

**RIVERTON CITY PLANNING COMMISSION
MEETING MINUTES
August 27, 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:

Chair Darren Park
Crystal Keele
Gary Cannon
Evan Matheson
Shelly Cluff
Monique Beck
Joe Marzo

Staff:

Matt Cassel, City Engineer
Tim Prestwich, City Planner
Lisa Halversen, Planner
Ryan Carter, City Attorney

1. CALL TO ORDER/ROLL CALL

Chair Darren Park called the Planning Commission Meeting to order at approximately 6:30 p.m. There was a roll call conducted to note the Commissioners present.

Commissioner Shelly Cluff led the Pledge of Allegiance.

2. PUBLIC HEARINGS

A. "QUINN PRIVATE LANE," PLZ-26-2038, AN APPLICATION FOR A CONDITIONAL USE PERMIT FOR A PRIVATE LANE TO PROVIDE ACCESS FOR UP TO THREE LOTS, LOCATED AT 1980 WEST 13400 SOUTH. APPLICANT – DALLIS QUINN.

City Planner Tim Prestwich presented the Staff Report and explained that this application is for property located at 1980 West 13400 South. He reported that a Rezone application previously came before the Planning Commission. There was a request made to rezone from R-3 to R-4. The City Council ultimately approved a modified version of the zoning, as seen in Ordinance 26-03. There is now a Conditional Use Permit ("CUP") application for a private lane. If approved, the applicant will return for Subdivision approval.

Mr. Prestwich shared a Zoning Map and aerial image of the applicant property. It is currently one parcel and has not been subdivided. He reminded those present that the Planning Commission recommended denial of the rezone, but the City Council decided to have split zoning, where there is R-3 in the rear and R-4 in the front. The applicant is looking to create two additional lots for a total of three lots. Mr. Prestwich reported that the applicant hired a consultant and the engineer has drawn some conceptual plans.

There are two different options for the private lane, one of which is the curve option, where the private lane runs along the new lot on the west. It utilizes the existing drive approach but bends at 13400 South, and the lane hugs the property line. The other option is the offset, which would be straight back from the drive approach. This leaves a 7-foot gap, but there are several ways that could be handled. If Commissioners feel strongly about one of the design options, then that specificity can be included in the motion. Currently, the motion language is written in a way that allows the applicant to determine the best option with their consultant. Mr. Prestwich feels the curve option is better, but there has not been a check to determine whether the radius meets the fire requirements.

Mr. Prestwich reported that private lanes are allowed in Riverton City with a CUP if the Planning Commission determines that the property cannot be served reasonably by a public street, that a public street is not supposed to go through the property, and extending a private lane does not cut anyone else off. In this case, all of those conditions are met.

When private lanes are discussed, there are two codes that are considered: City Code and Fire Code. One to two lots require 20 feet of paved surface width while three or more lots require 25 feet of paved surface width. If it is four or more lots, the Planning Commission has more discretion and can approve up to a 54-foot-wide paved surface with sidewalks on both sides. However, in this case, the request is for one or two lots. While the Meeting Materials Packet previously mentioned up to three lots, based on the proposed configuration, there are only two lots that could access the private lane.

Information about the Fire Code was shared. Mr. Prestwich explained that if the lane is 20 to 26 feet wide, there can be no parking on either side. If the lane is 26 feet to 32 feet, there can be parking on one side. If the lane is over 32 feet, there can be parking on both sides. Staff is comfortable with the 20-foot lane that has been proposed by the applicant. He reported that there are circumstances where the Fire Department could require a fire turnaround. All of those details will be determined before the Subdivision application.

Commissioner Gary Cannon recalled that when the Planning Commission previously discussed this property, the proposal was to have three additional lots in the back. Mr. Prestwich reported that the original request was for the R-4 Zone, but the City Council approved a modified version of what was presented to the Planning Commission.

Commissioner Evan Matheson asked about the curb option that was presented. Mr. Prestwich explained that the idea is to use the existing curb cuts to avoid having to cut the curb and relocate utilities in the park strip. Commissioner Matheson pointed out that three lots were mentioned, but the proposed private lane would only serve two lots. Mr. Prestwich clarified that the existing house would continue to access the main road.

Chair Park wanted to know if there is any disadvantage to the curve option. Mr. Prestwich explained that he is not sure whether the Fire Department will approve of the turn. He believes it will be acceptable, but that has not been finalized at this point. Chair Park

asked if the applicant has a desired width for the lane. Mr. Prestwich reported that both examples mention 20 feet in width. Chair Park asked the applicant to share comments.

The applicant, Dallis Quinn, introduced himself to the Planning Commission and reported that the curve option would be preferred. Commissioner Matheson asked about the turnaround for fire access. He wanted to know if there would be a hammerhead. Mr. Quinn explained that this will be considered further during the Subdivision process. If the Fire Department prefers either the curve or the offset option, then that will be pursued. Mr. Prestwich stated that if the lane depth is less than 150 feet and there is no fire hydrant, then no turnaround is needed. What is needed will be determined by the Fire Department.

Chair Park opened the public hearing.

Brian Christensen noted that during the presentation, it was stated that three lots would require a 25-foot width. However, it was also stated that the width in this case will be 20 feet. He is confused about what has been proposed and what will be seen in the area.

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

Commissioner Matheson had a similar question about the number of lots and the necessary width. While this is envisioned to be a three-lot subdivision, it appears that the house on the right has access from the main road. As a result, only two of the lots will need to use the private lane. That is the reason this qualifies for the 20-foot width. Chair Park asked if the proposed motion language will leave options open for the private lane. Whether the curve or the offset option is selected could be left to the discretion of the applicant. Mr. Prestwich confirmed that the example motion language allows for this.

Commissioner Cluff moved that the Planning Commission APPROVE PLZ-26-2038, “Quinn Private Lane,” to be located at 1980 West 13400 South, with 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) two lots accessing the private lane.**
- 3. Private lane shall be at least 20-ft 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.

- B. "OBO AUTO SALES," PLZ-26-8012 AND PLZ-26-2018, AN APPLICATION FOR A CONDITIONAL USE PERMIT AND A COMMERCIAL SITE PLAN FOR AN AUTO DEALER TO BE LOCATED AT 2630 AND 2610 WEST 12600 SOUTH. APPLICANTS – JOHN DAVIS AND RYAN HARMISON, ARCHITECTS.**

Mr. Prestwich presented the Staff Report and explained that the application is for a CUP and Commercial Site Plan for an auto dealer. There was a Zone Text Change to allow new and used auto dealerships in the Gateway Commercial (C-G) Zone. The Planning Commission recommended denial, but the City Council approved the Zone Text Change with some limitations on the location. Mr. Prestwich shared a map of the area and highlighted the applicant property. He shared information about the surrounding zones.

The Table of Uses that was updated by the City Council is included in the Meeting Materials Packet. It shows Auto Dealership (new or used) as conditional in the C-G Zone. