

**RIVERTON CITY PLANNING COMMISSION
MEETING MINUTES
APRIL 9, 2026**

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

Planning Commission Members:

Darren Park
Evan Matheson
Shelly Cluff (left at 8:05 p.m.)
Monique Beck
Joe Marzo

Staff:

Matt Cassel, City Engineer
Tim Prestwich, City Planner
Lisa Halversen, City Planner
Brett Coombs, Assistant City Attorney

1. CALL TO ORDER/ROLL CALL

Chair Darren Park called the Planning Commission Meeting to order at 6:30 p.m. Chad Collard led the Pledge of Allegiance.

2. PUBLIC HEARINGS

A. "THE MUSCLE BUS," PLZ-26-2014, AN APPLICATION FOR A CONDITIONAL USE PERMIT FOR A HOME OCCUPATION TO BE LOCATED AT 1876 WEST 13400 SOUTH. APPLICANT – TANNER MERTLICH.

Lisa Halversen, planner, presented the Staff Report and indicated that the subject property was 0.82 acres and zoned RR-22, as are the surrounding properties. The home is an approximately 2,470-square-foot rambler with an elliptical driveway on the south side and extra-wide driveway to a detached garage on the southeast side.

The applicant is a mobile physical fitness trainer. His business, the Muscle Bus, meets all requirements for administrative approval. However, he intends to build a detached garage in the northeast corner of the property to store his gym trailer, which requires Planning Commission approval. The business is mobile and there are no employees.

The proposed Site Plan and site photographs were reviewed. One-half of the proposed detached garage will be used for the business, and the driveway will be extended from the street. Pending construction of the garage, the trailer will be parked behind the white vinyl privacy fence at the side of the home. The trailer is 14 feet long, with logos on the exterior and gym equipment stored inside.

Notices were sent to residents within 300 feet of the subject property, and no comments were received.

Commissioner Cluff asked if there would be any issues with obtaining a building permit for a second garage due to the size limit for accessory structures. Ms. Halversen stated that

10% lot coverage is allowed for accessory structures, and she had provided the applicant with the maximum size for the second detached garage.

The applicant, Tanner Mertlich stated that he is a traveling personal trainer and operates primarily in clients' home gyms. Many of his clients are in Park City. He occasionally provides consultations in his home-based gym. He also does a lot of corporate events and had an HOA event in Riverton scheduled for the following week.

In response to a question from Chair Park, Mr. Mertlich confirmed that the property will be his primary residence.

Commissioner Matheson asked how the second garage will be used. Mr. Mertlich reported that he will park the trailer in the garage, and he also stores equipment there. The other 50% of the garage will be for personal use. Clients occasionally come to his home for consultations, as new clients are sometimes hesitant to have him at their home for the initial visit. The business had been operating in Riverton for seven to eight years.

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

Commissioner Cluff moved that the Planning Commission APPROVE Application PLZ-26-2014, "The Muscle Bus", a Home Occupation at 1876 West 13400 South, subject to 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. Business trailer must be parked behind the gate in the side or rear yard or in the garage.**
- 6. Applicant is permitted to use up to 50% of the detached garage space for business activities.**

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

B. "BRADY PRIVATE LANE," PLZ-26-2017, AN APPLICATION FOR A CONDITIONAL USE PERMIT FOR A PRIVATE LANE TO SERVE ONE LOT, TO BE LOCATED AT 12666 SOUTH GILBERT CIRCLE. APPLICANT – BLAINE BRADY.

City Planner, Tim Prestwich, presented the Staff Report and indicated that the application was for a private lane. The Zoning and Aerial Maps were reviewed. The subject property is zoned R-4, as are all surrounding residential properties. A variety of commercial zoning is along 12600 South.

Mr. Prestwich reported that the property is uniquely shaped and backs onto a commercial nursery. Public comments had been received expressing concern that the property would connect to the nursery, but that was incorrect. The private lane is for residential use only. The applicant had previously discussed the possibility of rezoning a portion of the property to commercial to sell to the owner of the nursery, but that sale did not go through. The applicant was now pursuing subdividing the property to create a second residential lot.

The Concept Plan and site photographs were reviewed. If the private lane was approved, the applicant intended to hire an engineer to create subdivision plans that meet City Ordinance. Mr. Prestwich believed the subdivision would meet all requirements. The private lane would extend 20 feet to the approximately 10,000-square-foot lot, and both properties should have adequate setbacks.

When reviewing applications for private lanes, the Commission must consider whether the proposed private lane would cut off access to a planned public street. There was no public street planned for the area. The rear parcel also cannot be serviced from an existing public street. The Ordinance was written to address challenging parcels like the subject property, and Staff determined that the application met the criteria for a private lane.

Mr. Prestwich reviewed the recommended Conditions of Approval and noted that Condition 2 specifies that the lots shall be residential, so there was no risk of commercial access on the property. The applicant only intended to create one lot, but Staff recommended approval of up to two lots as the private lane may also need to serve as a shared driveway. He noted that the Subdivision Plat would come before the Planning Commission for approval.

In response to a question raised by Chair Park, Mr. Prestwich reported that multiple steps would be required to allow a commercial use on the subject property, and each step would require a public hearing.

The applicant, Blaine Brady, stated that he is a full-time real estate investor who has completed approximately 200 transactions in Salt Lake County over the last several years. He primarily repairs and flips homes but is now moving into building. The vacant lot meets the requirements for building, and he believes it will be a great location for a single-family

home. The existing home is currently vacant. He intends to renovate and sell it and build a new home on the new rear lot.

Chair Park opened the public hearing.

Terry Seagood gave his address as 12668 South 3950 West and expressed concern that the applicant's website advocated for renting properties prior to selling. Both homes may turn into rental properties instead of being sold, which could affect property values. Many families have been raised on the cul-de-sac and it would be great if two families lived there. He asked if the rear parcel could be developed with a duplex or fourplex. The neighborhood would not change very much if the homes were sold, but it may be different if they are rentals.

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

Commissioner Cluff asked if a private lane could be denied on the basis that it is not a good fit for the neighborhood. Mr. Prestwich reported that City Code anticipates that development will happen and provides paths to do so. The preferred path is with a public street, but the City recognizes that it is impractical to develop some properties with a public street.

Three criteria are provided for approval of a private lane:

1. Is a public street planned for the property?
2. Is it likely that another property would try to access the parcel with a public street?
3. Will it block access to another parcel?

Staff verified that the criteria are met prior to accepting an application for a private lane. The Planning Commission then reviews the application and determines if it meets requirements for width, fire turnarounds, etc. If it meets all criteria, it is entitled to approval. The same applies to subdividing a lot; it can only be denied if subdivision would create a lot that is incapable of being built on. That did not apply in this case as the proposed rear lot would meet all criteria.

In response to Mr. Seagood's question, Mr. Prestwich reported that duplexes are not allowed in any single-family residential zone. An Accessory Dwelling Unit ("ADU") is allowed, but either the primary home or ADU must be owner occupied and the ADU is limited to a specific percentage of lot coverage. It would be difficult to construct an ADU on the subject property due to those constraints.

Chair Park asked if City Code would prevent the homes from becoming rental units. Mr. Prestwich reported that State law prohibits cities from regulating tenant types.

Commissioner Cluff moved that the Planning Commission APPROVE Application PLZ-26-2017, "Brady Private Lane", to be located at 12212 South 3950 West, subject to the following:

Conditions:

- 1. Private lane shall follow Riverton City Code for development on private lanes.**
- 2. Approval is for a private lane, with up to two (2) residential two lots accessing the private lane.**
- 3. Private lane shall be at least 20 feet wide paved surface.**
- 4. Private lane shall be paved in either asphalt or concrete according to the requirements of the Unified Fire Authority and the Riverton City Standards and Specifications. City Staff must approve the Civil Engineering plans for this lane and related improvements.**
- 5. The private lane shall be designed and installed to the standards of the Unified Fire Authority and Riverton City Standards and Specifications including stormwater and turnarounds as required by ordinance.**
- 6. Private lane shall be named and signed according to Riverton City standards.**
- 7. The subject parcel's driveways, including the private lane entrance, shall conform to Riverton City Standards for driveways, including but not limited to width, number of driveways and separation distance between driveways.**
- 8. The private lane shall be maintained by the homeowners. No City maintenance will be performed on the private lane.**
- 9. Written CC&Rs or an agreement for shared access and maintenance of the private lane must be submitted with the subdivision plat.**
- 10. No building permits shall be issued until the private lane is paved.**

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

Mr. Prestwich reported that the public will receive notice of the public hearing for the Subdivision Plat in two months or later. In response to a question from Chair Park, he confirmed that the City prefers that the applicant obtain approval for the private lane prior to submitting the Subdivision Plat.

- C. "BEEHIVE HOMES PHASE 2", PLZ-26-8004, A FINAL COMMERCIAL SITE PLAN APPLICATION FOR AN ASSISTED LIVING CENTER TO BE LOCATED AT 12550 SOUTH DOREEN DRIVE. APPLICANT – TIM RUSH**

Mr. Prestwich presented a conceptual rendering of the assisted living center, with an existing building to the left and the new structure to the right. The aerial map was reviewed next. The subject property is located on Doreen Drive, which serves as commercial access for Mountain America Credit Union, and fast food restaurants, as well as residential access to the neighborhood at the rear. The site was approved for two separate assisted living buildings in 2016. Given the length of time since that approval, Staff believed it was best to hold a public hearing on the final plan.

The original and proposed Site Plans were reviewed, as well as site photographs. An existing eight-foot masonry wall separates the subject property from the adjacent residential development. Mr. Prestwich reported that the property already met all fencing, parking, and sidewalk requirements for both buildings. The new structure will match the architecture and materials of the existing building as closely as possible. The Site Plan had been modified to create a breezeway between the buildings with a single access point. Rather than two mirrored buildings as originally planned, entry will be through a single security door and the buildings will be accessed from each end of a breezeway. Cross-access easements with Nuttall's Sewing Centers included the future second building.

Architectural renderings were reviewed. Mr. Prestwich noted that although the applicant's goal was to match the existing building, the new building would meet the City's new architectural standards. More than two architectural elements were proposed, brick is a primary material, and the building has four sides of architecture. The application had been reviewed by all departments. Staff recommended approval subject to the Conditions of Approval outlined in the Staff Report.

Commissioner Matheson referred to a comment received from the owner of Nuttall's Sewing regarding the shared access and parking. He asked if a traffic study had been performed to determine if adequate parking was available. Mr. Prestwich reported that traffic studies are generally required to determine access points or verify the number of trips generated by the business, and that matter was settled when the parcel was first approved and developed. Parking is established by the City Zoning Ordinance. A nursing home or care center requires four stalls plus one-half stall per bed, for a total of 21 stalls. If each building was considered a separate facility, there was a deficit of four stalls. However, it was planned and connected as one building, so all parking requirements were met.

In response to a follow-up question, Mr. Prestwich reported that when Phase 1 was first submitted, a subdivision was proposed to create two separate lots with cross-access and utility easements. He discovered earlier that day that the plat which included those easements did not appear to have been recorded. Neither property would have been approved without the easements, and a building permit could not be issued until the matter is resolved.

Chair Park asked Assistant City Attorney, Brett Coombs, to address the issue. Mr. Coombs reported that if the parties did not agree that there is a shared easement and no plat was recorded, the City would inform both lots that they cannot continue to operate; either they

reach an agreement or the City will create an easement. The hope was that the easement was recorded elsewhere within the line of title or via another agreement that occurred at the time of subdivision. Chair Park remarked that the owner of Nuttall's Sewing mentioned the access agreement in their letter. Mr. Coombs stated that it was likely just a matter of cleaning up the paperwork, but the properties were originally one lot and approval of both buildings was contingent on shared access.

Commissioner Cluff asked if the item should be continued until the matter of easements was clarified. Mr. Prestwich reported that the item could move forward, but the applicant should be required to demonstrate that the cross-access easements exist. In response to a follow-up question from Commissioner Cluff, Mr. Prestwich confirmed that signage could be required to identify Beehive Homes parking and reduce cross use. Commissioner Matheson questioned whether that was within the Planning Commission's purview. Mr. Prestwich clarified that signage could be a Condition of Approval for the current application, but the same requirement could not be placed on Nuttall's Sewing Centers as they did not have an application pending. Signage options were discussed, including requiring one directional sign or curb painting for the Beehive Homes stalls.

The applicant, Tim Rush, stated that they had put a lot of work into planning the new building. They had met with Nuttall's Sewing Centers and addressed some of their concerns, and they are committed to being good neighbors. They had also discussed installing signage to label parking stalls. Regarding the easement, they would prefer it be included as a Condition of Approval so construction is not further delayed. All redlines indicated in the Staff Report had been corrected and the plans resubmitted. For example, they had already added more trees to the Landscape Plan.

Chair asked about the applicant's plans to minimize negative impacts to the neighboring business during construction. Mr. Rush stated that temporary fencing will be installed. Nuttall's Sewing Centers will be invited to the kickoff meeting, and they will be provided with 24 hours' notice of large shipments. They will make regular site visits and ensure that construction debris is cleaned up regularly.

In response to a question from Commissioner Cluff, Mr. Rush stated that they will install signs at regular intervals to indicate Beehive Homes parking and will discuss their plans with Nuttall's Sewing Centers to ensure that the signage is sufficient. In response to her follow-up question, Mr. Rush stated that he did not have information on the number of employees at the facility, but his understanding was that the new building would only require three additional staff members. Currently, the parking lot is never full. Their busiest days are when there is a death at the facility and occasionally at move-in.

Commissioner Beck asked if there were set visiting hours. Mr. Rush stated that it is a memory care facility that operates 24 hours per day with controlled access, but visiting hours are primarily during regular business hours.

Chair Park opened the public hearing.

Rhonda Lopez stated that she is the owner of Nuttall's Sewing Centers and expressed concern about the parking area. There were questions about whether there would be adequate parking in 2016, and doubling the number of residents and increasing staff will have an impact. They had been monitoring the parking area for the past four to five months and it averaged between 50% and 75% full without the second building. Additionally, the Beehive Homes parking will be reduced by two stalls. She did not know if there was a logical reason why the excessive amount of grass could not be turned into additional parking but believed it was worth considering.

Ms. Lopez reported that she had copies of the easements and would share them with Staff. At the time the property was subdivided, her company bore the cost of installing the shared sewer infrastructure. The other property owner's title company declared bankruptcy and money that had been set aside to cover their share of the costs was not turned over, and she assumed that was also why the easements were not properly recorded on that plat. There was no question about continuing to honor the easement, but she was concerned about parking. Her employees should not be responsible for monitoring the parking lot or towing cars as that will create a very uncomfortable situation, and she appreciated any accommodation that could be made to expand the parking.

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

In response to a question raised by Chair Park, Mr. Prestwich confirmed that parking would be reduced by two stalls. However, the 21 remaining parking stalls met Code requirements. The previous handicapped parking had to be reworked to provide van space, thus reducing parking by two stalls.

Commissioner Cluff asked if the Planning Commission had the authority to require additional parking. Mr. Prestwich stated that parking is not a conditional use, but the Commission could determine whether it is one facility that requires four stalls plus one-half stall per bed or two facilities that require eight base stalls and one-half stall per bed. In response to a follow-up question from Commissioner Cluff, Mr. Coombs confirmed that it would be difficult to say that it is two buildings because of the connected entry and recommended that it be considered one building.

Commissioner Matheson asked if more parking stalls and a second entrance could be added on the east side of the property. City Engineer, Matt Cassell, reported that it would be problematic to add another access point due to the location of the stormwater ponds. Any additional parking stalls would need to be accessed from the parking lot.

Commissioner Cluff stated that she was in favor of adding more parking, but both the options to do so and the Planning Commission's authority on the matter was limited. However, the Beehive Homes parking should be delineated so it is less likely to spill over into the Nuttall's Sewing Centers stalls. Chair Park agreed that signage should be added.

Commissioner Cluff moved that the Planning Commission APPROVE Application PLZ-26-8004, "Beehive Homes Phase 2," approving the Site Plan of Phase 2 of the commercial building located at 12550 South Dorreen Drive, subject to the following:

Conditions:

- 1. Site Improvements and the Building, including the exterior finish, dumpster enclosures, and landscaping, and all other improvements shall be consistent with the plans presented to the Planning Commission except where otherwise noted.**
- 2. Applicant shall correct or resolve the remaining Staff redlines.**
- 3. Site Landscaping shall include 20 trees per acre counted for the entire 1.29-acre site.**
- 4. Building and Site lighting shall be installed and screened according to Riverton City Standards.**
- 5. The roof top mechanical shall be screened from view.**
- 6. Wall mounted service panels shall be painted to match the building.**
- 7. The site and structures shall comply with any and all applicable Riverton City Standards and Ordinances, including the International Building and Fire Codes.**
- 8. Storm drainage systems and accommodations shall comply with Riverton City Standards and Ordinances, and with the recommendations of the Riverton City Engineering Division. An offsite Storm Drain Pond must be built by others prior to this site getting occupancy from Riverton City.**
- 9. The Applicant must create and agree to follow a Long-Term Storm Water Management Plan according to Riverton City Standards and Ordinances prior to receiving building occupancy.**
- 10. A Land Disturbance Permit must be issued by the City prior to any construction grading on the site.**
- 11. The applicant must obtain final approval from utility providers.**
- 12. Signage is required delineating which parking stalls will be used by Beehive Homes.**

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

D. “3 POINT MOORING,” PLZ-25-8021 AND 25-2047, A CONDITIONAL USE PERMIT AND A FINAL COMMERCIAL SITE PLAN FOR PROPERTY LOCATED AT 12538 SOUTH RHETSKI LANE. APPLICANT – CHAD AND MISSY COLLARD.

Mr. Prestwich presented the Staff Report and reported that the property consists of three surplus parcels left over from the widening of Bangerter Highway and construction of the 12600 South underpass. The property presents a number of development challenges, including Utah Department of Transportation ("UDOT") and other easements. The applicant's design team met with the Design Review Committee and Staff on multiple occasions, and Staff believed that the final Site Plan was a good fit for the property.

The Site Plan and photographs were displayed, and Mr. Prestwich detailed changes to the area since UDOT completed construction. The one-lot subdivision will consolidate the three lots and clarify easements, and the proposed multi-tenant building will be directly adjacent to the Lowe's storage yard. Mr. Prestwich reported that the CR Zone allows zero lot lines as a conditional use if certain criteria are met, and Staff review determined that a zero-lot line is the only practical way to develop the property. Because Lowe's uses the adjacent area for storage, that business would not be negatively impacted by approval.

The Site Plan met all access, parking, and landscaping requirements, and the proposed building met the City's new architectural standards. It will have four-sided architecture, more than two but less than colors and materials per side, and variations on the roofline and storefront. All buildings in the existing commercial center use stucco and earth tones, and the applicant proposed similar colors.

Departmental review determined that the proposal met most City requirements, although some small redlines were pending correction by the applicant. Staff recommended approval subject to the conditions outlined in the Staff Report.

Commissioner Matheson asked about the far south area of the property. Mr. Prestwich reported that it includes the monument sign and landscaping, as well as the dumpster. Concrete pads in the area are part of the UDOT easement. The area is currently enclosed by chain-link fencing. The parking lot will be accessed through the existing cross-access easements. In response to a follow-up question, Mr. Prestwich clarified that dotted lines on the Site Plan indicate thicker sections of asphalt for the fire lane.

The applicant, Missy Collard stated that she and her husband, Chad Collard, were excited to fill the City's need for a high-end laundromat. The site was a challenge, and they were proud of what the architect had created. They worked with neighboring businesses in the commercial development and had secured an amendment to the covenants, conditions, and restrictions ("CC&Rs") to modify the permissible building area and approve the use. Neighbors were also aware of the building and elevation plans.

Ms. Collard reported that two options were proposed for the north wall. It originally included different elevations of brick and color blocking in accordance with the architectural guidelines. However, after considering how Lowe's uses the adjacent storage yard and their potential plans to move the fence up to the property line, they believed that the original plan was unnecessarily busy. Their preferred design would be a plain, solid color wall with no elevation changes, which they believed would be more aesthetically pleasing once the Lowe's fenceline is extended. Their goal is for the building to be a harmonious addition to the commercial center.

Chair Park asked about the high-end laundromat concept. Ms. Collard stated that it will be clean, well-lit, and staffed, with high-end equipment that can complete a wash and dry cycle in 45 minutes. They will provide laundry services as well as pickup and delivery. She had been working on the project for three years.

Commissioner Matheson stated that the property is currently an eyesore, and the proposed building will be a great addition to the City.

In response to a question from Chair Park, Mr. Prestwich reported that the motion should indicate which design for the north wall was approved. The plain wall was Option 1, and Option 2 was included in the Meeting Packet.

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

Commissioner Matheson stated that he approved of Option 1 as it would serve as a wall for the Lowe's storage yard. Chair Park asked if the option met Ordinance. Mr. Prestwich reported that a zero-lot line is allowed and can be used as a fence. That possibility was not considered when the commercial design standards were updated, but it was in line with the Conditional Use and the Planning Commission had discretion to approve it.

Chair Park moved that the Planning Commission APPROVE Applications PLZ-25-8021 and PLX-25-8027, "3 Point Mooring", a Conditional Use Permit for a zero-lot line and final Commercial Site Plan for property located at 12538 South Rhetski Lane, subject to the following:

Conditions:

- 1. The site may utilize a zero-lot line setback on the north property line.**
- 2. Site Improvements and the Building, including the exterior finish, dumpster enclosures, and landscaping, and all other improvements shall be consistent with the plans presented to the Planning Commission except where otherwise noted.**
- 3. Applicant shall correct or resolve the remaining Staff redlines.**

4. **Building and Site lighting shall be installed and screened according to Riverton City Standards.**
5. **Roof top mechanical shall be screened from view.**
6. **Wall mounted service panels shall be painted to match the building.**
7. **The site and structures shall comply with any and all applicable Riverton City Standards and Ordinances, including the International Building and Fire Codes.**
8. **Storm drainage systems and accommodations shall comply with Riverton City Standards and Ordinances, and with the recommendations of the Riverton City Engineering Division. An offsite Storm Drain Pond must be built by others prior to this site getting occupancy from Riverton City.**
9. **The Applicant must create and agree to follow a Long-Term Storm Water Management Plan according to Riverton City Standards and Ordinances prior to receiving building occupancy.**
10. **A Land Disturbance Permit must be issued by the City prior to any construction grading on the site.**
11. **The applicant must obtain final approval from utility providers.**
12. **Option 1 for a solid wall is approved at the zero-lot line.**

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

- E. **"TOWNE STORAGE (EXTRA SPACE) MONARCH MEADOWS," PLZ-26-8008, AN APPLICATION FOR AN AMENDED COMMERCIAL SITE PLAN TO ALLOW ROOFTOP SOLAR PANELS ON A BUILDING LOCATED AT 5183 WEST 13400 SOUTH. APPLICANT - PHILLIP ALLRED, ACTION SOLAR.**

Ms. Halversen presented the Staff Report and indicated that Extra Space Storage had recently purchased several Towne Storage locations in Riverton. They will be changing signage and adding solar panels to the sites. Development Code requires screening of rooftop mechanical equipment but does not address solar panels, and Staff determined that the Planning Commission should review the applications. Mr. Prestwich stated that other rooftop solar installations involve parapet walls, but these installations would not.

An aerial map was displayed. The subject property is in Monarch Meadows on 13400 South at approximately 5200 West. Ms. Halversen reported that this application would have minimal residential impact. City Code requires screening for utility boxes, roof drains, stairs, ladders, etc., but does not speak to solar panels. Residential solar panels do not require screening.

Solar panels were proposed on the western building parallel to Morning Cloak Way, and there are three residences on that side of the property. The building is set back 20 feet from the sidewalk and over 100 feet from the nearest residence. The west side of the building is screened with mature trees and an eight-foot masonry wall. Installation and line-of-sight diagrams were reviewed which indicated that the solar panels will not be visible from the street.

Notices were sent to affected property owners and no comments were received for any of the three locations.

Wendell Dutson spoke on behalf of the applicant and reported that the brackets are approximately six inches tall, and the entire assembly including the solar panel will sit eight inches above the roof. The panels are not visible from the ground.

Chair Park opened the public hearing.

Rosa Alcala gave her address as 4413 West 12600 South and stated that her family was not opposed to renewable energy as solar power has benefits in reducing greenhouse gas emission. However, supporting green energy does not mean every project should be approved without careful consideration of its long-term impacts, especially in Utah. Riverton is in a basin surrounded by mountains, which limits how and where you can expand infrastructure. Most solar panels have a lifespan of 25 to 30 years, and recycling systems were currently limited and not widely accessible in the United States. Many panels contain materials like lead and cadmium, which require careful handling and can pose risks to soil and groundwater. She was concerned that commercial solar systems come with inverters and electrical equipment that can create ongoing noise and asked about specific, enforceable noise limits. She was also concerned about property values as a large, visible installations can change the area's character. She asked about protections for local ecosystems and the plan for disposal and waste management and requested that approval be conditioned on proper noise limits, protections, and screening.

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

Commissioner Matheson remarked that it is not the Planning Commissions' role to determine whether solar is appropriate or not. However, he was at Snowbird earlier in the day, and there was no snow when there should be many feet of it. Whether one believes that global warming is caused by man, God, or nature, it is certainly happening. Anything that can be done to make a difference is worthwhile, and solar is a low-cost option. He lives in a beautiful home with solar panels. His wife was originally concerned that the panels

would not look good, but now they like how they look because they show that his family is doing their part to decrease fossil fuels.

Chair Park agreed that solar has its place. Ms. Alcala had valid points regarding how disposal will be handled in the future, but that was not a matter for the Planning Commission. However, he visited all three sites and determined that he would be able to see the panels from his truck at this location. The same illustration was provided for all three agenda items and not adjusted for the specific sites. All three sites also have unscreened rooftop mechanical equipment and are not in compliance with current Ordinance. Flat-top panels are the least obtrusive option, but approval could set a precedent excluding all solar from the screening requirement. If panels are installed at a 45-degree angle, for example, it will be an eyesore, but setting the precedent could open the door for their approval.

Commissioner Marzo stated that enforcing screening for solar panels could have an impact on their effectiveness as they could be blocked at certain times of day. Chair Park asked if an eight-inch height would provide acceptable screening. Mr. Prestwich reported that all the equipment must be screened and the mechanical equipment cannot be viewed from the sidewalk. Although it did not provide site-specific data, the applicant's diagram indicated that the panels met that requirement. Ms. Halversen added that the panels will be four feet from the roof edge.

Regarding precedent, Mr. Prestwich clarified that approval would not allow unscreened solar on all commercial buildings. Rather, it would indicate that the specific application meets screening requirements. If the application did not meet those requirements, they applicant could be instructed to return with a proposal that does.

In response to a question raised by Commissioner Marzo, Mr. Prestwich reviewed the City's screening requirements and indicated that materials must conform to the colors and materials of the primary building. Screening is considered adequate if the equipment cannot be seen from all horizontal points of view at a height of six feet at the property line or as otherwise determined by the land use authority, which is the Planning Commission.

Chair Park stated that he was not satisfied with the information that had been presented or with the clearly visible rooftop mechanical equipment at all three locations. In response to his question, Mr. Prestwich reported that the buildings were subject to the design standards at the time they were constructed but at least two of the locations were subject to screening requirements. Chair Park stated that the illustration that had been provided did not include measurements or any clear evidence that the panels would be screened from view, and the applicant had not done their due diligence to prove that the application met the standard.

Chair Park asked Mr. Coombs to speak to the matter of precedence. Mr. Coombs stated that it would not set a precedent because approval is specific to the individual property. Each property must be evaluated separately to determine if it meets screening requirements. However, he understood Chair Parks' concern that Code did not specifically address screening for solar panels.

Commissioner Matheson agreed with Chair Park that the current code violation should be addressed. Regarding the current application, he was comfortable approving horizontal solar panels on a flat roof. They will be barely visible, and solar panels are allowed in residential applications. He did not see a reason to require flat panels to be screened.

Chair Park stated that the Planning Commission is tasked with ensuring that applications adhere to community standards. He does not have an issue with solar, but the community standard is to screen rooftop mechanical for aesthetic purposes. He encouraged the City Council to address the matter and consider a Text Amendment to either include or exclude solar from those requirements.

Chair Marzo asked if approval could be conditioned on other rooftop screening being brought up to Code. Mr. Prestwich confirmed that it could be conditioned but noted that in other examples the Commission had chosen not to require screening be updated to conform with current Code. In response to a follow-up question from Chair Park, Mr. Coombs clarified that the condition must be reasonably connected to approval of the current application. He did not advise that solar be included in any discussion of Code. However, they could place a condition that all rooftop mechanical equipment must be shielded from visibility. Alternate language was discussed, and it was noted that screening of the solar panels may not be necessary if the applicant can demonstrate that it will be shielded from view.

After further discussion, it was decided that all three items would be tabled until more detailed, site-specific information was provided, verifying that the installations would meet the standard without further screening. It was noted that the solar installer, not the property owner, was the applicant.

Chair Park moved that the Planning Commission TABLE Application PLZ-26-8008, "Extra Space Storage Monarch Meadows" amended Commercial Site Plan. Commissioner Beck seconded the motion. The motion passed with unanimous consent of the Commission.

F. "TOWNE STORAGE (EXTRA SPACE) 12600 SOUTH," PLZ-26-8009, AN APPLICATION FOR AN AMENDED COMMERCIAL SITE PLAN TO ALLOW ROOFTOP SOLAR PANELS ON A BUILDING LOCATED AT 4425 WEST 12600 SOUTH. APPLICANT - PHILLIP ALLRED.

Ms. Halversen reported that the location is 12600 South near 4400 West. There was some question as to which building the solar panels would be installed on, but Mr. Dutson clarified that the panels will be installed on the corner building, which does not have a parapet. He had an employee take photographs of a similar installation, and the modules were only visible from the back of his truck. He agreed that the design diagrams needed more detail.

Commissioner Marzo remarked that his solar equipment does not make noise, but his neighbor's equipment emits a constant buzz. He asked about the proposed system's noise levels. Mr. Dutson stated that he would need to review the specific plan set to determine

the inverter type. Larger inverters emit a low whine that can only be heard within 10 feet. The previous application will use residential inverters, which do not emit noise.

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

Chair Park moved that the Planning Commission TABLE Application PLZ-26-8009, "Extra Space Storage 12600 South" amended Commercial Site Plan. Commissioner Marzo seconded the motion. The motion passed with unanimous consent of the Commission.

G. "TOWNE STORAGE (EXTRA SPACE) REDWOOD," PLZ-26-8010, AN APPLICATION FOR AN AMENDED COMMERCIAL SITE PLAN TO ALLOW ROOFTOP SOLAR PANELS ON A BUILDING LOCATED AT 13658 SOUTH REDWOOD ROAD. APPLICANT - PHILLIP ALLRED.

Ms. Halversen reported that the solar panels at this location would meet all screening requirements. The property has eight-foot masonry walls on the north and south sides, and the homes to the north are at a lower elevation. However, the existing rooftop mechanical was not adequately screened.

Mr. Dutson stated the installation would be on a building at the center of the property and asked if it meets all screening requirements. Chair Park stated that it is not completely obscured from view, and information was needed on whether it would meet requirements from all angles.

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

Chair Park moved that the Planning Commission TABLE Application PLZ-26-8010, "Extra Space Storage Redwood" amended Commercial Site Plan. Commissioner Beck seconded the motion. The motion passed with unanimous consent of the Commission.

H. "IVYBROOK ACADEMY," PLZ-26-8014, IS REQUESTING APPROVAL TO AMEND A COMMERCIAL SITE PLAN FOR A PRESCHOOL LOCATED IN THE RIVERTON PLAZA AT 1830 WEST 12600 SOUTH. APPLICANT - JERRY SCOTT.

Mr. Prestwich presented the Staff Report and indicated that the Planning Commission considered an amended Site Plan for Peterson's Fresh Market in Fall 2025. The small building at the rear of the parcel was not included in that plan. Its new tenant would be making modifications to the building and site, and the façade would now be updated to match other buildings in the plaza.

Conceptual renderings, elevations, and site photographs were displayed. Mr. Prestwich noted that although areas of the Peterson's roofline were modified to meet current design standards, the subject building's flat roofline cannot be modified. The building's color palette will match Peterson's Fresh Market. The shed, pergolas, and playground equipment used by the previous tenant had been removed, and the applicant intended to install new powder-coated aluminum fencing and artificial turf in the play area. Windows will be added to the west elevations, and a door will be added to the north elevation. One front window will be converted to a door.

Mr. Prestwich reported that the Building Department reviewed the application and determined that the building would have all necessary access points for a daycare. Other proposed changes will improve the site and meet City Ordinance. The building architecture was somewhat in question as the City was limited in what could be required for a retrofit. Staff was in favor of approving the changes to colors only but could assist the Planning Commission in determining if other modifications were warranted.

Mr. Prestwich reviewed the recommended Conditions of Approval and noted that two separate groups were working on the building. The tenant, Ivybrook Academy, was responsible for modifications to the fencing and play area, and the property owner was responsible for painting the building. The third proposed condition regarding exterior painting was intended to address potential scheduling conflicts.

Chair Park asked if the Site Plan was reviewed by the United Fire Authority ("UFA"), as they need to ensure adequate access from the playground area to the north. Mr. Prestwich stated that it was subject to UFA review, but he did not know if that had been completed. Plans are reviewed by Chief Building Official, Mark Smith, who has 30 years of experience, as well as a commercial plans examiner and UFA.

In response to a question raised by Commissioner Matheson, Mr. Prestwich reported that the building is approximately seven feet from the Peterson's Fresh Market building. The east elevation has windows but no doors, and the space between the buildings will not be fenced.

The applicant, Jerry Scott stated that Ivybrook Academy is a national brand, and this will be their flagship location in Utah. They plan to bring multiple schools to the state. It is a Montessori preschool that serves children ages 18 months to six years, and their long-term goal is to offer private kindergarten classes as well. The building was once the Riverton library. Fencing was proposed for the rear of the building only. There will be an interior fence separating play areas for younger and older children and a total of three gates, and they have verified that the gates, hardware, crash bars, etc. meet City and State requirements.

Commissioner Beck stated that she approved of the color palette as it will brighten the building. In response to her question, Mr. Scott clarified that the previous tenant had dollhouses outside that looked like dog houses, and those had been removed by the property owner. Ivybrook Academy has very strict brand requirements, one of which is that

everything must be line of sight. Their primary concern is the children's safety, followed by the learning environment.

Commissioner Matheson asked about the applicant's plans for the left side of the building. Mr. Scott stated that there are parking curbs at the fenceline, but he was unsure if they were allowed to use the area for parking. They will install a one-foot-wide concrete retaining wall and fence at the rear to enclose the play padding and artificial turf. The outdoor area meets all requirements for an outdoor classroom.

Chair Park asked for more information about Ivybrook Academy. Mr. Scott stated that it was founded in North Carolina in approximately 2007 and began to offer franchises in 2012. They have 120 schools across the country, the closest of which are in Arizona and Colorado.

In response to a follow-up question from Chair Park, Mr. Scott stated that he has a good relationship with the property owner. The interior and exterior were being completely renovated, with a total interior renovation cost of approximately \$680,000. The interior construction was expected to take four months, and the property owner had committed to completing exterior work within two to three months. They hoped to open in September or October. He did not believe that Condition 3 was necessary.

Zach Irvine was present on behalf of the property owner. They had owned Riverton Plaza for over 20 years and were currently investing in updating it. They were also offering rent incentives to bring in quality tenants like Ivybrook Academy and Take 5 Oil Change and were anxious to complete painting.

Chair Park remarked that the color palette at Peterson's Fresh Market was much more varied than what was proposed for the subject property. Mr. Irvine stated that it was due to the lack of structural variation on the building. Although it is only one color, he believes it will match other buildings in the plaza and look more professional.

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

Commissioner Matheson moved that the Planning Commission APPROVE Application PLZ-26-8014, "126th Retail Façade Upgrade", amending the Site Plan of the existing commercial buildings located at 1722 to 1774 West 12600 South, subject to the following:

Conditions:

- 1. Building materials and color will match the submitted plans as shown and approved by the Planning Commission.**
- 2. Any landscaping changes must be submitted to City Staff for review for compliance with existing code requirements.**

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

- I. "RESIDENTIAL FACILITIES," PLZ-26-5002, RIVERTON CITY IS PROPOSING AMENDMENTS TO CITY CODE TITLE 18, CHAPTER 165 "RESIDENTIAL FACILITIES," ADDRESSING RESIDENTIAL FACILITIES FOR ELDERLY PERSONS OR PERSONS WITH A DISABILITY. PROPOSED BY RIVERTON CITY.**

Chair Park moved that the Planning Commission CONTINUE Application PLZ-26-5002, "Residential Facilities", to the next scheduled Planning Commission meeting. Commissioner Cluff seconded the motion. The motion passed with unanimous consent of the Commission.

5. MINUTES

- A. MINUTES FROM THE MARCH 12, 2026 PLANNING COMMISSION MEETING.**

Commissioner Matheson moved that the Planning Commission APPROVE the Planning Commission Meeting Minutes of March 12, 2026, as reported. Commissioner Marzo seconded the motion. The motion passed with the unanimous consent of the Commission.

6. ADJOURNMENT

The meeting adjourned at approximately 9:28 PM.