



**RIVERTON CITY
PLANNING COMMISSION AGENDA
THURSDAY, NOVEMBER 13, 2014**



NOTICE IS HEREBY GIVEN THAT THE RIVERTON CITY PLANNING COMMISSION WILL HOLD A PUBLIC MEETING AT **6:30 PM, THURSDAY, NOVEMBER 13, 2014** AT THE **RIVERTON CITY MUNICIPAL BUILDING, 12830 SOUTH 1700 WEST**, RIVERTON UTAH. ANY QUESTIONS, CALL 801-208-3141 OR 801-208-3130.



REASONABLE ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES AND/OR THE NEED FOR TRANSLATION SERVICES WILL BE PROVIDED UPON REQUEST. FOR ASSISTANCE, PLEASE CALL 801-208-3100.



1. PUBLIC HEARING

- A. REVIEW OF PREVIOUSLY APPROVED CONDITIONAL USE PERMIT, 14-2008, MAXIMUM MACHINE, 13055 SOUTH BLAZE COURT, RR-22 ZONE, PROPOSED HOME BASED BUSINESS, TIM BROHL, APPLICANT**
- B. ORDINANCE ADOPTION, ADOPTION OF RM-14 ORDINANCE, ALLOWING MULTI-FAMILY RESIDENTIAL DEVELOPMENT AT A MAXIMUM DENSITY OF 14 UNITS PER ACRE, PROPOSED BY RIVERTON CITY .**
- C. GENERAL PLAN AMENDMENT / REZONE, AMENDMENT TO GENERAL PLAN AND REZONE OF APPROX. 25 ACRES LOCATED AT 4245 WEST 12600 SOUTH FROM PLANNED COMMERCIAL CENTER TO HIGH DENSITY RESIDENTIAL DESIGNATION AND RM-14 ZONE, ALLOWING MULTIFAMILY DEVELOPMENT AT A MAXIMUM DENSITY OF 14 UNITS PER ACRE, LEISURE VILLAS, LLC, APPLICANT**
- D. REZONE, 14-4009, PROPOSED REZONE OF 8.65 ACRES LOCATED AT 12600 SOUTH PARK AVENUE FROM COMMERCIAL DOWNTOWN TO RM-14-D, ALLOWING MULTIFAMILY DEVELOPMENT AT A MAXIMUM DENSITY OF 14 UNITS PER ACRE.**
- E. CONDITIONAL USE PERMIT, HOME ON A PRIVATE LANE, PROPERTY LOCATED AT 12852 SOUTH 1830 WEST, CECILE PAGE, APPLICANT**

2. ADJOURNMENT

ITEM 1.A
CUP REVIEW

**RIVERTON CITY
MEMORANDUM**

TO: Planning Commission

FROM: Planning Department

DATE: November 13, 2014

SUBJECT: REVIEW OF CONDITIONAL USE PERMIT-HOME OCCUPATION, MAXIMUM MACHINE, 13055 SOUTH BLAZE COURT, RR-22 ZONE, PROPOSED HOME BASED BUSINESS, TIM BROHL, APPLICANT

PL NO.: 14-2008 – MAXIMUM MACHINE HOME OCCUPATION

Proposed Motion:

I move the Planning Commission amend the approved Conditional use Permit for a Home Occupation for Maximum Machine, located at 13055 South Blaze Court, as follows:

1. Condition #2 shall be amended to read “and the business shall not operate with the garage doors open other than as necessary for access or material delivery”.
2. Condition #4 shall be amended to include the following: “Materials delivered to the property shall be moved directly into the building.”

On June 26, 2014, the Planning Commission approved a Conditional Use Permit for a Home Occupation located at 13055 South Blaze Court. The permit was approved with the following conditions:

1. The business and machines shall comply with the recommendations of the Building and Fire Departments, including the following;
 - A. Provide fire extinguishers in the building, utilize good housekeeping practices, maintain clear aisles in the storage areas and to exit doors.
 - B. Install lighted exit signs / emergency lighting above all exit doors.
 - C. Maintain MSDS sheets for all raw material used in processes on site.
 - D. The storage of the palletized raw materials cannot exceed 500sqft of floor area and cannot exceed 5' in height. Exceeding these limitation will require the installation of a fire sprinkler system in the building.
2. The building shall be properly ventilated and inspected by the Riverton City Building Department, and the business shall not operate before 10 am or after 5 pm with the garage doors open.
3. No more than one (1) non-resident employee may perform work associated with this business on the property.
4. All work and storage associated with this business shall be conducted within the accessory building.
5. No tractor trailer deliveries or pickups associated with this business shall be allowed.

6. The site, structures, and use shall remain in compliance with any and all applicable Riverton City standards and ordinances, including the International Building and Fire Codes.

Below is the information from the original staff report presented to the Planning Commission:

“Riverton City ordinance for home based businesses states the following:

Prohibited Uses:

(10) Use of specified chemicals, pesticides and flammable/combustible materials, and including any other process or business where current, adopted building and fire codes would require an operational permit.

Tim Brohl has made application for a Conditional Use for Home Occupation for property located at 13055 South Blaze Court in Riverton City. The property is zoned RR-22, a single family residential designation requiring a minimum lot size of ½ acre. The surrounding properties are all similarly zoned. The lot is compliant with the requirements of that zone.

The application is for the operation of a plastic injection molding business to be operated from an existing accessory building on the property. The applicant has indicated in the application and in conversation with staff that the business will be conducted entirely within the accessory building, with no outside storage of materials or goods, and that deliveries and pickups will be by standard sized trucks only. The business involves raw materials....generally plastic beads (polyethylene, polypropylene, vinyl, abs, etc) that are dumped from a hopper into the injection machine. The beads are heated up in a heating tube (450-600 degrees) and then the liquid plastic is injected into a mold. The applicant will be present at the hearing to answer additional questions regarding the use and potential impacts.

The type of use is more industrial in nature than may be typical for a home based business. However, from the applicant’s description, there will be usually be little if any visible evidence that a business is being conducted on the site. The application indicates that noise levels will be in the range of a typical air compressor. With no outside storage or work being done in association with the business, it appears that with appropriate conditions the business can be conducted without significant impact to the surrounding properties. Staff has included suggested conditions above. The Planning Commission may include additional conditions as deemed appropriate following the public hearing.”

In addition to the information presented above, the Home Occupation ordinance includes the following:

18.190.080 Conditional use permit required.

The following uses are appropriate as licensable home occupations only if they are determined to be compatible with residential neighborhoods after full conditional use review by the planning commission:

(2) Workshops. Repair shops, including welding, carpentry, sheet metal work, furniture manufacturing, upholstery and other similar manufacturing activities.

The question of the appropriateness of this business to the neighborhood was discussed during the original hearing, and the conditions of approval were deemed sufficient to insure that

impacts to the neighborhood would be minimized. However, there have been from the time the business began operating, issues brought to the attention of the City regarding compliance by this applicant with the conditions of approval. There were deliveries made by tractor trailer which obstructed traffic briefly within the cul-de-sac, although those appear to have been limited to the initial delivery of equipment to the site. The primary issues with the business have been with Conditions #2 and #4. Condition 4 states that "All work and storage associated with this business shall be conducted with the accessory building." There have been materials related to the operation of the business stored in the driveway and elsewhere outside of the building, which is in violation of that condition. The owner has indicated that such storage is typically not longer than a few hours when materials are shifted outside to free up work space in the building, but the condition is clear that *all work and storage* be conducted within the building. In addition, there have been issues raised regarding hours of operation with the doors open and with noise levels from the business when the building doors are open. It does appear both from complaints submitted to the City and through observation by staff that the business has operated at times with the doors open outside of the times allowed by Condition #2 above.

Riverton City ordinance does allow for the revocation of a conditional use permit if there is 'substantial violations' of the conditions imposed. In general, the issues raised are with the visibility and noise levels from the operation of the business, mainly due to the lack of full compliance with several of the conditions of approval. This is returned to Commission for review to determine what if any corrective measures are required. The original presentation by the owner was that there would be little if any visual or audible evidence that the business was being conducted on site. The impacts to the neighborhood from the operation of the business have been through actions in that are not compliant with the conditions of approval. Staff is recommending that, to address the issues raised since the business began operations, that Condition #2 be amended to specify that the business shall not operate with the doors open, other than as necessary for access or material delivery. Currently, that condition allows the doors to remain open between 10 am and 5 pm. In addition, staff recommends that the Commission reiterate that Condition #4 requiring that all work and storage be conducted within the building applies to any and all storage, regardless of how long the material will be stored. The applicant has indicated that materials delivered to the site will be done through a small truck, and those materials should be moved into the building directly on delivery. Staff will continue to monitor compliance with the conditions as amended. While there continues to be concern from the neighborhood about the nature of this business, with the existing conditions and the amendments as recommended, the operation of the business should be of minimal impact to the surrounding properties.

ATTACHMENTS:

The following items are attached for your review:

1. A copy of the original Conditional Use Permit application materials
2. Minutes from the Planning Commission meetings on this item.
3. Images of the property with the business in operation.



PL No. _____
 Date 14-2008

Application

Conditional Use - Home Occupation

A. Applicant's Name 13055 S Blazett R1 Tim Brouh
 Home Address 13055 S Blazett Ct
 City Riverton State Utah Zip 84065
 Telephone # 801-253-3931 Mobile # 801-828-0490

B. Project Information

- Name of proposed business Maximum Machine
- Description of proposed business Machine Shop Plastic injection molding
- Slidwell/Tax ID # _____ Total acreage of site .5
- Current zoning of proposed site Residential
 Zoning of adjacent parcels: North _____ South _____ East _____ West _____

C. Please Answer the Following Questions Related to Your Proposed Business

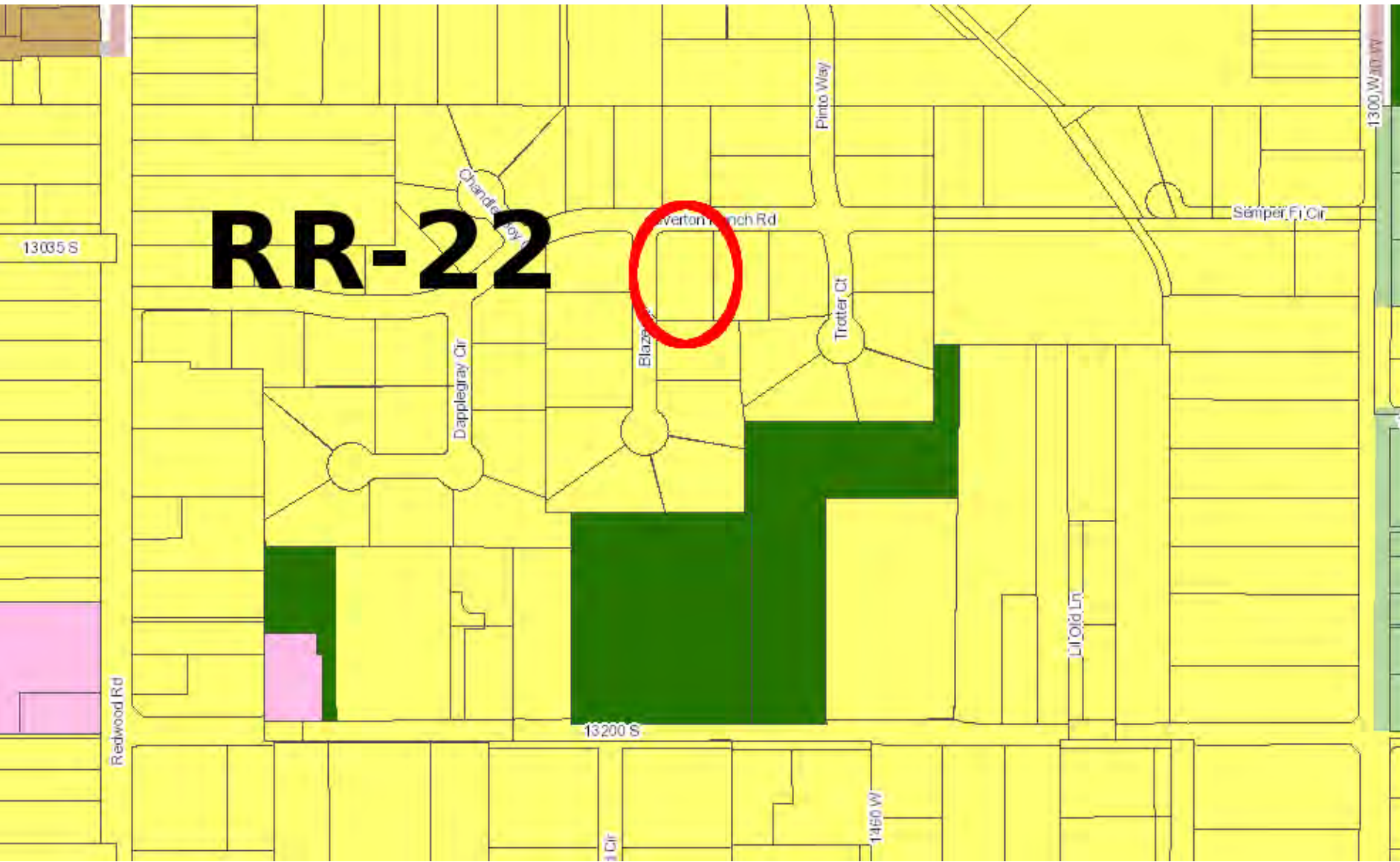
- Are there other Home Occupations on a site? Yes No
- How many employees will work at your home? 2
- Will there be any noise, vibrations or toxins in connection with this business? Yes No
 If yes, please describe Air Compressor
- Where will most of the business be conducted? Big Garage
- Will there be a need for on-site storage? Yes No Type of storage _____
 Where will it be located? _____
- How many visitors per day do you expect to have in connection with this business? rarely
 Is the number of visitors all at once or at different times during the day? (If at different times during the day, please explain) _____
- How many cars will come and go per day in relation to your business? N/A
 Where will they park? _____
- How many deliveries per week do you expect to have in connection with this business? 2
- Will your business include producing food products, ammunition, explosives, caustic materials or storing animals (This relates only to products actually made on site)? Yes No
 If yes, please explain _____
- Will you have any vehicles that pertain to your business on site? Yes No
 If yes, where will they be stored? _____

