Approved: PC 1.9.25

RIVERTON CITY PLANNING COMMISSION
MEETING MINUTES
DECEMBER 12, 2024

The Riverton City Planning Commission convened at approximately 6:30 p.m. in the Riverton City Hall, 12830 South Redwood Road, Riverton Utah.

Planning Commission Members:	**Staff:**
Evan Matheson, Chair	Lisa Halversen, City Planner
Monique Beck	Tim Prestwich, City Planner
Gary Cannon	Ryan Carter, City Attorney
Shelly Cluff	
Crystal Keele	
Darren Park	
Troy Rushton	

1. CALL TO ORDER/ROLL CALL

Chair Evan Matheson called the meeting to order at approximately 6:30 PM.

2. PUBLIC HEARINGS

A. "RIVERTON UNDER CAR PROPERTIES LLC," PLZ-24-4009, AN APPLICATION FOR A REZONE FOR PROPERTY AT 2302 AND 2314 WEST 12600 SOUTH FROM RR-22 (RESIDENTIAL, 0.5-ACRE LOTS) TO C-G (GATEWAY COMMERCIAL) FOR FUTURE COMMERCIAL DEVELOPMENT. APPLICANT – THOM JAKAB

City Planner, Tim Prestwich presented the Staff Report and reviewed aerial and zoning maps of the subject parcels. He then discussed the history of the area. RR-22 is one of the oldest zones in the City. Some properties in the area have since converted to commercial, and the owner requested that the two subject parcels also be rezoned to commercial. The General Plan designates the entire block from 2700 West to the canal as Business Park, which corresponds with the Commercial Gateway ("C-G"), Commercial Neighborhood ("C-N"), and Commercial Professional Office ("C-PO") zones. All three zones are present on this block. Master AutoTech, which adjoins the subject parcels and is also owned by the Applicant, is zoned C-G. There is an existing fence between the parcels and Country View subdivision, and no additional fencing was required.

Mr. Prestwich reported that recreational vehicles are currently parked on the properties and Code Enforcement has been involved. If rezoning were approved, a Commercial Site Plan would be required, and the issue would be rectified at that time. He noted that the rezoning was in alignment with the General Plan and neighborhood.

Notices were sent to all property owners within 1,000 feet of the site and posted on the City's webpage, and no comments were received.

The Applicant's representative, Keith Brunman stated that they were seeking rezoning in order to make the property available for future expansion and to conform with the Riverton City Master Plan.

Chair Matheson opened the public hearing. There were no public comments. The public hearing was closed.

Commissioner Park moved that the Planning Commission recommend APPROVAL of application PLZ-24-4009, "Riverton Under Car Properties Rezone," to rezone a 0.88-acre parcel located at 2284 West 12600 to C-G (Gateway Commercial). Commissioner Cluff seconded the motion. The motion passed with the unanimous consent of the Commission.

B. "SYCAMORE GLEN SOUTH REZONE," PLZ-24-4008, AN APPLICATION FOR A GENERAL PLAN AMENDMENT AND A REZONE FOR APPROXIMATELY 1.04-ACRES LOCATED AT 11851 SOUTH REDWOOD ROAD FROM RR-22 (RESIDENTIAL LOW-DENSITY, .5-ACRE MINIMUM LOT SIZE) TO RM-14-SD (RESIDENTIAL HIGH-DENSITY, 14 DWELLINGS PER ACRE). APPLICANT IS REQUESTING 10 UNITS. APPLICANT – RD DEVELOPMENT HOLDING

Mr. Prestwich presented the Staff Report and reported that the subject property is on South Redwood Road near 11800 South. The developer of Sycamore Glen acquired this parcel from the Utah Department of Transportation ("UDOT") and was requesting rezoning to incorporate it into the project. Two five-plex townhome buildings were approved for the adjoining property, and the applicant's stated intention was to build the same type of units on this property.

Notices were sent to all property owners within 1,000 feet of this site and posted on the City's webpage. One comment was received expressing concern about traffic impacts.

Aerial, Zoning, and General Plan maps were reviewed. Mr. Prestwich noted that the subject parcel is currently zoned RR-22. The adjacent Sycamore Glen subdivision is an S-D zone, and one special designation was to allow some smaller, single-family lots along with the two five-plex townhome buildings. The applicant requested rezoning to allow two more five-plex buildings on the subject parcel. The base zoning on the other parcel was RM-6, but that zone no longer allows multifamily attached housing, so the request was to rezone the parcel to RM-14-SD. The General Plan designated the parcel as Professional Office, so a General Plan Amendment to High-Density Residential was also required.

The approved Sycamore Glen Townhomes Phase 1 Site Plan was reviewed, as well as the concept for Phase 2. Mr. Prestwich noted that the recommended Conditions of

Approval included a requirement that Phase 2 be consistent with the standards applied to Phase 1. He then presented a street view of the parcel and noted that water retained by the current pond will either be redirected into the nearby City retention pond or captured by upstream systems. City Attorney, Ryan Carter clarified that Riverton City is committed by contract with UDOT to accept the stormwater that was originally stored in that detention pond. UDOT widened Redwood Road prior to Riverton acquiring the land to the east for its own stormwater detention system, but the City's system is large enough to handle consolidation.

In response to a question raised by Commissioner Cluff, Mr. Prestwich reported that when UDOT bought land to widen Redwood Road, they purchased asset rights and signed a shared access agreement with the north and south properties restricting them to one access point. When the Site Plan is submitted for the second phase of townhomes, traffic studies will be required. They can investigate the possibility of requiring a second access to Redwood Road at that time, and UDOT's access management group will evaluate the request to determine if a second access will be allowed.

In response to a question from Commissioner Cannon, Mr. Carter stated that the City is under contract to maintain the stormwater that was previously in UDOT's pond. The South Jordan Canal negotiations were not material to the discussion.

Commissioner Park expressed concern that the subject property appeared narrower than the Phase 1 parcel and may not accommodate the proposed townhomes. Mr. Prestwich reported that the City was only provided with a conceptual plan, and that plan would conceptually meet all requirements of the zone. He agreed that the parcel appears narrower on the aerial view.

Commissioner Cannon stated that, in his opinion, the townhomes would be the highest and best use for that narrow parcel. He believes the City has done a good job of keeping traffic at the lighted intersections to the north and south and tying this parcel in with the existing subdivision will keep traffic off of Melba Lane.

The Applicant, Dave Morton stated that the subject parcel is almost identical to the other townhome parcel, which is one reason they plan to mirror those buildings. The project was created from three parcels that share access with the dance studio. The traffic study completed four years previously assumed a total of 20 townhomes because this parcel is too narrow for other development. The Sycamore Glen project has been very successful, and they were able to accommodate traffic very well. Their efforts to make the 11800 South intersection adequate and safe included adding a right turn lane that was not initially required by the traffic study.

Commissioner Cannon stated that a lot of time has been put into the project. Many neighbors voiced their concerns over Sycamore Glen, and the developer worked diligently to address those concerns. He believes the subdivision has turned out nicely. Mr. Morton

stated that the UDOT detention pond was not well maintained, and he believes the townhomes will improve the area.

Commissioner Rushton asked if it would be possible for the developer to work with the owner of the dance studio to widen the Maple Brook Lane access to Redwood Road. Mr. Morton stated that extensive revisions were required to obtain UDOT approval for Maple Brook Lane. He believed the road could be widened, but the possibility would need to be studied and considered.

In response to a question from Commissioner Cluff, Mr. Morton reported that the original access agreement did not place a contingency on the number of units, and the original traffic study assumed a total of 20 townhome units. They could consider requesting a second access to Redwood Road, but UDOT generally would not approve two accesses so close together.

In response to a question from Commissioner Cannon, it was reported that Maple Brook Lane is approximately 30 feet wide and has already been approved and platted.

Commissioner Park recalled that when the subdivision was originally approved, they did not anticipate that UDOT would release the subject parcel. At that time, they discussed that if the developer acquired the property, it would allow them to expand the single-family offering and forego the townhomes. He asked how they were able to convince UDOT to sell the property.

Mr. Morton stated that the project's original objective was to assemble infill outlier parcels to provide a cohesive Master Plan of the area, reduce duplicate public services (detention ponds), provide a product that is consistent with the area, and reduce additional access points off of Redwood Road. He noted that the 2021 traffic study included the future additional townhomes in its calculations. In response to Commissioner Park's question, he reported that they were able to purchase the parcel because Riverton City agreed to manage all stormwater from the UDOT pond, and RD Developing Holdings commissioned the design of the City detention pond to ensure that it could handle the additional volume.

Chair Matheson asked about the small strip of land to the southeast of the parcel. Mr. Morton stated that they will likely reach an agreement with that landowner.

