for the Planning Commission to communicate this to the petitioners so that they may then proceed to work on and prepare documents for a proposed preliminary plan on this site (see City Code 10-13H-8 "Review and Action Process" for more information).

General Plan Guidance (Section Reference)

Legal Comments - City Attorney

Steve Brooks, Attorney

Administrative Comments - City Administrator

Larry Hansen, City Administrator

ARTICLE H. MULTIPLE-FAMILY RESIDENTIAL OVERLAY ZONE (MFROZ)

10-13H-8: REVIEW AND ACTION PROCESS:

Following the review, discussion and acceptance of the conceptual plan for the development of a new MFROZ the petitioner shall prepare a preliminary site plan. Following the approval of the preliminary site plan with planning commission conditions and possible amendments the petitioner and city will create the development agreement followed by the planning commission setting a public hearing allowing for comments regarding the final site plan, development agreement and the assignment of the MFROZ to the property. The planning commission shall then make a recommendation to the city council regarding the amendment to the zoning map to the proposed MFROZ, the final site plan and the development agreement. The council shall then accept or reject the amendment to the zoning map and accept, modify or reject the final site plan and development agreement. (Ord. 797, 1-17-2012)



1028 East 140 North | Lindon | Utah | 84042
T: 801.850.2040 | F: 801.785.4774
segohomes.com

July 2, 2013

Mr. Michael Eggett
Community Development Director
4600 South Weber River Drive
Riverdale City, UT 84405

RE: CONCEPTUAL SITE PLAN REVIEW

Dear Mr. Eggett:

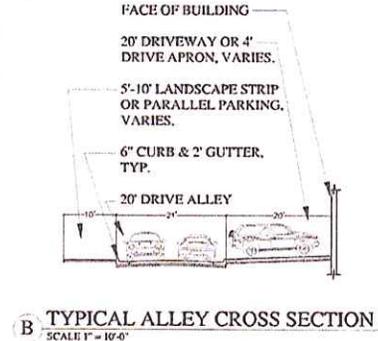
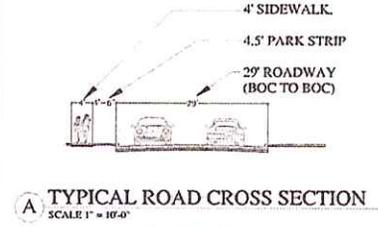
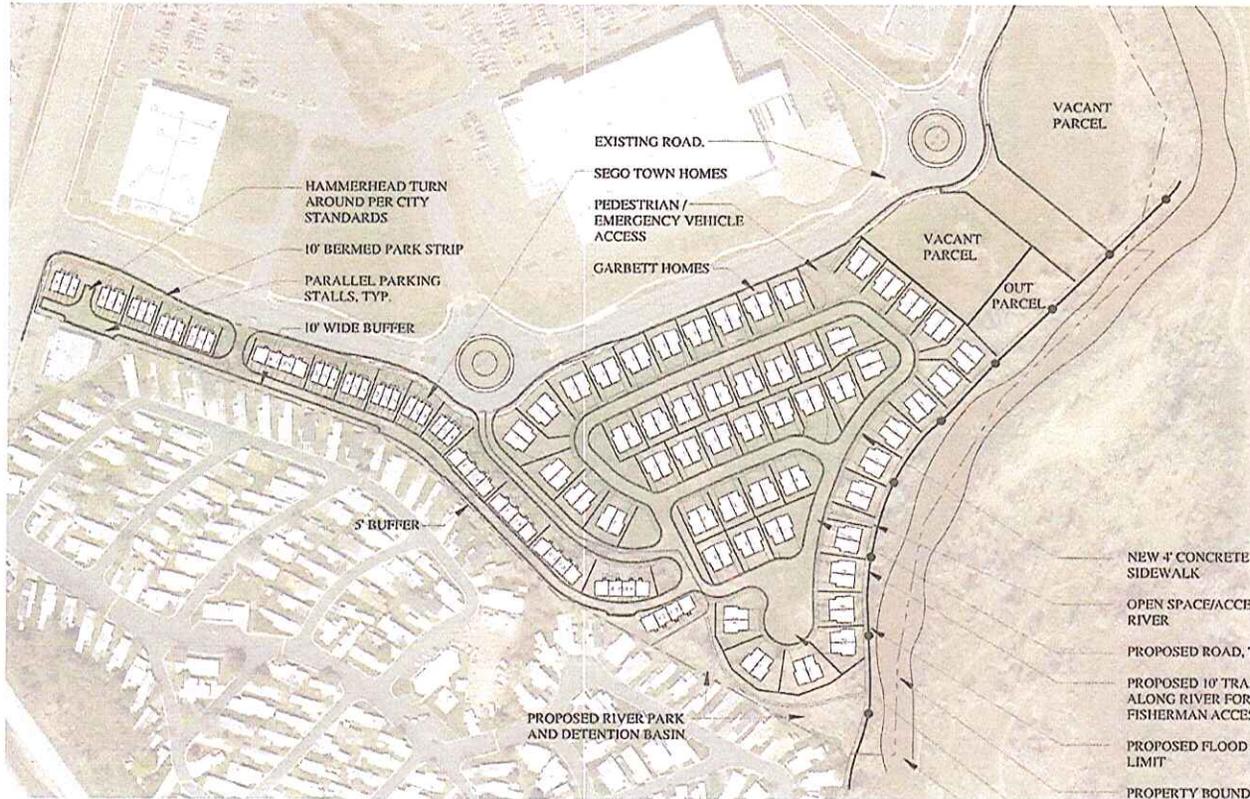
Enclosed are ten copies of the Conceptual Site Plan for the Sego Homes and Garbett Homes multi-family development. As discussed, we request that we be placed on the agenda for the Planning Commission Meeting for July 9, 2013.