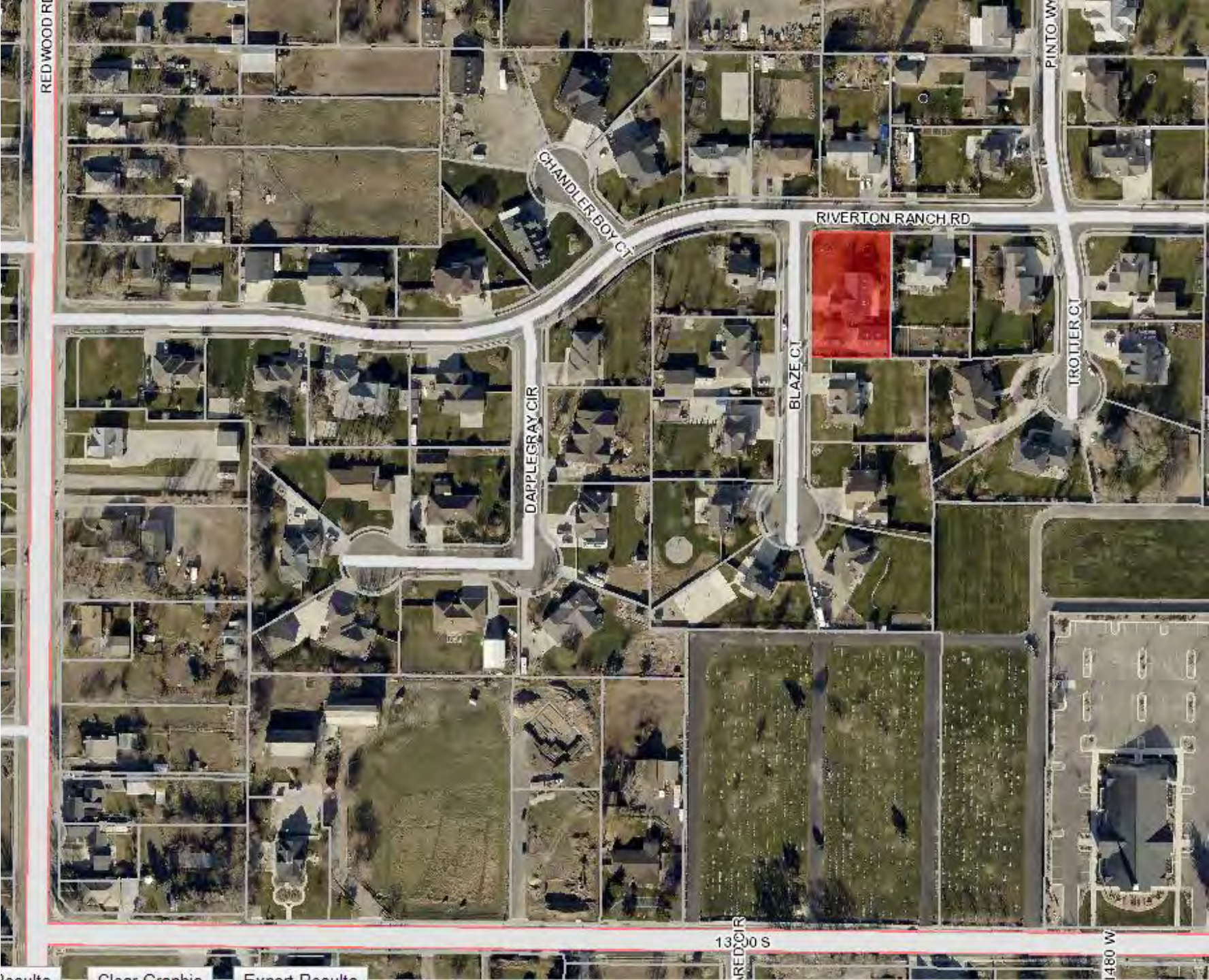
[Signature]
 Applicant's Signature

5/5/2014
 Date

You will receive a letter following the Planning Commission meeting providing status of your application

RR-22





REDWOOD RD

PINTO WAY

CHANDLER BOY CT

RIVERTON RANCH RD

DAPPLE GRAY CIR

BLAZE CT

TROTTER CT

1300 S

1480 W



RIVERTON RANCH RD

402-036

BLAZE CT



S 1530 W



S 1530 W







MINUTES FROM PREVIOUS DECISION

Approved June 12, 2014

**RIVERTON CITY PLANNING COMMISSION
MEETING MINUTES**

May 22, 2014

The Riverton City Planning Commission convened at 6:30 p.m. in the Riverton City Municipal Building, 12830 South 1700 West, Riverton, Utah.

Planning Commission Members:	Staff:
Kent Hartley	Jason Lethbridge, Planning Manager
Brian Russell	Casey Taylor, Deputy City Attorney
James Endrizzi	
Dennis Hansen	
Scott Kochevar	

Commissioners Cade Bryant and James Webb were excused from the meeting.

Chair Brian Russell called the meeting to order. Commissioner Kent Hartley led the Pledge of Allegiance.

I. PUBLIC HEARING

A. CONDITIONAL USE PERMIT/HOME OCCUPATION, PL-14-2008, MAXIMUM MACHINE, 13055 SOUTH BLAZE COURT, RR-22 ZONE, PROPOSED HOME BUSINESS, TIM BROHL, APPLICANT.

Mr. Lethbridge presented the staff report and displayed an aerial map showing the location of the home. The proposed business is for the operation of plastic injection molding equipment. He identified an accessory building on the property, which is where the business will operate from.

Mr. Lethbridge explained that staff has several concerns with the type of business, the equipment, and how the operation of the business will impact the surrounding areas. He described the home occupation application process and mentioned the types of uses prohibited as home occupations. In general, activities that may be classified as light industrial are not listed as prohibited uses. Activities such as machine shops, welding, and metal fabrications have been allowed in the past. Prohibited uses would include small engine repair, auto repair, junk yards, auto wrecking, etc. However, the prohibitive list does not specifically stipulate plastic injection molding. Mr. Lethbridge explained that other prohibited uses include specified chemicals, pesticides, and flammable, combustible materials. Additionally, any other process or business where current adopted building and fire codes would require an operational permit are prohibited.

As staff reviewed the home occupation application, they were not able to confirm whether or not the business would fall under the prohibitive stipulations as listed above. Mr. Lethbridge reported that in speaking with the Building and Fire Departments, they concluded that additional time is needed to determine if the business would fall under the prohibitive category. If it does not fall under this category, additional time will be needed to determine

1 appropriate conditions to recommend to the Commission for safe operation. Staff
2 recommended that the item be tabled until the next Planning Commission Meeting.

3
4 Tim Brohl, the applicant, expressed interest in relocating his business to the proposed
5 location. He explained that his business manufactures small plastic parts using moderately
6 large pieces of equipment. He also has machine shop tools, none of which are noisier than a
7 typical air compressor. Mr. Brohl was willing to hear from his neighbors and address their
8 concerns. He stated that he will also be submitting a list of materials used in the operation of
9 his business to the Riverton City Fire Department. Mr. Brohl described the technical
10 procedures used each day.

11
12 Mr. Lethbridge noted that a resident contacted him with concerns about fumes and
13 chemicals, which they wanted to be made part of the public record.

14
15 Chair Russell asked when the Fire and Building Department review was anticipated to be
16 complete. Mr. Lethbridge replied that it will likely be available by the next Planning
17 Commission Meeting.

18
19 Chair Russell opened the public hearing.

20
21 Lance Sukati stated that he moved to the community only a few weeks earlier. He moved
22 from a loud area and enjoys the peace and quiet of his new neighborhood. Mr. Sukati works
23 for a large business that has a machine shop similar to Mr. Brohl's shop, and it is very loud.
24 He thanked Mr. Brohl for providing as much detail as possible in his application and stated
25 that the chemicals and fumes dissipate and don't concern him. He stressed that he is
26 particularly worried about the noise and traffic that will result from the machine shop and the
27 location of the business.

28
29 Mark Webb indicated that he is also a small business owner. He explained that being able to
30 own a small business and support himself and his family is an inalienable right of any citizen.
31 He felt that the noise produced from Mr. Brohl's machine shop will be minimal and can be
32 contained. He didn't feel the operation would be offensive to the surrounding neighbors, and
33 requested that the Commission consider approval.

34
35 Cathy Draper stated that most of her concerns were addressed. She was still concerned,
36 however, about the chemicals and toxins that will be used. She explained that as long as the
37 traffic doesn't become a problem, she had no objections to the home occupation.

38
39 Mr. Brohl stated that his mold making business is very meticulous and small scale. The
40 machines make a humming noise and are not a nuisance. He explained that customers do
41 not come to his home, as this is not a necessary part of the operation of his business. He
42 stressed that he will not bring semi-trucks into the neighborhood either. He does have plastic
43 delivered to him at a commercial site, where he offloads it with a forklift to transport it to his
44 home. Commissioner Hansen asked if the accessory building is heating and cooled.
45 Mr. Brohl answered in the affirmative. Lastly, Mr. Brohl explained that while there are toxic
46 plastics, none have residual materials that will pollute the air. Many of the plastics have
47 flame retardants built into them.

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There were no further public comments. The public hearing was closed.

Commissioner Hansen moved that the Planning Commission TABLE the Conditional Use Permit for Maximum Machine Home Occupation located at 13055 South Blaze Court in order for further inspection to be conducted by City Departments. Commissioner Hartley seconded the motion. Vote on motion: Kent Hartley – Aye; Brian Russell – Aye; James Endrizzi – Aye; Scott Kochevar – Aye; Dennis Hansen – Aye. The motion passed unanimously.

**RIVERTON CITY PLANNING COMMISSION
MEETING MINUTES**

June 26, 2014

The Riverton City Planning Commission convened at 6:30 p.m. in the Riverton City Municipal Building, 12830 South 1700 West, Riverton, Utah.

Planning Commission Members:

**Brian Russell
James Endrizzi
Dennis Hansen
Cade Bryant
James Webb**

Staff:

**Andrew Aagard, City Planner
Casey Taylor, Deputy City Attorney
Gordon Miner, City Engineer**

Commissioners Kent Hartley and Scott Kochevar were excused from the meeting.

Chair Brian Russell called the meeting to order. Commissioner Hansen led the Pledge of Allegiance.

I. PUBLIC HEARING

D. CONDITION USE PERMIT / HOME OCCUPATION, PL-14-2008, MAXIMUM MACHINE, 13055 SOUTH BLAZE COURT, RR-22 ZONE, PROPOSED HOME BASED BUSINESS, TIM BROHL, APPLICANT.

Mr. Aagard noted that the above item was tabled from the May 22, 2014, Planning Commission Meeting, for further review by the Building and Fire Departments. He read the specifications as listed in Riverton City ordinance. The Building and Fire Departments have since reviewed the proposed business operation and determined that no operational permits are required. There were general safety regulations that will need to be followed, but nothing that would require additional permitting. The Fire Department requested the items as listed in the first condition in the staff report.

The applicant, Tim Brohl, submitted an application for the conditional use permit. His business will involve the operation of plastic injection molding from an existing accessory building on the property. The applicant has indicated that all operations will occur entirely within the accessory building with no outside storage of materials or goods. Furthermore, deliveries will be made by standard sized trucks only. The business generally involves raw materials, such as plastic beads that are dropped from a hopper into the injection machine. The beads are heated in a heating tube at 450 to 600 degrees and then the liquid plastic is injected into a mold.

While the use is more industrial than what is typically allowed for a home-based business, the applicant has indicated that there will be minimal visible evidence that a business is being conducted on site. The application indicated that noise levels will be in the range of a typical air compressor. Mr. Aagard reviewed the conditions listed in the staff report.

Mr. Aagard noted that this item was not noticed as a public hearing item. Chair Russell explained to the public that there was a public hearing for this item previously, at which time the Commission requested additional information from the applicant. Therefore, the Commission will proceed with this application as a decision item. There was further discussion on the conditions as listed in the staff report. Mr. Brohl added that he is very conscientious of fumes and noise.

Commissioner Bryant moved that the Planning Commission APPROVE the conditional use permit for Maximum Machine home occupation located at 13055 South Blaze Court, with the following conditions:

- 1. The business and machines shall comply with the recommendations of the Building and Fire Departments, including the following:**
 - a. Provide fire extinguishers in the building, utilize good housekeeping practices, and maintain clear aisles in the storage areas and to exit doors.**
 - b. Install lighted exit signs / emergency lighting above all exit doors.**
 - c. Maintain MSDS sheets for all raw materials used in processes on site.**
 - d. The storage of palletized raw materials cannot exceed 500 square feet of floor area, and cannot exceed five feet in height. Exceeding these limitations will require the installation of a fire sprinkler system in the building.**
- 2. The building shall be properly ventilated and inspected by Riverton City Building Department, and the business shall not operate before 10:00 a.m. or after 5:00 p.m. with the garage doors open.**
- 3. No more than one (1) non-resident employee may perform work associated with this business on the property.**
- 4. All work and storage associated with this business shall be conducted within the accessory building.**
- 5. No tractor trailer deliveries or pickups associated with this business shall be allowed.**
- 6. The site, structures and use shall remain in compliance with any and all applicable Riverton City standards and ordinances, including the International Building and Fire Codes.**

Commissioner Webb seconded the motion. Vote on motion: Cade Bryant – Aye; Brian Russell – Aye; James Endrizzi – Aye; Dennis Hansen – Aye; James Webb – Aye. The motion passed unanimously.

ITEM 1.B

ORDINANCE ADOPTION

**RIVERTON CITY
MEMORANDUM**

TO: Planning Commission

FROM: Planning Department

DATE: November 13, 2014

SUBJECT: ORDINANCE AMENDMENT, AMENDING SECTION 18-55, RM-12, TO RM-14 A MULTI-FAMILY RESIDENTIAL ZONE ALLOWING A MAXIMUM 14 UNITS PER ACRE FOR THE RIVERTON CITY DOWNTOWN AREA, AMENDMENTS PROPOSED BY RIVERTON CITY

PROPOSED MOTION

I move the Planning Commission recommend APPROVAL of the ordinance amendment, amending Section 18-55, RM-12, to create the RM-14 zone, a multi-family residential zone allowing a maximum 14 units per acre, *with the following changes*;

BACKGROUND:

This ordinance amendment proposes the creation of a new multi-family zoning designation for Riverton City. The proposed zone is RM-14, which would allow for a maximum density of 14 units per acre. The proposed action would amend the existing RM-12 section of the ordinance, which is a twelve (12) unit per acre zoning designation which has not been utilized in the City. The fourteen (14) unit per acre designation is similar to and consistent with the RM-14-D zone, which is tied specifically to the Downtown area. The purpose of the zoning is to allow multi-family development in such a way as to create diversity in housing types in areas outside of the Downtown, which are determined to be appropriate for multi-family development at that density. With the maximum density of 14 units per acre, this zone would typically accommodate townhome/condo style units

The 14 unit per acre zoning allows for a maximum of three story buildings, and units will typically be developed to as single level. The ordinance requires off-street parking for each unit, with at least on parking stall within an enclosed garage. The maximum height in the ordinance is 35 feet, and the ordinance limits units to two and one-half stories. Setbacks are similar to those utilized in Riverton City's existing multi-family zones. The required setback where adjacent to an incompatible zone such as a single-family residential zone are one foot for every foot in building height, with a minimum of twenty-five feet.

Parking requirements are for two spaces per unit, of which the enclosed/covered parking counts as 1. There will be guest parking included in developments under this zone, but the size and type of unit will typically require less than would a single-family home or even a larger town home. The 2 per unit parking standard is consistent with similar development standards utilized elsewhere. This ordinance does include provision for internal public rights-of-way as approved by the City, though all open space would be internally managed and maintained.

The architectural requirements are similar to Riverton City's other multi-family residential zoning. A minimum of 25% of the exterior materials of each building will be brick or stone, and the remainder may be stucco or fiber-cement siding. Amenities are required by the ordinance as approved by the Planning Commission and City Council, including a clubhouse and a minimum of

two additional amenities. These may include a pool/Jacuzzi, play equipment, and other similar features. Solid masonry fencing is required on all property lines adjacent to an incompatible use.

Staff is recommending APPROVAL of this ordinance adoption, with any modifications and additions the Planning Commission feels to be appropriate.

ATTACHMENTS:

The following items are attached:

1. A copy of the proposed ordinance amendment.

Chapter 18.55 RM-14 RESIDENTIAL ZONE

Sections:

18.55.010	Purpose.
18.55.020	Permitted uses.
18.55.030	Conditional uses.
18.55.040	Permitted accessory uses.
18.55.050	Area requirements.
18.55.060	Design standards.
18.55.070	Setback requirements.
18.55.080	Square footage of dwelling units.
18.55.090	Building height.
18.55.100	Multi-unit development standards.
18.55.110	Parking and access.
18.55.120	Trash storage.
18.55.130	Vehicle storage.
18.55.140	Standards for open space.
18.55.150	Fencing.
18.55.160	Swimming pools.

18.55.010 Purpose.

To provide areas of medium residential density with the opportunity for varied housing styles with a maximum density of fourteen dwelling units per gross acre.

18.55.020 Permitted uses.

- (1) Condos or townhomes (attached or detached).
- (2) Residential planned developments.
- (3) Parks and open spaces (public).
- (4) Household pets (two maximum).

18.55.030 Conditional uses.

- (1) Public and quasi-public buildings and uses.
- (2) Home Occupations
- (3) Other compatible uses, not elsewhere specified, approved by the city council after recommendation by the planning commission.

18.55.040 Permitted accessory uses.

- (1) Accessory Buildings. Garage, shed, and any building on a foundation (maximum one story or 15 feet).
- (2) Accessory Structures. Pools and jacuzzis, subject to this chapter.
- (3) Recreation Facilities. Basketball courts, tennis courts, and similar structures.

18.55.050 Area requirements.

- (1) Area. Each application pursuant to this chapter must be for parcel or contiguous parcels within Riverton City.
- (2) Parcel Size. Each application pursuant to this chapter shall be for a site of not less than five (5) acres.

(3) Percent Open Space. Each development in the RM-14 zone shall have a minimum of 25 percent of the site reserved for common open space.

18.55.060 Design standards.

The treatment of buildings, materials and exterior appurtenances shall create an aesthetically pleasing site that is compatible with structures in the immediate area. Exterior materials for all buildings in the RM-14-D zone shall include brick, stucco, stone, or other decorative masonry products including fiber-cement siding as approved by the city council upon recommendation from the planning commission. A minimum of 25 percent of the exterior shall be brick or stone. Vinyl and wood siding are not permitted. However, shake shingles may be permitted as an accent material as approved. All sides of dwellings shall receive equal design consideration, particularly where they may be readily viewed by pedestrians and motorists, or from adjacent properties.

18.55.070 Setback requirements.

(1) Front Yard Setback. The minimum setback shall be 20 feet from the top back of curb which abuts an internal public or private road if no sidewalk exists, or 20 feet from back of sidewalk if a sidewalk is installed. Where a unit includes rear loaded garages, the front setback shall be a minimum of 15 feet from top back of curb.

(2) Side Yard Setback. All buildings shall have a setback of 10 feet between detached buildings. Where a side yard is located contiguous with an external public street, the side yard setback shall not be less than twenty (20) feet from property line. The side yard setback from an internal driveway, road, and/or parking area shall be 10 feet from top back of curb, or from back of sidewalk if sidewalk is installed.

(3) Rear Yard Setback. All buildings shall have a rear setback of twenty-five (25) feet from property line when adjacent to an external public right-of-way. Where a rear yard is set back from an internal road and/or parking area the setback shall be twenty (20) feet from top back of curb. Where a unit includes rear loaded garages off internal roadways, the setback shall be a minimum of 5 feet from edge of roadway. Parking areas shall have a setback of 10 feet from the property line.

(4) Setbacks shall be measured to foundation.

(5) Incompatible Uses. Where adjacent to an existing commercial, single family, or agricultural zones, all structures shall be setback one (1) foot for every foot in building height from property line, with a minimum of twenty-five (25) feet. A minimum of seven feet depth of landscaping shall be installed along that property line. Accessory structures shall be setback a minimum of ten (10) feet from property line.

18.55.080 Square footage of dwelling units.

A minimum finished living area square footage shall be 900 square feet.

18.55.090 Building height.

The maximum height for all buildings and structures in the RM-14 zone shall be no more than 35 feet or two and one-half stories, whichever is less. Accessory buildings shall be a maximum of 15 feet in height.

18.55.100 Multi-unit development standards.

Dwelling units may be clustered in common wall construction. Such units may have no more than three walls in common with other dwelling units, not including units situated above other dwelling units.

18.55.110 Parking and access.

The following requirements shall be followed when planning parking for a multifamily or condominium project:

(1) Restrictions on Corner Lots. On any corner lot, no driveway shall be closer than 20 feet to the point of intersection as measured at the property line.

(2) Restrictions of Driveways on Collector Streets. Residential units may not access directly onto any collector or arterial street.

(3) Minimum Number of Parking Spaces. Multiple-family developments shall have a minimum of two off-street parking spaces per dwelling unit, at least one of which shall be in an enclosed garage. Driveways on individual units may be counted as an off-street parking space only if there is a minimum driveway depth of 20 feet from back of sidewalk. Guest parking shall be provided as approved by the city council as part of the site plan approval process.

(4) Internal Roadways. Internal roadways may be publicly or privately maintained as approved by the city council. Public or publicly maintained roadways may not be gated or otherwise obstructed. Internal roadway dimensions and configuration, including curb and gutter, shall be as approved in the site plan, upon recommendation from the city engineer and Unified Fire Authority. However, sidewalks shall not be publicly owned or maintained unless approved as such by the city council. The city council may allow a monolithic sidewalk without a park strip as part of the overall site plan approval. On private roads or driveways, sidewalks shall be installed as approved during the site plan approval process. All paved surfaces shall meet minimum standards of construction as specified in the Riverton City standards and specifications manual. Internal public rights-of-way and roadways may be included in the gross density calculations as approved by the city council.

(5) Utilities on Public Rights-of-Way. As approved by the city council upon recommendation from the city engineer, public utilities may be placed within an easement or easements outside of the public right-of-way.

(6) Other Requirements. Parking in the RM-14 zone shall follow all other applicable parking regulations as listed in Chapter [18.145](#) RCC.

18.55.120 Trash storage.

No junk or trash shall be stored in an open area. All common trash receptacles or materials must be screened from public streets and adjacent properties with a solid decorative masonry enclosure with solid vinyl or comparable solid gating, or must be stored within an enclosed building. Storage of commercial goods or materials is expressly prohibited.

18.55.130 Vehicle storage.

(1) RV Storage. RV, boat, or other recreational vehicle storage is not permitted in the RM-14 zone.

18.55.140 Standards for open space.

Open space shall be maintained by the owner and shall meet the following minimum requirements:

(1) Grading. All areas shall be properly graded so as to cause no drainage problems to adjacent homes or other uses.

(2) Turf. All open space shall be sodded or seeded to provide a visually pleasing as well as functional space for appropriate activities.

(3) Native Vegetation. Where it is deemed appropriate by the city, native grasses and plants may be used along equestrian trails, bicycle paths, etc. Steps will be taken by developers to guard against such spaces becoming a fire hazard or haven for insects.

(4) Trees. All areas shall have a minimum number of both deciduous and evergreen trees to provide for shade and to provide visual relief and a source of rural atmosphere.

The following shall be required:

(a) A minimum of 15 trees per acre shall be planted and maintained within the project, with tree type, placement, and caliper as approved by Riverton City.

(b) Tree types, placement, and caliper shall be designated in the approved project landscape plan.

(c) Irrigation. All areas shall be watered by an installed irrigation system.

(5) Landscaping Guarantees. Whenever a residential dwelling is constructed, landscaping in the form of lawn, trees, or other plantings or landscape features, except for areas covered by walls, driveways, and other structures, shall be installed before issuing a certificate of occupancy.

All landscaping shall be of sufficient quality, durability and survivability. Landscaping and open spaces shall be watered by a pressurized irrigation system installed to meet the watering needs of all flora.

(6) Amenities. Amenities within a development, such as a clubhouse, gazebo, pool, tot lot or play area, or similar amenities, must be proposed and approved as part of the overall site plan. The City Council and Planning Commission may amend, add to, or otherwise modify proposed amenities or types of amenities, based on the size of the project, unit types, projected demographics and other considerations.

18.55.170 Fencing.

(1) Collector Street Fencing. All developments that have dwelling units adjacent to, or abutting onto, a collector or arterial street shall have decorative masonry collector street fencing, in compliance with Chapter [18.155](#) RCC unless otherwise approved by the City Council as part of the site plan approval process..

(2) Incompatible Land Uses. All properties adjacent to or abutting a single-family residential or commercial zone shall install decorative masonry fencing at a minimum of eight (8) feet in height. However, the city council, upon recommendation from the planning commission, may allow for alternative fence type and height based on current and proposed future land use of adjacent properties.

(3) Height Requirements. No wall or fence higher than eight feet shall be erected or maintained in any private rear yard nor shall any wall, fence, opaque hedge, or screening material be erected or maintained in any required front yard in excess of three feet in height, except that any fence erected within 10 feet of any driveway and exceeding two feet in height shall be of visually non-obstructive material and shall be used to provide a safe distance for pedestrian and street traffic.

(4) Corner Lots. No wall, fence, opaque hedge, or screening material in excess of two feet shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at point equal to the required setback lines.

(5) Fencing Design. Required perimeter fencing shall be of a consistent design and type, with both internal and external sides of the fence similarly decorated and colored.

18.55.180 Swimming pools.

Any private swimming pool not completely enclosed within a building having solid walls shall be set back at least five feet from all property lines, and any public swimming pool not completely enclosed within a building having solid walls shall be set back at least 10 feet from all property lines. Any swimming pool shall be completely surrounded by a nonaccessible wall or fence having a height of at least six feet in which there shall be no openings larger than 36 square inches except for gates which shall be equipped with self-closing and self-latching devices, with latches placed a minimum of five feet above finished grade of the fence.

ITEM 1.C

GENERAL PLAN

AMENDMENT/ REZONE

**RIVERTON CITY
MEMORANDUM**

TO: Planning Commission

FROM: Planning Department

DATE: November 13, 2014

SUBJECT: GENERAL PLAN AMENDMENT & REZONE, GENERAL PLAN AMENDMENT TO HIGH DENSITY RESIDENTIAL AND REZONE OF APPROX. 30 ACRES LOCATED AT 4245 WEST 12600 SOUTH FROM PCC TO RM-14, ALLOWING MULTI FAMILY DEVELOPMENT AT A MAXIMUM 14 UNITS PER ACRE, LEISURE VILLAS, LLC, APPLICANT.

PL NO.: 14-4003 – IVORY HOMES REZONE

This application is a public hearing and legislative action item.

In rendering a decision the Planning Commission is serving a legislative function, decisions are based on reasonably debatable evidence.

PROPOSED MOTION(S)

I move that the Planning Commission recommend APPROVAL amending the General Plan designation to High Density Residential and rezoning 30 acres located at 4245 West 12600 South from Planned Commercial Center to RM-14, allowing multi-family development at a maximum of 14 units per acre.

BACKGROUND

Leisure Villas, LLC has made application for General Plan amendment and rezone of property located at 4245 West 12600 South. The property consists of about 30 acres, and is bordered on the north by 12600 South and on the west by the Welby Jacob Canal. The Transportation Master Plan includes a planned arterial street which will run down much of the east boundary of this property. The property is currently zoned Planned Commercial Center. The properties to the east and south are also zoned PCC. The property to the north, across 12600 South, are zoned R-4, and the properties to the west, across the canal, are zoned R-1, RR-22, and R-4-SD. The General Plan designation for the property is Regional Commercial with a "Future Study Area" addition that was made in the City's most recent amendments to the General Plan.

The Regional Commercial General Plan designation and the Planned Commercial Center zoning was enacted in 2008 across several hundred acres in this area in response to concerns about the development potential of the area west of the Bangerter Highway. The anticipation was not necessarily for several hundred acres of commercial development in the area, and it has been assumed that a significant amount of residential development will occur in the area in support of the growth of the City as well as the commercial development within the area itself. In addition, a study is currently underway by the Utah Transit Authority examining the possibility of an east-west transit connection in this area, and among the potential routes are corridors that would be in close proximity to the property in question. The property proposed for rezone in this application, because of its depth both from 12600 South and from the Bangerter Highway, as well as its proximity to existing residential zones, is less likely to develop commercially than other properties in the area. Prior to the amendment to the General Plan in 2008, this property was designated for residential use. In short, development of this property as residential is not seen by staff as a loss of commercial potential for the area.

The application is for 14 unit per acre multi-family zoning. The applicant has submitted material showing

a proposed "55+ Community" for much of the property. It should be noted that this application is for rezone only, and the details of development of the property will be subject to further applications and hearings following any action of the rezone. The decision should be based on the appropriateness of the proposed zone for the property. There are not currently development plans or proposals in place for any of the surrounding commercial property to the east or south. The initial leg of the roadway planned from 12600 South through this area is being facilitated by the City, and the roadway improvements may further stimulate development in the area. However, the Planning Commission may want to consider in amending the General Plan for this area the potential uses of the surrounding properties, and the likely traffic impacts on the adjacent proposed roadways. Staff will have additional information and presentation materials at the upcoming hearing.

Staff has received several written comments on the proposed rezone, which are included below.

Zoning Ordinance Compliance Checklist	
Meets Criteria	Part 12-200-10 Amendments
Yes	<p>1. The proposed amendment will place all property similarly situated into the same zoning classification or in complementary classifications.</p> <p style="padding-left: 40px;">The RM-14 zone has elements and requirements that are complimentary to both the existing residential development to the west, and the potential commercial and residential developments to the east.</p>
Yes	<p>2. All uses permitted under the proposed zoning amendment are in the general public interest and not merely in the interest of an individual or small group.</p> <p style="padding-left: 40px;">The development of a diversity of lot sizes within the City and of residential development in support of and in proximity to commercial uses is in the general public interest.</p>
Yes	<p>3. All uses permitted under the proposed zoning classification amendment will be appropriate in the area to be included in the proposed zoning amendment.</p> <p style="padding-left: 40px;">The surrounding area has development with a range of lot sizes, including those below ¼ acre in size. With mitigation measures such as fencing adjacent to those properties carrying animal rights, and the existing canal as a buffer to the west, the proposed uses are appropriate to the area..</p>
Yes	<p>4. The character of the neighborhood will not be adversely affected by any use permitted in the proposed zoning classification.</p> <p style="padding-left: 40px;">The character of the area will not be adversely affected by the residential uses proposed in this zone.</p>
Yes	<p>5. The proposed zoning amendment is consistent with the City's Master Plan.</p> <p style="padding-left: 40px;">This application includes a General Plan amendment for this property.</p>

Levels of Service Compliance

Applicants for development approvals and building permits must demonstrate that all necessary public facilities and services are available and adequate at specified Levels of Service standards within the City.

<i>Levels of Service Compliance Checklist</i>	
<i>Complies</i>	Levels of Service
Yes	<p>1. Culinary Water. Evidence to demonstrate meeting this level of service shall include the best estimate of the proposed gallons per day needs of the entire project and the effect the project on existing psi pressure in the affected public water system.</p>

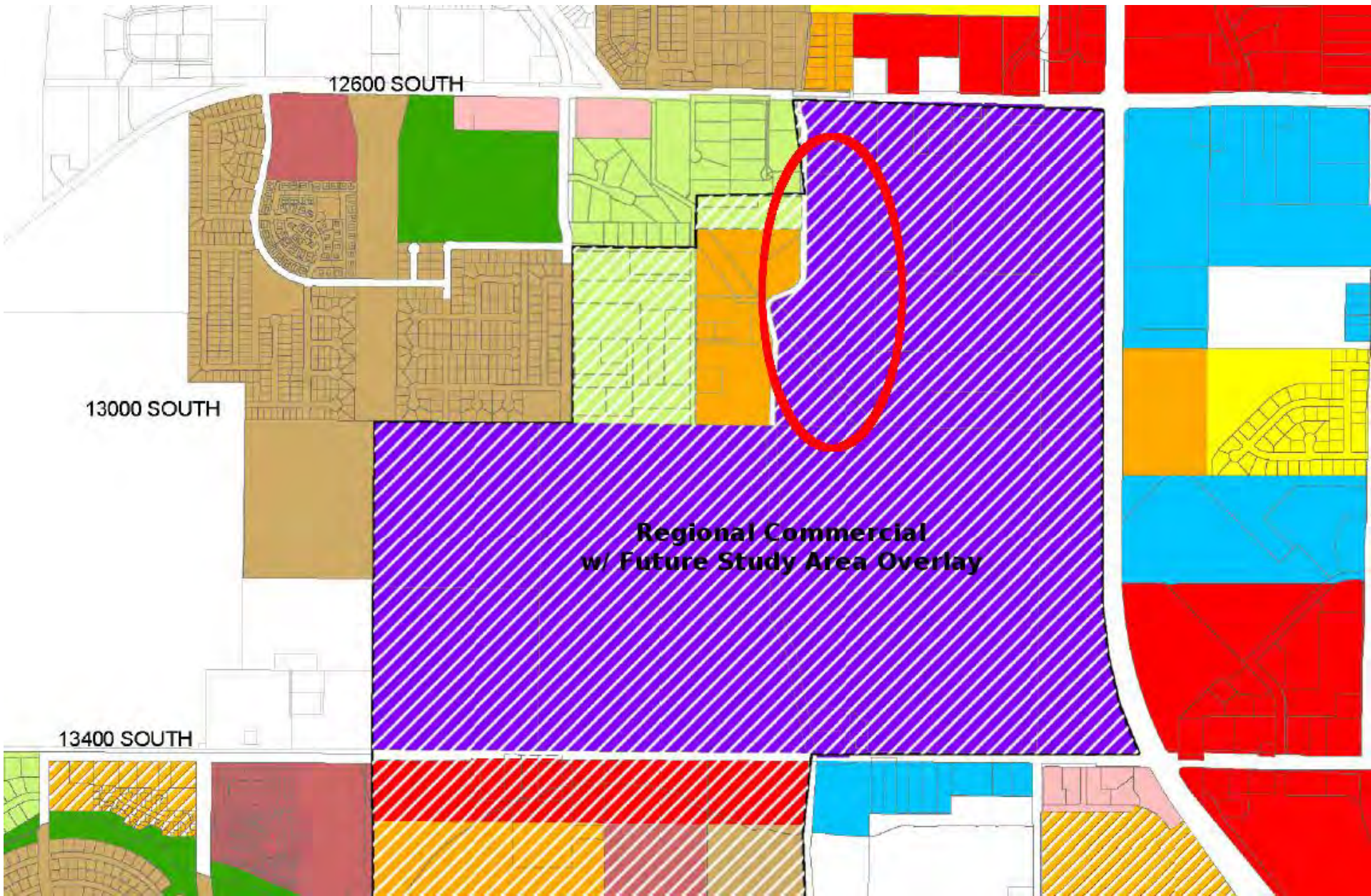
	<input type="checkbox"/> The water infrastructure in this area is sufficient to service this property.
Yes	2. Fire Protection. Evidence to demonstrate meeting this level of service shall include a projection of the size of lines within the proposed system and projected pressure within the system shall be included. <input type="checkbox"/> The proposed level of service can be supported by the Unified Fire Authority.
Yes	3. Sanitary sewer. Evidence to demonstrate meeting this level of service shall include the satisfactory compliance with the sanitary sewer specification of the Salt Lake County Sewage Improvement District #1. <input type="checkbox"/> Sewer service will be through the South Valley Sewer District, and infrastructure improvements to the overall area are underway by the District..
Yes	4. Storm Drainage. Evidence to demonstrate meeting this level of service shall demonstrate viable connection to a municipal storm drainage system. <input type="checkbox"/> No issues from Staff
Yes	5. Transportation. Evidence to demonstrate meeting this level of service shall include a transportation study estimating the number of average daily trips and distribution that the proposed development will generate. <input type="checkbox"/> A traffic study has not been submitted by the applicant, and the timing of right-of-way improvements to the area has not been firmly established.

ATTACHMENTS:

The following items are attached for your review:

1. A copy of the Rezone application.
2. Aerial view.
3. Current Zoning Map
4. Proposed Zoning Map
5. General Plan Designation
6. Concept Plans submitted by the applicant.

General Plan



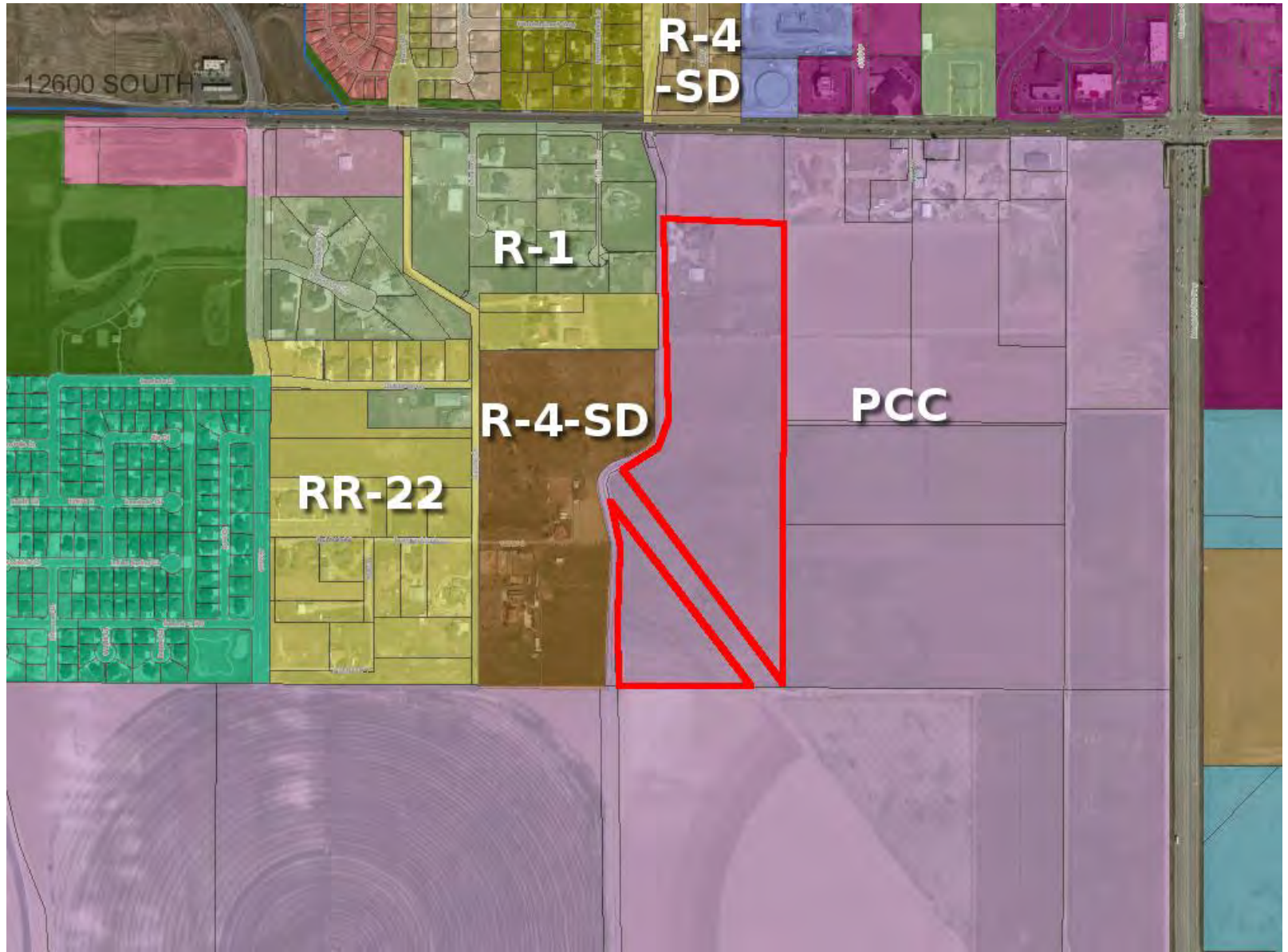
12600 SOUTH

13000 SOUTH

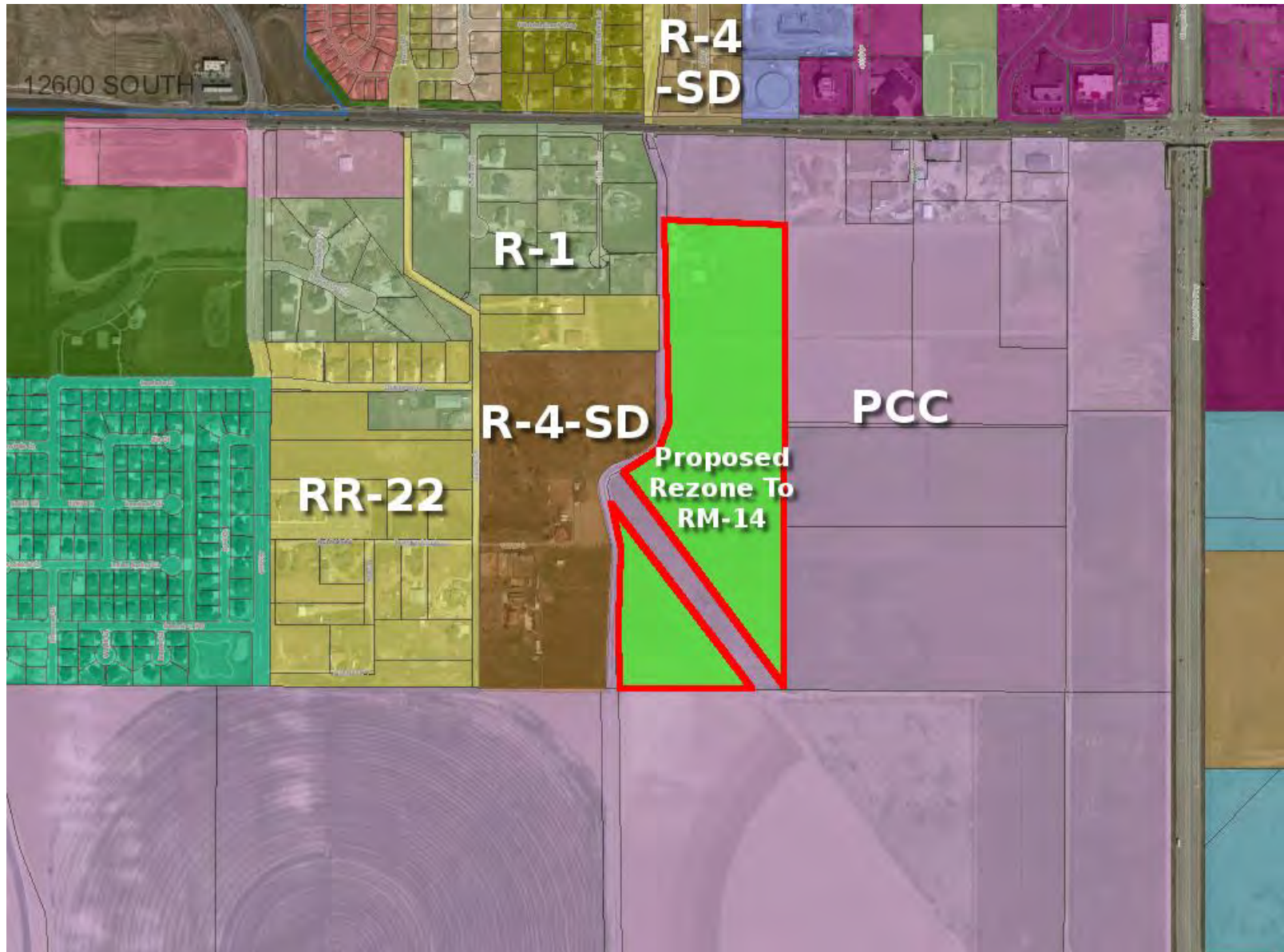
13400 SOUTH

**Regional Commercial
w/ Future Study Area Overlay**

Current Zoning



Proposed Zoning



**MATERIAL SUBMITTED BY
APPLICANT**



Leisure Villas

55 + COMMUNITY

**GENERAL PLAN CHANGE
REZONE REQUEST
CONCEPT PLAN**





LEISURE VILLAS 55+ COMMUNITY

Project Overview

Leisure Villas, the largest developer of active adult communities along the Wasatch front, is proposing a general plan change and rezone to allow the development of approximately 25 acres south of 12600 South at approximately 4200 West as a 124 home senior restricted community. Additionally, we are proposing rezoning approximately 6 acres south of the existing power corridor to multi-family at 14 units per acre. The frontage along 12600 South will remain in its current commercial zone.

Leisure Villas has previously developed eleven 55+ communities along the Wasatch Front, from Springville to North Logan, all geared to meeting **the specific needs of today's retirees.**

The success of our previous active adult communities has demonstrated the demand in our area for quality housing alternatives for active retirees. This demand continues to grow.

Within two years the number of Senior citizens in Utah will surpass the number of teens in the state. Responsible City leaders recognize that over the next twenty years the number of people over the age of 55 will double, creating an increasing need for quality housing alternatives for seniors.

One of the primary goals of the General Plan is to anticipate the housing needs of the City into the future. This proposed General Plan change will provide an area which is presently lacking in the Plan for the construction of a development of this type.

The present commercial zoning designation at this location makes sense along the major collector road, but we feel a higher and better use on the interior portion of the property would be as a

residential development such as we are proposing.

The impact on City infrastructure will be less in most respects than a low density residential development, and provides an excellent transition from the commercial frontage along 12600 South.

While the roads throughout the community will be public, the senior development will feature many superb private amenities, including a large clubhouse with meeting area, exercise facility, a stadium seating theater, and a spacious swimming pool. It will also showcase abundant landscaping and open space. Sales prices should range from \$229,000 to over \$350,000.

As with previous Leisure Villas developments, the common areas and amenities will be overseen by **a Homeowners' Association, and the community** will be managed and maintained by a professional property management company.

The overall density of the active adult community as designed is 6 units per acre, over 25 acres, with the 6 acre south parcel planned for a 14 units per acre multifamily apartment development.

The zero-lot-line, owner-occupied single-family 55+ community will consist of 31 buildings containing 4 rambler style attached homes clustered in a unique pinwheel design. The buildings will feature a mix of cultured stone stucco and hardie products. The homes are designed to meet the particular needs of aging residents and comply with both Fair Housing





Accessibility and Americans with Disabilities Act guidelines.

The homeowners in our developments are almost all retired and are quiet neighbors. Many have considerable wealth, but are looking to downsize. They want to avoid stairs and eliminate yard care and home maintenance. They are looking for the security and piece of mind that living in an active adult development with people of similar age and interests provides.

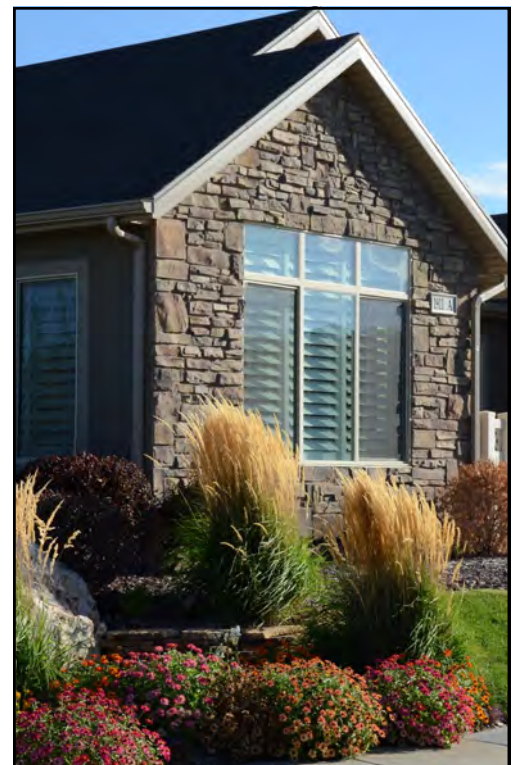
The traffic generated by the senior development will be much less than a typical subdivision, because the average number of persons per home is less than half of that of a typical household and seniors do not drive as frequently as non-seniors.



high quality, reasonably priced, carefree living options to active seniors.

To Date Leisure Villas has developed over 1000 homes in eleven active adult communities. Currently, we have four communities under construction or in development.

We have a proven track record of delivering unique,





Proposed Concept Plan

Number of Homes	124
Density per Acre	4.9





Current General Plan and Zoning

At present the area's General Plan designation is Regional Commercial/Office and zoned PCC, Planned Commercial Center. We are proposing a General Plan Change on approximately 25 acres of the property to High Density Residential, with zoning of RM-14. The existing subdivision across the canal to the west is zoned residential. The balance of surrounding property is zoned PCC.

We believe the existing General Plan is not consistent with a reasonable use so far off the major traffic corridor. We believe our use is an ideal transitional development, and provides a type of use underserved in the area, which is to provide a housing alternative to residents of Riverton who wish to continue to live in the City, but who can no longer take care of the maintenance demands of homeownership or have physical limitations that this type of housing accommodates. Typically, most of our homeowners come from less than five miles away.



Leisure Villas 55+ Community

Our development is designed to provide a logical transition from the high traffic of 12600 south and commercial activity to the future development anticipated south of this location.

Our homes are main-level living, with some homes incorporating a bonus room over the garage area.

Surrounding property values will be maintained because our communities are quiet, the landscaping is completed before the buildings are occupied, and the homes' exteriors and landscaping stay kept up because they are maintained by a property management company hired by the homeowner's association.



The community also showcases substantial amenities geared to the recreational desires of the residents.

The CCR's of the community are very restrictive and do not allow for storage of vehicles or other items within the private elements of the project. Even visitor parking is strictly controlled and limited.



Impact on the Local Economy

Seniors are the core of our communities. As a group they represent the wealthiest segment of the population. **Seniors hold 80% of the nation's savings**, and have 5 times the average household net worth.

Seniors volunteer more time for public service than all other demographic segments and donate more money to more causes than the rest of the population. They are our neighbors who want to remain in the community but are looking to down-size and enjoy a more carefree lifestyle.



Impact on Public Services and Facilities

Because our homeowners are seniors, there will be no negative impact on the school system. Our homes average less than 1.6 people per home vs. a typical Riverton home at 3.68. The traffic generated by our communities is negligible compared to a standard subdivision. The water usage is much less, because our communities have much less landscape area and fewer people.

A significant amount of our senior homeowners' recreational needs are met through the community's own private amenities, including open common areas and a large clubhouse with exercise facility, a theater and a pool, barbeque and patio / lounging area.



Property Management

Leisure Villas will contract with a professional property management company to perform **Homeowners' Association responsibilities, including landscaping planting and maintenance.** As the project is sold, the Association will elect a board of directors comprised of community residents. Once the project is 90% sold out the Association will be completely turned over to homeowner control.





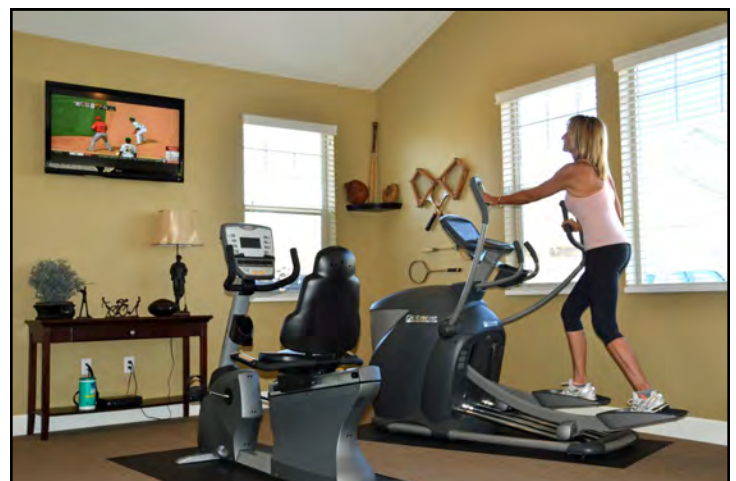
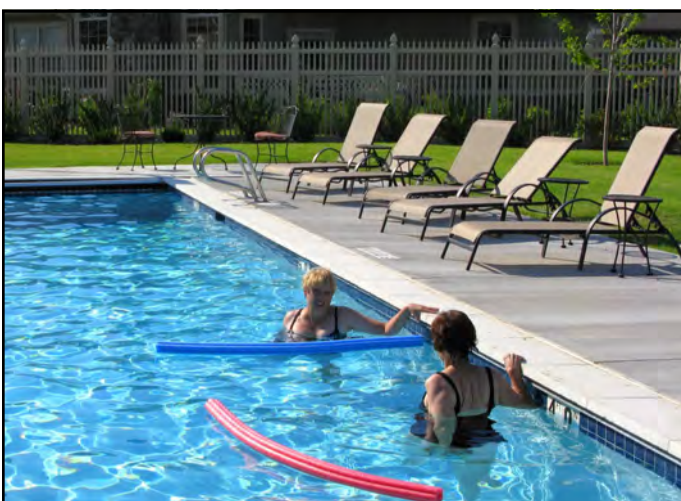
Description of Amenities

The Leisure Villas community will feature a substantial amenity package designed for Seniors.

The clubhouse will include a large lounge area, pool table, and kitchenette for group activities. It will also have a fully equipped fitness center, large movie theater with stadium seating, business office and library area.

Behind the Clubhouse will be a large swimming pool with a barbeque and patio area.

The architecture and design of the clubhouse will blend with and complement the neighborhood style and materials used on the residences.



About the Developer



Leisure Villas specializes in developing 55+ Communities along the Wasatch Front. We have developed active adult communities in West Valley, Springville, Lehi, Syracuse, Pleasant Grove and North Logan. The communities are quiet, upscale, well kept, and they promote housing diversity in their neighborhoods. They also offer good value and creative features designed to meet the needs of active Seniors seeking a more carefree lifestyle.

The Leisure Villas group was formed in 1999 by two builders with many years experience constructing single-family homes. Since then Leisure Villas has focused exclusively on meeting the housing needs of empty-nesters. We are now working on our twelfth project totaling over 1000 homes, all designed specifically for active Seniors.



Leisure Villas Active Adult Communities





Our Typical Homeowner

Our buyers typically fall into one of three categories:

- Active retirees whose kids have finally moved out of the house, and who are looking for a more carefree living option which will allow them more freedom to downsize, travel, perhaps get a place in Saint George all while still keeping a home near their kids, grandkids, and friends,
- Those retirees who are starting to face some physical challenges such as walking up and down stairs, or who are tired of mowing the lawn and maintaining the outside of their home.
- Widows and other single active adults who find in our communities a terrific opportunity to develop new friendships in an environment with others of similar age and interests. They are looking for the security and piece of mind that living in a private development provides.



Active Seniors: Our developments are designed with active seniors in mind, showcasing amenities that fit their lifestyle and home designs anticipating future needs.

Are Wealthy and Stable: 50% of our residents purchase their home with cash. 80% of our homeowners expect this to be their last home purchase.

Empty Nesters: 97% of our residents are occupied by one (38%) or two (59%) people. Only 3% of residents have others (children, nursing aides, etc.) living with them. They are active retirees who are looking for a comfortable residence in a community with others who share similar interests.

Mobility and Access: Five to ten percent of our residents use wheelchairs, with many more purchasing in our communities anticipating future mobility issues.



Facts regarding Seniors



- Every single day in America 10,000 people turn 65.
- 75 Million Baby Boomers were born between 1946 and 1964 – They are now the core of our communities.
- As residents who have built their communities age, every responsible community looks for ways to provide them with the ability to stay within the community they have given so much to.
- Seniors remain our primary market because their numbers are skyrocketing. In the year 2000 there were 34.7 million seniors in the United States. By 2025 there will be 62 million.
- Seniors give a great deal to the community but require very little in return.
- Our homes have only half the number of occupants single-family homes have. Meaning equal tax revenue for the city with half the impact.
- Our communities are low impact with regards to traffic volume. Residents in our communities typically avoid driving during peak hours and with less than half the cars of a typical subdivision, generate about 48% as

much traffic as residents of traditional neighborhoods.

- The homeowners' association contracts out trash removal and landscape services.
- The Leisure Villas active adult community should generate less strain on municipal facilities and services. Seniors drive much less **than the typical Riverton resident.** They don't typically have children in the school system. The senior demographic has the lowest crime rates of any demographic segment, and seniors are not typically demanding users of the City parks and recreation services. As a demographic segment, they are, however, the largest donators of time and money to charitable causes and organizations.
- Seniors hold **80% of the nation's savings**, and have 5 times the average household net worth.
- 70 percent of Seniors are mortgage free.



SUBMITTED PUBLIC COMMENT

From: [Lacy Croft Jr.](#)
To: [Jason Lethbridge](#)
Cc: [Jason Bradford](#); [Christy Barnson](#)
Subject: Rezoning
Date: Thursday, November 06, 2014 7:24:32 PM

I must admit that I am not trained in city planning and have a couple of questions concerning the rezoning efforts for 434 apartments (14 units/acre) planned for the property east of Sunday Rd and west of Bangerter on 12500 South. I understand this is currently zoned for commercial use. What is Riverton's incentive to change this? Does the city get more revenue from apartments or from commercial businesses that would be there instead? Wouldn't that many apartments add a tremendous amount of traffic congestion to an already very busy street network in the area? Is there that great of a shortage of living spaces in the area to think that that many apartments could be occupied? Wouldn't the tax base for Riverton be better served by putting businesses there? Would these apartments be subsidized living spaces thus bringing in low income/welfare families which won't be improving Riverton's good reputation and maybe even increasing the crime rate? Where are the schools to absorb the potential increase of children that these apartments would bring?

Just asking.

Lacy Croft

It's not so much how busy you are, but why you are busy. The bee is praised; the mosquito is swatted. by Marie O'Connor

From: [Christine Barnson](#)
To: [Jason Lethbridge](#)
Subject: against rezoning
Date: Wednesday, November 05, 2014 9:14:26 PM

Jason Lethbridge,

I am completely against rezoning the 31 acres off of 12600 beside the canal. It is not safe to route traffic from over 300 units through a neighborhood. At this point, that neighborhood has yet to be built. But a development this large should have it's own outlet directly onto 12600 south.

I live directly on the other side of the canal on Critters Cove and I don't think a high density development blends well with horse property. I would think the city would take these things into consideration when approving an area to be rezoned.

Thank you for letting my voice be heard!

Christy Barnson
12710 S Critters Cove
Riverton
christy@barnson.org
801-999-0483

From: [Jason Bradford](#)
To: [Jason Lethbridge](#)
Subject: 4245 West 12600 South Rezoning
Date: Wednesday, November 05, 2014 6:27:54 PM

Mr. Lethbridge and Planning Commission members,

I am writing regarding the issue of rezoning the property at 4245 W. 12600 S. from Commercial to High Density Residential, which will be addressed at next week's Planning Commission Meeting. I live in the Western Springs neighborhood located west of the proposed property. I want to express my frustration with this proposed rezoning. Our entire neighborhood is very agitated about this issue and many people will be in attendance next week to express our displeasure.

Just last year our neighborhood "battled" Brighton Homes who came in and successfully changed the zoning of their property from RR-22 to a much higher density. The issue for me isn't that I don't want any growth. I understand that growth is inevitable in our area of the city. However the problem I have is that the City's Zoning Plan isn't being followed, nor are we giving it a chance to succeed. When the Zoning Plan was developed, the City spent a considerable amount of time and money to do the studies and create the plan. What good does the Zoning Plan do when property owners are allowed to change the zoning to whatever they like, regardless of protests from adjacent property owners?

This property is currently zoned for Commercial and if you notice just on the east side of Bangerter that commercial development is happening very rapidly. Please be patient with this property and the commercial development will come. This stretch of 12600 South between Bangerter and Mountain View Corridor is very favorable for commercial development due to the proximity to these two major corridors.

I understand that property owners shouldn't be given much room to complain when they move to an area already zoned for something that they don't like (such as next to an airport or refinery, for example). However, it seems very unfair when I move to this particular area because I like the existing surrounding zoning and then the zoning gets changed to a high density residential.

During this upcoming rezoning issue, please listen and give heed to the surrounding property owners who moved here due to the existing zoning plan and who look forward to commercial development in this area.

Thank you for your service to Riverton.

Jason Bradford

4726 Kootenai Ct

ITEM 1.D

REZONE

**RIVERTON CITY
MEMORANDUM**

TO: Planning Commission

FROM: Planning Department

DATE: November 13, 2014

SUBJECT: REZONE, REZONING 8.65 ACRES LOCATED AT APPROXIMATELY 2050 WEST 12600 SOUTH TO RM-14-D, CURRENTLY C-D ZONE, BRAD REYNOLDS, APPLICANT

This application is a public hearing and legislative action item.

In rendering a decision the Planning Commission is serving a legislative function, decisions are based on reasonably debatable evidence.

PROPOSED MOTION(S)

I move the Planning Commission recommend approval of this rezone application, rezoning 8.65 acres located at approximately 2050 West 12600 South from C-D to RM-14-D.

BACKGROUND

This application is for rezone of 8.65 acres located at approximately 2050 West 12600 South. The properties are currently zoned C-D. The surrounding properties to the north, south, and west are also zoned C-D. The properties to the east are zoned R-4. The applicant is proposing rezone of the properties to RM-14-D, allowing for multifamily development at a maximum density of 14 units per acre.

The property has been zoned Commercial Downtown for many years, and has had at one point several years ago an approved commercial development on the property that was never constructed. The approvals for that development have lapsed. The owners of the property have pursued commercial development, but, as with many of the remaining vacant properties in Riverton's downtown, interest in commercial development of this size has primarily shifted to the west. Riverton City has undertaken rezoning of several of the remaining vacant areas in the downtown area from commercial to residential in an effort to provide additional housing opportunities in the area and to boost economic development of the existing commercial spaces. The properties developed as multi-family thus far in the downtown area have not been, by virtue of size and situation, as suited to higher density development as this property is. The property is not bisected by any existing or planned roadways, and is a shaped in a way that is more conducive to a larger scale private community. Access to the site will be onto Park Avenue, and the planned signalized intersection at Park Avenue and 12600 South will allow for controlled access at the intersection.

The ordinance includes requirements for buffering adjacent to incompatible uses. The west property line of this site is adjacent to existing single-family residential. A minimum of six (6) foot solid masonry fencing is required along that property line. The ordinance does allow for the Planning Commission and City Council to require additional fence height and other mitigation measures as part of the site plan approval process. The higher density use would be similar in size to the existing 3 story senior apartment building directly south of the post office, which is also adjacent to the existing single-family residential development.

At this point, this hearing is only to consider the zoning of the properties. Issues and concerns related to the site plan will be reviewed and discussed at a later hearing during which a proposed site plan will be presented. However, as the property and surrounding infrastructure has been intended for potential

commercial uses, the infrastructure and access can accommodate the proposed density. Staff is recommending APPROVAL of this rezone application.

ATTACHMENTS:

The following items are attached for your review:

1. A copy of the Rezone application.
2. An 8.5" x 11" copy of the Current Zoning Map
3. An 8.5" x 11" copy of the Proposed Zoning Map

PL No. 14-4009
Date 10/1/2014

Application Rezone

A. Applicant's Name BRAD REYNOLDS CONSTRUCTION
Home Address 2500 E HAVEN LAKE
City HOLLADAY State UT Zip 84117
Telephone # 801 281 2200 Mobile # 801 558 8800 Fax # 801 281 2200

B. Property Owner's Name (If Different From Applicant) RIVERTON CENTER, LLC
Address 299 So MAIN # 2200
City SALT LAKE State UT Zip 84111
Telephone # 801 490 1012 Mobile # _____ Fax # 801 490-1014

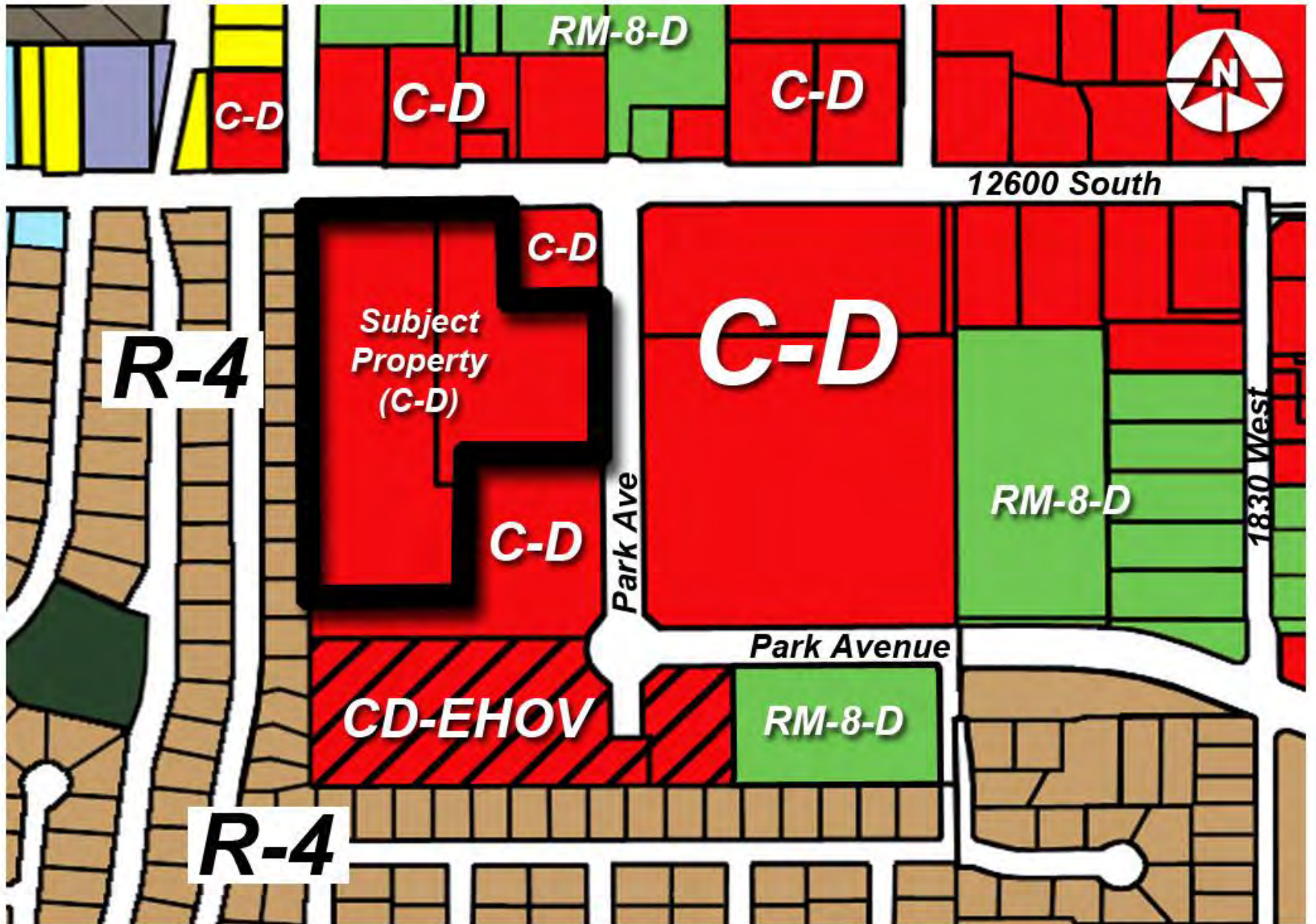
C. Project Information
1. Address 1925 2053 W 12600 SO
2. Sidwell/Tax ID# 27-34-101-013-014 Total Acreage of the Site 8.67 AC
3. Current Zoning of the Proposed Site _____
Zoning of Adjacent Parcels North _____ South _____ East _____ West _____
4. Requested Zoning RM-14-D
5. Riverton City General Plan Designation _____
6. Description of the Proposed Zone/Use for the Property MULTI FAMILY

This application is for a request for change of zoning only. Any concept plans, drawings, or other indication of proposed development are included for reference only and are NOT approved as part of this process. A checklist outlining required materials and fees is included below.


Applicant's Signature

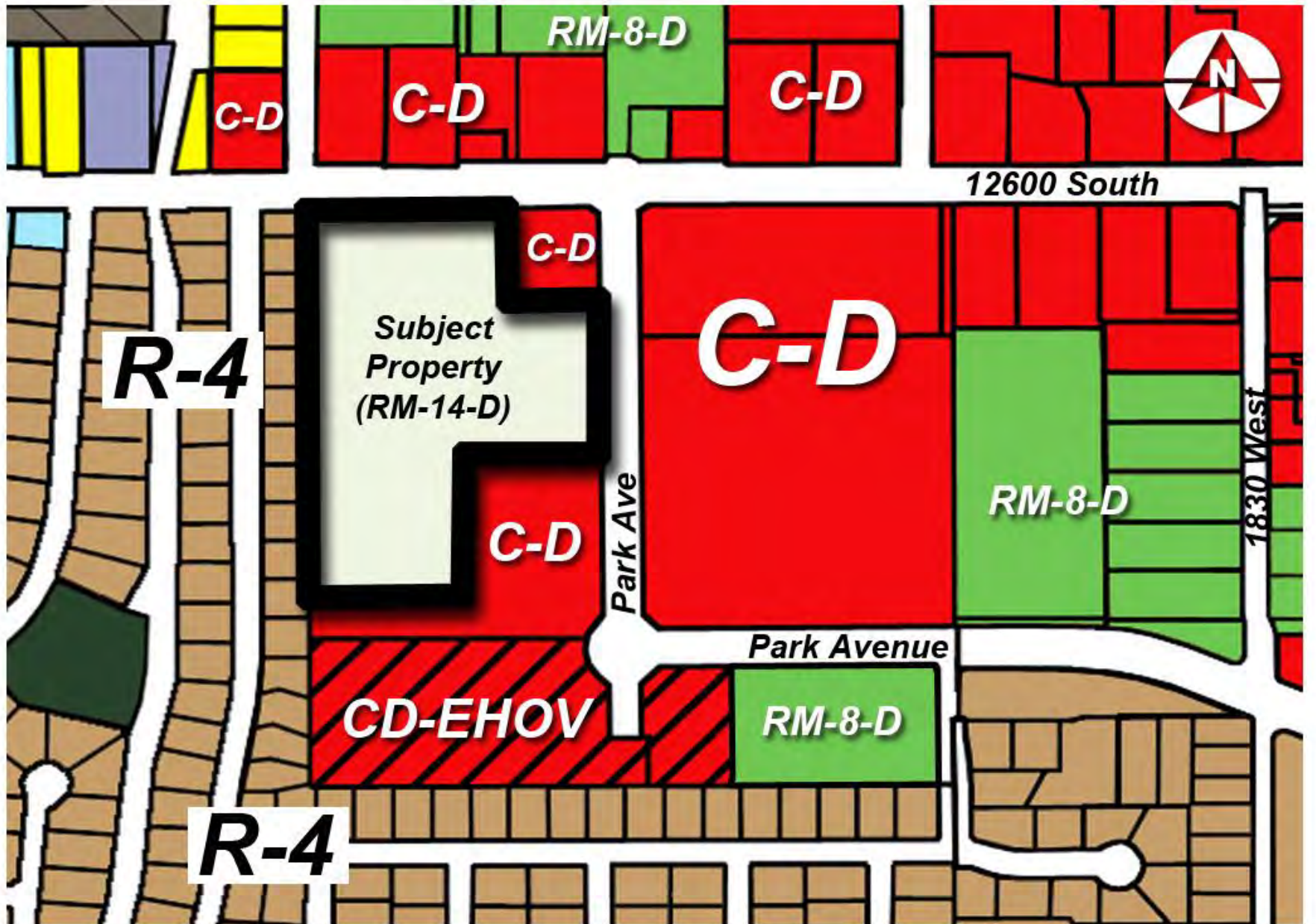
10/1/14
Date

Riverton Center 3 Rezone



Current Zoning

Riverton Center 3 Rezone



Proposed Zoning

ITEM 1.E

CUP

**RIVERTON CITY
MEMORANDUM**

TO: Planning Commission

FROM: Development Review Committee

DATE: November 11, 2014

SUBJECT: CONDITIONAL USE PERMIT, PROPOSED DEVELOPMENT OF 1 LOT ON A PRIVATE LANE, 12852 SOUTH 1830 WEST, R-4 ZONE, CECILE PAGE, APPLICANT.

PL NO.: 14-2021 – Page Private Lane Conditional Use Permit

PROPOSED MOTION:

I move that the Planning Commission APPROVE conditional use permit one existing lot to develop with access from a private lane on property located at 12852 South 1830 West, with the following conditions:

1. The private lane shall be paved with either concrete or asphalt to a minimum of twenty (20) feet from the public right-of-way to the driveway of the new home with appropriate turn-around space, as per Riverton City and the Unified Fire Authority regulations.
2. Utility connections shall be approved by the Riverton City Public Works Department prior to construction.
3. The site and structures comply with any and all applicable Riverton City standards and ordinances, including the International Building and Fire Codes.

BACKGROUND:

Cecile Page has submitted an application requesting a conditional use permit to allow a home to be built on an existing lot with access from a private lane. The property is located at 12852 South 1830 West and is zoned R-4 (Residential ¼ acre lots). Properties to the north, south and west are also zoned R-4 and are all utilized as residential. To the east property is zoned R-4 but is utilized as the Riverton City Hall and Salt Lake County Library.

Riverton City Ordinance 17.05.120 states the following in regulating development of private lanes;

(4) Private Streets and Rights-of-Way.

(a) Public Street Systems Encouraged. Public street systems shall be encouraged for access to all residential dwelling sites. However, the city recognizes that there are cases where it is impossible or impractical to develop the lot according to normal subdivision standards. In situations where insufficient land access exists for a public street system, a conditional use for a private lane or right-of-way may be approved by the planning commission.

(b) Subdivision for Lots on Private Lanes. Subdivisions on private lanes or rights-of-way may be developed in any residential zone where at least two of the following conditions exist (subsection (4)(b)(i) or (ii) of this section and subsection (4)(b)(iii) of this section). All subdivisions on private lanes shall submit the same materials that are required for standard subdivisions and shall be approved via the process for standard subdivisions.

(i) A lot of record which is preexisting and has no frontage or adequate property to construct a public street; or

(ii) It can be demonstrated by the applicant that the property cannot be physically subdivided with public streets, either now or in the foreseeable future; and

(iii) The development does not impede the necessary access from adjoining properties as required by the master transportation plan.

In this situation, the subject property is an existing lot of record. There will be no subdivision of property related to this development. Both lots are currently legally non-conforming lots in regards to minimum lot standards as found in the R-4 zone however only one has access to a public street.

The issue being discussed here is whether the home should be constructed on a public street rather than a private lane. Due to a home being located at the eastern end of the property a public street is not feasible without removing the existing home. Even if the home were to be removed and a public street required the lot is only 70 feet wide thus render the lot essentially unusable. Therefore, Staff can securely state that the criteria as listed in the ordinance above has been satisfied and the proposed development is properly suited for a private lane.

City ordinances require a private lane with one residential user to be a minimum of twenty (20) feet wide with a minimum of fifteen (15) feet of asphalt. The lane shall be fully improved prior to the homes being occupied.

Staff is recommending approval with the conditions listed above.

ATTACHMENTS:

The following items are attached for your review:

1. A copy of the Site Plan application
2. A copy of the Zoning Map
3. A copy of the Aerial Views
4. A copy of the Site Plan and Landscape Plans.
5. A copy of the building elevations



PL No. 14-2021
Date 10/16/2014

Application

Conditional Use Permit

Applicant's Name Cecile Page
Home Address 12852 S. 1830 W
City Riverton State UT Zip 84065
Telephone # 801-254-6291 Mobile # _____
E-mail Address _____ Fax # _____

Contact Person and Title Dixie Home Builders Inc.
Address P.O. Box 910056
City St George State UT Zip 84791
Telephone # 435-313-5440 Mobile # _____
E-mail Address DixieHomeBuilders@gmail Fax # 435-656-0215

1. Project Information

- Name of proposed business Home
- Address 12852 S. 1830 W.
- Description of the proposed use Home to live
- Sidwell/Tax ID# 176047 Total Acreage of the Site .66
- Current Zoning of the Proposed Site _____
Zoning of Adjacent Parcels: North _____ South _____ East _____ West _____
- Current Use of Land Vacant lot
- Number of Existing Structures 0

All drawings and other requirements must meet Riverton City Engineering Standards and Development Standards as presented by ordinance. Please note that for your convenience, an application checklist is enclosed. Incomplete applications will not be accepted or approved.

Cecile F. Page
Applicant's Signature

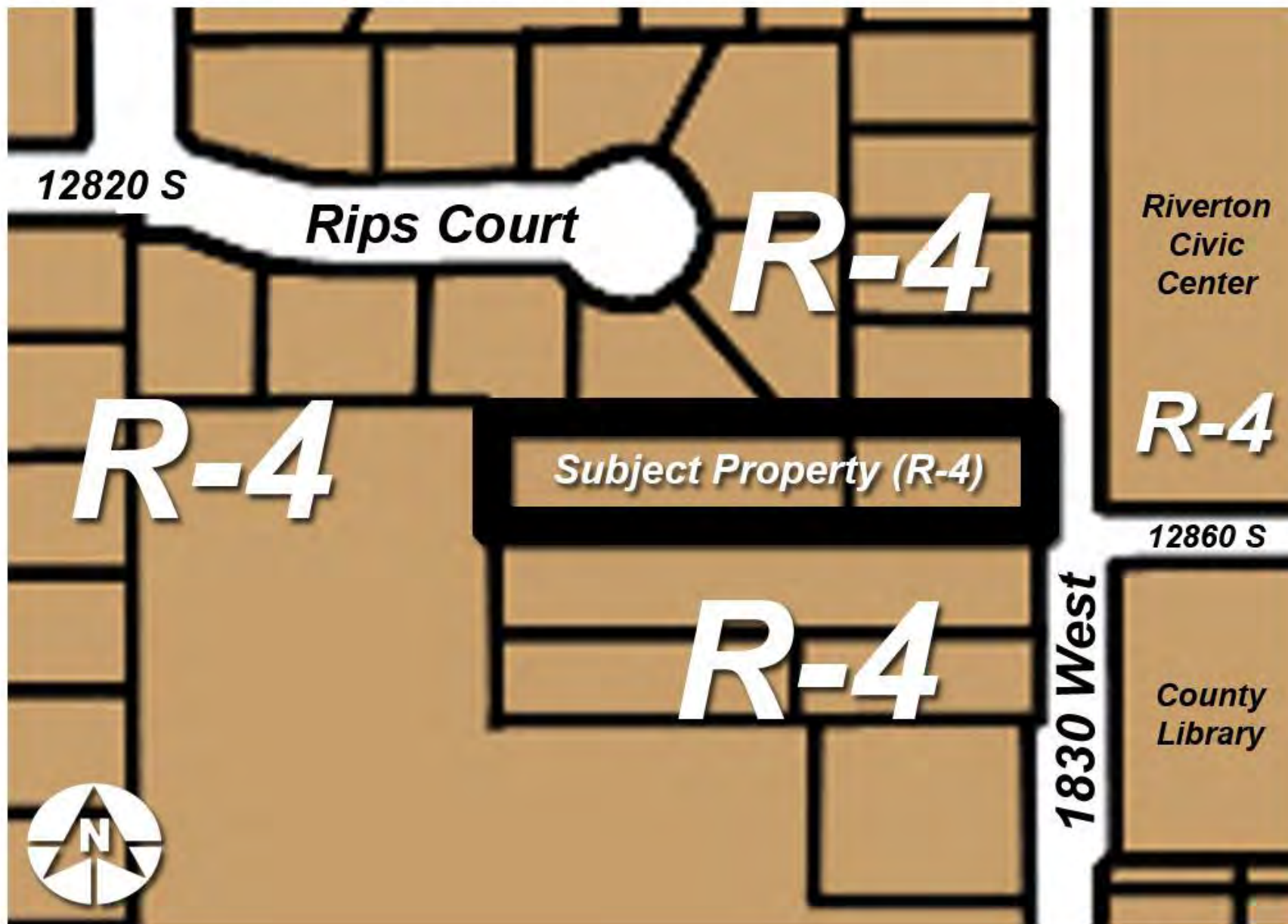
10/16/2014
Date

Revised 07/08

Page Private Lane Conditional Use



Aerial View



Page Private Lane Conditional Use



Aerial View