Chair Matheson opened the public hearing. There were no public comments. The public hearing was closed.

Commissioner Park noted that the subject parcel is approximately three feet narrower than the neighboring townhome parcel and stated that three feet can make a difference in regard to setbacks and road widths. Mr. Morton clarified that the Site Plan has been engineered and will meet all setback requirements. Commissioner Park stated that he wanted to ensure the project is successful as envisioned.

Commissioner Rushton moved that the Planning Commission recommend APPROVAL of Application PLZ-24-4008, "Sycamore Glen South Rezone," to change the General Plan designation to High-Density Residential and rezone a 1.04-Acre Parcel located at 11851 South Redwood Road to RM-14 SD with the SD Adjustments of:

1. **Minimum lot size of one acre.**

2. **Up to 10 units total, no more than five contiguous units.**

3. **Other zoning regulations to be consistent with the standards applied to the Sycamore Glen Townhomes.**

Commissioner Beck seconded the motion. The motion passed with the unanimous consent of the Commission.

C. "EATS & SWEETS LLC," PLZ-24-2035, AN APPLICATION FOR A CONDITIONAL USE PERMIT FOR A HOME OCCUPATION (COTTAGE BAKERY) TO BE LOCATED AT 3832 WEST BUMPER CROP CIRCLE. APPLICANT – PATTHARASAYA MCGOWAN

City Planner, Lisa Halversen presented the Staff Report and reported that the application was coming before the Planning Commission due to City Code requirements regarding home bakeries. The two-story home is located on the corner of Bumper Crop Circle and Lil Dickens Lane and has a three-car garage and a large driveway. It is 0.26 acres and zoned R-4. The adjoining properties in the Royal Farms subdivision are similarly zoned. Orders would be placed online and picked up at a designated public location, so the business would not generate any traffic and would therefore have minimal impact on the neighborhood. The Site Plan was reviewed, which indicated that the kitchen and an upstairs studio space would be used for the Home Occupation.

Notices were sent to property owners within 300 feet of the subject property and posted on the city's website. One in-person comment was received expressing support for the applicant.

Per Riverton City Code, any Home Occupation involving food or drink preparation, storage, or catering requires a Conditional Use Permit. No more than 25% of the main or upper floors shall be used for the Home Occupation, and the home Occupation may include the sale of tangible goods.

The applicant, Pattharasaya McGowan stated that she intends to bake customized cakes and cookies in her home business. The orders will be delivered to a public location, and no customers will come to her home. In response to a question from Chair Matheson, Ms. McGowan clarified that she will meet customers at public locations like a Target or restaurant parking lot.

Chair Matheson opened the public hearing.

Brent Smart stated that he has been Ms. McGowan's neighbor for six or seven years and he is very supportive of her business.

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

Commissioner Park raised a question regarding proposed Condition 6. The applicant indicated that she did not anticipate any customers coming to her home and the public notice stated that orders will be filled by delivery, but proposed Condition 6 allowed for visitors to the business between the hours of 7:00 a.m. and 7:00 p.m. He believed the condition should be removed to conform with the public notice.

Ms. Halversen reported that the condition was included to allow some flexibility for customers to come to the home on rare occasions. Commissioner Park stated that the public was not informed of that use, and the condition would allow the applicant to have visitors between those hours. Ms. Halversen clarified that the Planning Commission had the authority to change any condition, but she did not believe that one or two customers visiting the home would have a negative impact on the neighborhood.

In response to a question from Commissioner Park, Mr. Carter stated that the evidence is weighed at a public hearing, and the Planning Commission makes a decision based on that evidence. The Commission is not restricted by the language of the public notice. If the Commission does not believe the volume of traffic will be a threat to the neighborhood, they can approve or soften the recommended conditions. He believes it is reasonable to expect that even a business with a delivery-only model will occasionally have in-person customers. However, at the Commission's direction, a second public hearing could be held and noticed to indicate that there could occasionally be traffic to the home.

In response to a question from Commissioner Cluff, it was clarified that it is standard to allow Conditional Home Occupations to have visitors between 7:00 a.m. and 7:00 p.m. Commissioner Park expressed concern that they were not being transparent with the public about the potential for visitors to the home.

Commissioner Cannon asked about potential remedies if traffic to the home business became a problem. Mr. Carter stated that, if the permit were granted with the conditions as stated, visitors would be allowed during those hours and there would be nothing to remedy. The Planning Commission could legally grant that condition. However, if they were not comfortable doing so, the only solution would be to direct Staff to reissue the notice and hold another public hearing.

Commissioner Rushton stated that Condition 6 is a standard approval, and denying the application based on it would be penalizing the applicant for self-imposed conditions. Because she has a different type of business model today, it would restrict her in the

future. The Planning Commission consistently discusses matters that were noticed and then changes the final approval based on their discussion. He did not understand Commissioner Park's concern. For example, restrictions regarding traffic or drop-off and pick-up for home daycares are often changed from what was publicly noticed.

Commissioner Cluff stated that the City communicated on its notice what the applicant communicated to the City, which is typical of public notices. However, City Code is public, and the notice is not required to cover all possibilities allowed by the Code. The description on the public notice often does not capture every possibility. Based on the applicant's plan and the available information, she believed the Commission could approve the application without feeling like they had deceived the public. She suggested including a cap of two customers per day, which would avoid traffic congestion issues as stated in the public notice.

Commissioner Park stated that he did not have an issue with this particular business. His issue was with the wording of the notice and whether the City was being truthful about the possibilities for a home-based business. He believes it was a mistake to place that restriction on the notice.

Neil McGowan stated that they do not want strangers at their home, and they did not mind if the Commission removed Condition 6. If the business is successful enough to require customer pick-ups, they will move it to a retail space.

In response to a question, Mr. Carter clarified that Condition 6 is codified, so striking it from the motion would allow visitors to the home at all hours.

Commissioner Cluff moved that the Planning Commission PLZ-24-2035, "Eats & Sweets," at 3832 West Bumper Crop Circle, with the following conditions:

1. **The site, structures, and use shall remain in compliance with any and all applicable Riverton City standards and ordinances, specifically the City Home Occupation Ordinance (18.190) and applicable Building and Fire Codes.**

2. **Applicant must obtain and maintain a Riverton City business license.**

3. **Applicant must obtain and maintain applicable State and other outside agency approvals.**

4. **Home Occupation must operate within the Fixed Standards and applicable Qualifications and Conditions as outlined in the Home Occupation Ordinance and with this approval.**

5. **Applicant may use up to 25% of the main floor for the business.**

6. **No visitors in conjunction with the home occupation before 7 am or after 7:00 p.m.**

Commissioner Keele seconded the motion. The motion passed with the unanimous consent of the Commission.

D. "MAVERIK," PLZ-24-8023, AN APPLICATION TO AMEND A COMMERCIAL SITE PLAN FOR A BUILDING LOCATED AT 2707 WEST 12600 SOUTH BY REMODELING THE INTERIOR AND MAKING SLIGHT UPDATES TO THE EXTERIOR. APPLICANT – BECCA REES.

Mr. Prestwich presented the Staff Report and reported that the building and fuel station were constructed in 1996. The applicant intends to repaint the building to gray and black, and canopies and signage will be changed to reflect the company's current branding scheme. An aerial view of the subject property was displayed, as well as building elevations. Mr. Prestwich noted that signage will be reviewed prior to issuance of a Sign Permit. Staff recommended approval of the application with the conditions outlined in the Staff Report.

Notices were sent to affected property owners and posted on the City's website, and no comments were received.

The applicant, Becca Rees stated that she lives in Riverton, and she appreciates the Planning Commission's vested and heart-centered interest in the community. The planned remodel is less than their standard protocol because the building is an older "country store" model. They will leave the bottom part of the exterior as-is and paint the top Worldly Gray. The gutter will be replaced with a new, pre-finished red gutter. The existing roof will remain. The canopy will be replaced with one that is red with white lettering, and the canopy columns will be rewrapped.

Chair Matheson opened the public hearing. There were no public comments. The public hearing was closed.

Commissioner Rushton moved the Planning Commission APPROVE Application PLZ-24-8023, "Maverik," amending the Site Plan of the existing commercial building located at 2707 West 12600 South, with the following conditions:

1. **Building materials and colors will match the submitted plans as shown.**

2. **Any landscaping changes must be approved in a landscaping plan submitted to staff for review for compliance with existing Code requirements.**

Commissioner Cluff seconded the motion. The motion passed with the unanimous consent of the Commission.

E. "ANNIE'S CHILDCARE," PLZ-24-2037, AN APPLICATION FOR A CONDITIONAL USE PERMIT FOR A HOME OCCUPATION (IN-HOME CHILDCARE) TO BE LOCATED AT 2148 WEST SILVER TREE CIRCLE. APPLICANT – ANDREA JENKINS

Ms. Halversen presented the Staff Report and reported that the property is zoned R-3, as are all neighboring properties in the Meadows Phase 3 subdivision. The home is a rambler with a basement, three-car garage, and extra-wide driveway. The applicant requested approval to provide childcare for 12 children, including her four children and eight additional children, and one nonresident employee. The applicant intends to provide all transportation for pick-up and drop-off at a central, offsite location.

Notices were sent to all affected property owners and posted on the City's website, and one public comment was received regarding traffic concerns. When Ms. Halversen explained the applicant's proposal to provide transportation, the gentleman had no further concerns. He stated that he was willing to withdraw his opposition if that could be made a condition of approval. After discussion with the applicant, that condition was added to the draft motion.

The Site Plan was reviewed, which indicated that the daycare would utilize two rooms, plus the kitchen and bathroom.

The applicant, Andrea Jenkins stated that she has operated a home-based childcare for over three years. She recently moved to Riverton and is working to license the business in the City. She transports the children offsite to a central location for pick-up and drop-off.

Commissioner Beck asked about contingencies for when a child becomes sick or other issues arise. Ms. Jenkins stated that either she or her employee would transport the child for pick-up. In response to a follow-up question from Commissioner Cluff, Ms. Jenkins stated that there could be an unforeseen need for a parent to come to the home, but she did not plan for parents to come to the home.

In response to a question from Commissioner Park, Ms. Jenkins stated that she has followed the same transportation plan for three years. On rare occasions, a parent has needed to come to the home.

Chair Matheson opened the public hearing.

Shondra Barber reported that she lives across the street and one house to the east of the applicant's home. She is retired and is home during the day, and she has actually noticed

a decrease in traffic since the previous residents of the home moved out. She believes there is a need for childcare in Riverton and is in favor of the application.

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

Commissioner Rushton stated that limited visitors should be allowed. When his children were in daycare, they would sometimes get sick and need to be picked up. Commissioner Park agreed that exigent circumstances should be considered, and visitors should be allowed in those instances. Commissioner Cluff agreed.

Commissioner Cluff moved that the Planning Commission APPROVE Application PLZ-24-2037, "Annie's Childcare," for a Conditional Use Permit for a Home Occupation (in-home childcare) at 2148 West Silver Tree Circle, with the following conditions:

1. **The site, structures, and use shall remain in compliance with any and all applicable Riverton City Standards and Ordinances, specifically the City Home Occupation Ordinance (18.190) and applicable building and Fire Codes.**

2. **Applicant must obtain and maintain a Riverton City business license.**

3. **Applicant must obtain and maintain applicable State and Health Department approvals.**

4. **Home Occupation must operate within the Fixed Standards and applicable Qualifications and Conditions as outlined in the Home Occupation Ordinance and with this approval.**

5. **The Home Occupation may have up to 12 children per day, including the applicant's children.**

6. **No business activity may take place after 7:00 p.m.**

7. **One full-time, nonresident employee is permitted. Employees must use off-street parking.**

8. **Child transportation to and from the home will be provided by the applicant. Intermittent visits are permitted for exigent circumstances.**

Commissioner Park seconded the motion. The motion passed with the unanimous consent of the Commission.

F. "VICKY'S CHILDCARE," PLZ-24-2039, AN APPLICATION FOR A CONDITIONAL USE PERMIT FOR A HOME OCCUPATION (IN-HOME CHILDCARE) TO BE LOCATED AT 4996 WEST BADGER LANE. APPLICANT – GILMAR HERNANDEZ

Ms. Halversen presented the Staff Report and stated that this childcare business is in operation and has an existing Conditional Use Home Occupation Permit allowing up to eight children. The applicant was requesting an increase to 12 children. The property owner gave permission for the Home Occupation.

Vicky's Daycare is located on a 0.12-acre lot in a compact subdivision with narrow streets. Pick-ups and drop-offs are staggered to limit traffic issues. Ms. Halversen noted that the daycare has been in operation for 10 years, and in that time no complaints regarding the business had been received by the City.

The Site Plan was reviewed, which indicates that the kitchen and two other rooms will be used for the daycare. Concrete was poured to create two additional parking spaces in the driveway, for a total of four parking spaces. A retaining wall in the fenced backyard has been moved to allow more area for children to play. The parking plan was also reviewed, and Ms. Halversen reported that the applicant had been informed that pick-ups and drop-offs should take place in the driveway.

Notices were sent to all affected property owners and posted on the City's website, and no comments were received.

Commissioner Rushton asked if the number of children allowed by Riverton City was consistent with State legislation. Ms. Halversen stated that 12 children is the maximum allowed by both.

Julio Hernandez spoke on behalf of the applicant and stated that Ms. Hernandez wishes to expand her daycare business to accommodate 12 children. The driveway has been extended, and a pick-up and drop-off schedule is in place to prevent congestion. They have not received any complaints from neighbors.

Commissioner Keele asked if the four additional children were already on a waiting list and if they would arrive in one car or several cars. Mr. Hernandez stated that he did not know if the children would be from the same family or four separate families.

Chair Matheson opened the public hearing.

Ken Muriano reported that he lives on West Badger Lane. He has witnessed the staggered drop-offs and pick-ups and they do not cause additional congestion on the road. However, a lot of traffic comes down the road, and many cars make U-turns in his driveway. He asked if it would be possible to add signage discouraging U-turns or indicating that the road continues past the curve. He clarified that he did not want the

request to negatively impact Ms. Hernandez's business. Chair Matheson stated that the Planning Commission could not mandate signage. Mr. Carter added that the applicant could be required to direct all customers to drive through the area in a nose-in/nose-out manner. Mr. Ariano clarified that he did not believe the business created the issue.

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

Commissioner Cluff moved that the Planning Commission APPROVE Application PLZ-24-2039, "Vicky's Childcare," for a Conditional Use Permit for a Home Occupation (in-home childcare) at 4996 West Badger Lane, with the following conditions:

1. **The site, structures, and use shall remain in compliance with any and all applicable Riverton City Standards and Ordinances, specifically the City Home Occupation Ordinance (18.190) and applicable building and Fire Codes.**

2. **Applicant must obtain and maintain a Riverton City business license.**

3. **Applicant must obtain and maintain applicable State and Health Department approvals.**

4. **Home Occupation must operate within the Fixed Standards and applicable Qualifications and Conditions as outlined in the Home Occupation Ordinance and with this approval.**

5. **The Home Occupation may have up to 12 children per day.**

6. **The Home Occupation may have up to 24 vehicle trips per day (12 vehicles) by customers/parents.**

7. **Customers shall utilize the driveway for drop-offs and pick-ups.**

8. **Pick-up and drop-off times shall be staggered to avoid congestion.**

9. **The applicant shall provide traffic instructions to all customers to ensure that they either follow the City street or turn around in the applicant's driveway.**

Commissioner Rushton seconded the motion. The motion passed with the unanimous consent of the Commission.

G. "BREE PLACE," PLZ-24-1002, AN APPLICATION FOR A 3-LOT SUBDIVISION ON APPROXIMATELY 1.56 ACRES LOCATED AT 12191 SOUTH 3600 WEST. APPLICANT – GARY CANNON.

Mr. Cannon, as a member of the Planning Commission, recused himself from discussion and action on this matter.

Mr. Prestwich presented the Staff Report and stated that the private lane for this subdivision was previously approved by the Planning Commission. The aerial map was reviewed, showing that the parcels to the north and east of the subject property were rezoned to R-3-SD in approximately 2012, and a six-foot masonry wall was installed along the boundary at that time. The subject property remained RR-22, and the property immediately to the south is zoned R-1.

The subdivision plat and site plan were presented. The subdivision will consist of a private lane, a stormwater retention area, and three lots. New homes will be constructed on Lots 2 and 3, and the existing house will remain on Lot 1. The parcels meet all City size, shape, and setback requirements. City Ordinance requires solid fencing but allows the Planning Commission to make an exception for projects less than two acres in size. Because the zoning is compatible and the existing fence is of high quality, Staff recommended allowing the rail fence on the southern border to remain.

Mr. Prestwich reviewed the recommended conditions of approval and clarified that the City will not maintain the private lane or infrastructure.

Notices were sent to all property owners within 300 feet of the subject property and posted on the City's website, and no comments were received.

Commissioner Park stated that he was not in attendance at the previous meeting regarding this subdivision and asked for clarification on the change. Mr. Prestwich clarified that the previous approval was for a Conditional Use Permit for a private lane to serve the two new lots. The item before the Commission was the subdivision plat.

In response to a question raised by Chair Matheson, Mr. Prestwich stated that the retention areas at the rear of the new lots are shallow as they are only required to retain stormwater generated by the lots and private lane. The requirement is noted on the plat, and the area is inspected prior to final plat approval.

The applicant, Gary Cannon, reported that he purchased the property because the previous owner's husband passed away and she was unable to maintain the residence. There is little profit in the subdivision due to a variety of factors. There is an approximately eight-foot change in elevation from 3600 West to the eastern edge of the subdivision. The private lane will cost $250,000. An 18-inch storm drain line is required along the south property line. A number of dead trees will also need to be removed, and they have already moved nine dumpsters of debris. He has considered demolishing the house and

resubmitting the plat with two 0.75-acre lots, not three 0.5-acre lots as currently submitted. Both houses could then have frontage on 3600 West and the private lane would no longer be required, which would significantly decrease the cost.

In response to a question from Commissioner Keele, Mr. Cannon stated that there is another Bree Place subdivision in the county, so he may need to change the name.

In response to a question raised by Commissioner Park, Mr. Cannon stated that he has discussed decreasing the subdivision to two lots with Mr. Prestwich, and the change would require minimal reengineering. Mr. Prestwich noted that the new plat would need to be brought back before the Planning Commission. Mr. Cannon stated that he is considering the change because the three-lot subdivision will cost substantially more than anticipated, and the land is worth more than the existing home. Demolition of the home would cost approximately $45,000.

Commissioner Rushton asked what drives the $250,000 cost for the small private lane. Mr. Cannon stated that the grade difference will require an extreme amount of infill, and the sewer is approximately 13 feet deep. He was surprised at the cost, which has more than doubled since his last subdivision three years ago. He noted that Riverton City is one of the most affordable cities in the area to build subdivisions in. The high price is due to labor and materials costs.

Chair Matheson opened the public hearing.

Charity Simons reported that she lives on Parcel 116, and she was concerned about light pollution. She assumed the new homes would be large ones, likely with security lights facing her home and shining into her windows. Mr. Cannon stated that they will conform with City lighting requirements. The lots will be sold to individual homeowners, and the houses will sell for $1.5 million or higher. It was clarified that there is no requirement for streetlights on the private lane so the only lighting would be on the individual homes, which have no restrictions regarding lumens or direction.

Commissioner Rushton understood Ms. Simons' concern but noted that the homes will be consistent with the homes to the north and east. Neighbors will need to work out any concerns regarding things like the direction of spotlights amongst themselves.

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

Commissioner Rushton moved that the Planning Commission APPROVE Application PLZ-24-1002, "Bree Place Subdivision," to be located at 12191 South 3600 West, with the following conditions:

1. **Subdivision lots and private lane layout shall be consistent with the plans presented to the Planning Commission except where otherwise noted.**

2. **Applicant must Apply for a Final Plan Approval, which will be reviewed by Staff, and Final Plat must be recorded with Salt Lake County.**

3. **Applicant must fix any outstanding City Staff redline comments on the plat and plans.**

4. **The applicant must obtain any necessary approvals or permits from applicable outside agencies or jurisdictions.**

5. **Storm drainage systems and accommodations comply with the Riverton City Standards and Ordinances and with the recommendations of the Riverton City Engineering Division.**

6. **The Applicant must create and agree to follow a Long-Term Storm Water Management Plan according to Riverton City standards and ordinances.**

7. **A Land Disturbance Permit must be issued by the City prior to any construction grading on the site.**

8. **The site and structures shall comply with all applicable Riverton City Standards and Ordinances, including the International Building and Fire Codes.**

9. **The private lane and utilities beneath it are to be owned and maintained by the property owners. No City maintenance will take place on infrastructure outside the Public Right of way or an established City easement.**

10. **Existing Fencing may remain.**

Commissioner Matheson seconded the motion. The motion passed with the unanimous consent of the Commission.

Commissioner Cannon rejoined the Commission for the remainder of the meeting.

H. "SALT FLATS DENTAL," PLZ-24-8024, AN APPLICATION TO AMEND A COMMERCIAL SITE PLAN FOR A BUILDING LOCATED AT 3816 WEST 13400 SOUTH BY REMOVING THE SOUTH CLOCK AND ADDING TENANT SIGNAGE. APPLICANT – ALLIED SIGN.

Ms. Halversen presented the Staff Report and stated that Salt Flats Dental has an existing dental office near the Herriman border. They are opening a second location in the Jill Meadows commercial subdivision on the north side of 13400 South near Bangerter

Highway. The subdivision has two buildings, and the dental office will be in the south building. Because the building was approved with a clock tower as an architectural feature, the Planning Commission must approve the removal of one clock face as an amended Site Plan.

Salt Flats Dental would like the same opportunity for signage along 12600 South as the other tenants, and they proposed replacing the clock on that side of the tower with a sign advertising their business. The tower currently has two clocks, one facing 13400 South and one facing Bangerter Highway. Photographs of the clock and proposed sign were reviewed, and Ms. Halversen noted that the building owner gave permission for the change.

Ms. Halversen reported that the property is zoned C-R, and the Regional Commercial Code requires a minimum of five architectural features in the zone. However, those features were not specified as part of the building's approval. In response to a question from Commissioner Park, Ms. Halversen confirmed that the building will still meet all architectural requirements.

Notices were sent to all affected property owners and posted on the City's website, and no comments were received.

Kaitlyn Collard spoke on behalf of Allied Signs and stated that Salt Flats Dental would like to have a prominent sign so that patients know which building they are in.

Chair Matheson opened the public hearing. There were no public comments. The public hearing was closed.

Commissioner Park moved that the Planning Commission APPROVE Application PLZ-24-8024, "Salt Flats Dental," to amend a Commercial Site Plan for a building located at 3816 West 13400 South by removing the south clock and adding tenant signage, with the following conditions:

1. **Changes to the exterior will match the submitted plans as shown.**

2. **The applicant will work with City Staff to obtain any required permits.**

3. **Any landscaping changes must be approved in a landscaping plan submitted to Staff for review for compliance with existing Code requirements.**

Commissioner Keele seconded the motion. The motion passed with the unanimous consent of the Commission.

3. DECISION ITEMS

There were no decision items.

4. DISCUSSION ITEMS

A. LEGAL PRESENTATION/TRAINING BY RYAN CARTER, CITY ATTORNEY

Mr. Prestwich reported that all Planning Commission Members will receive new email addresses to conduct Commission business. He then reviewed the setup process.

Mr. Carter stated that moving forward, all correspondence involving the Planning Commission must be routed through the email addresses issued by the City. Private email addresses can no longer be used. If Riverton City were involved in litigation where the correspondence between Planning Commission members was in controversy, courts could issue an order demanding delivery of devices the members used to access their personal email accounts, including personal computers or phones. By communicating only through the official email channel, they will avoid any possibility of being required to hand over their personal equipment.

When a records request is received by the City, Staff must review all records that could fall within the ambit of the request and hand over what is required. They do not hand over anything that is considered to be private, protected, or controlled. For example, responses to correspondence from a developer about whether Commissioners will be at a meeting are a matter of government record and should be handed over during the course of a Government Records Access and Management Act ("GRAMA") request. Correspondence regarding going for a coffee after the meeting is personal and is not disclosed.

Mr. Carter clarified that all correspondence received by the Planning Commission is a government record regardless of whether it is sent to official or private email accounts. If an unsolicited email is sent to a Commissioner's private account in their capacity as a Planning Commissioner, it should be forwarded to their City email account for preservation. The City can then convincingly defend the position that there is no need for a discovery order regarding the Commissioners' personal property.

Commissioner Rushton requested that the City provide a low-cost device for Commissioners to utilize in their positions on the Planning Commission. Mr. Carter stated that he would review the request with the City Manager. The email accounts are internet-based and emails are routed through an archiving tool prior to delivery, so there would be no danger of personal devices being requested for a discovery order. However, if there was a concern about wear and tear on personal devices, that was a valid argument. It was noted that Chair Matheson and other Commissioners were offered iPads when they

joined the Commission, and one should be available for Commissioner Rushton. Commissioners then discussed the benefits of using the provided iPads for City business.

5. MINUTES

A. MINUTES APPROVAL – NOVEMBER 14, 2024.

Commissioner Cluff moved that the Planning Commission APPROVE the Planning Commission Meeting Minutes of November 14, 2024, as reported. Commissioner Keele seconded the motion. The motion passed with the unanimous consent of the Commission.

6. ADJOURNMENT

The meeting adjourned at approximately 9:06 PM.