Thank you for your service.

Sincerely,

A handwritten signature in blue ink, appearing to read "Wayne H. Corbridge".

Wayne H. Corbridge
Owner/CEO Sego Homes

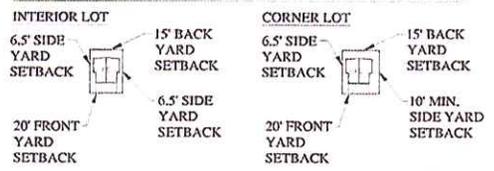


- NEW 4" CONCRETE SIDEWALK
- OPEN SPACE/ACCESS TO RIVER
- PROPOSED ROAD, TYP.
- PROPOSED 10' TRAIL ALONG RIVER FOR FISHERMAN ACCESS
- PROPOSED FLOOD PLAIN LIMIT
- PROPERTY BOUNDARY, TYP.
- 96" Ø CUL DE SAC
- WEBER RIVER.

LAND USE SUMMARY

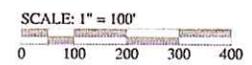
	SEGO HOMES	GARBETT HOMES
TOTAL ACREAGE	3.86 ACRES	13.06 ACRES
TOTAL UNITS	54 UNITS	106 UNITS
GROSS DENSITY	13.98 UNITS/ACRE	8.11 UNITS/ACRE
AVERAGE LOT SIZE	--	-- S.F.
TOTAL ACREAGE		16.92 ACRES

LOT SETBACKS



SINGLE FAMILY MIX

PE	54 UNITS
PF	52 UNITS
TOTAL	106 UNITS



PRELIMINARY PLAN
NOT FOR CONSTRUCTION

PROJECT ENGINEERING CONSULTANTS
860 West 1000 South
West Jordan, Utah 84088
Tel: (801) 492-4242
Fax: (801) 492-4244
www.pengco.com

SEGO HOMES - RIVERDALE TOWNHOMES
RIVERDALE, UTAH
June 2013

Sheet Number

Comments from Shawn Douglas, Public Works Director

-----Original Message-----

From: Shawn Douglas
Sent: Wednesday, July 03, 2013 9:11 AM
To: Mike Eggett
Cc: Larry Hansen
Subject: RE: Sego Homes

Mike, another concern would be they will need to look at the where they are putting the road into the round-about. That would need to be designed as a round-about entrance, not an intersection style entrance like they have shown. If they go private on this, they are showing a 20' setback, this would leave cars that are parked in the driveway blocking the sidewalk. Are they not required to show dimensions and utilities on preliminaries? Hopefully this will be my last email. Thanks

Shawn Douglas
Riverdale City Public Works
801-394-5541 Ext. 1217
Riverdale City
4600 S. Weber River Drive
Riverdale, UT 84405

-----Original Message-----

From: Shawn Douglas
Sent: Wednesday, July 03, 2013 8:32 AM
To: Mike Eggett
Cc: Larry Hansen
Subject: RE: Sego Homes

Mike, I think if we allow them to do what they want we are going to be taking a big step back, and open up all of the past complaints from pruds. The residents after they move in complain that they pay taxes and the city doesn't do anything for them. The other complaints are that not everyone has sidewalk, the snow covers the sidewalk, roads, sanitary sewers, and storm drains are not maintained. If they are going to be private utilities and roads I would still recommend that they are put in to city standards based on the size of the development. I think the loss of trail from 1150 W to the Weber River is a concern. Their trail along the River may make up for it if done properly and public access is provided. We have been trying for increased walk ability in the city, we should have sidewalk on both sides of the streets. They would also need to put in sidewalk from 1150 W to the end of their development along Riverpark Drive.
sd

Shawn Douglas
Riverdale City Public Works
801-394-5541 Ext. 1217
Riverdale City

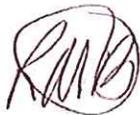
Tuesday, July 02, 2013

Fire Department Review of proposed SEGO/GARBETT Townhomes.

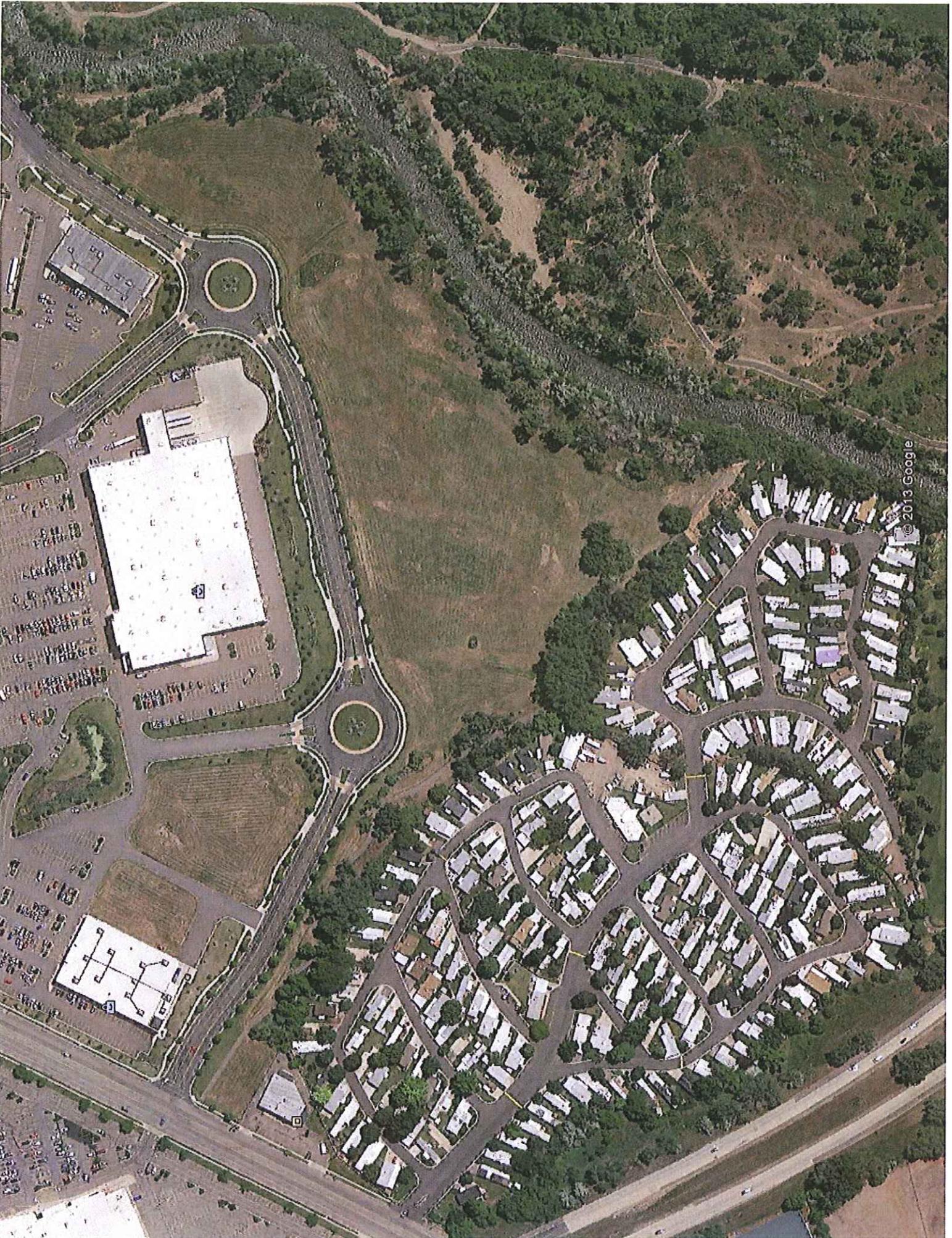
1. Fire Department access.
 - a. Sego Town homes provide only 1 useable access point for fire equipment. (1)
 - b. Parallel parking stalls at hammer head could pose a congestion point for apparatus.
 - c. needing to turn around.
 - d. Garbett Homes provides only 1 useable access point for fire apparatus.(2)
 - e. Garbett Homes tight turns at (A and B) as noted on sight plan.
 - f. Garbett Homes, Pedestrian, emergency vehicle access must be designed and maintained to carry the imposed loads of fire apparatus. What type of surface is planned? (C)
2. Water supply.
 - a. Proposed hydrant locations?
 - b. Proposed main sizing?
3. Building Construction
 - a. Size of proposed buildings?
 - b. Construction materials?
 - c. 1 or 2 story?

The concept appears to be ok, with the noted exceptions.

Roger Bodily, Fire Chief



Riverdale City Fire Department



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**RIVERDALE CITY
PLANNING COMMISSION AGENDA
July 9, 2013**

AGENDA ITEM: F1

SUBJECT: Discretionary Items

PETITIONER: Elected, Appointed, and Staff

ACTION REQUESTED BY PETITIONER: Open agenda item provided for comments or discussion on discretionary items.

[BACK TO AGENDA](#)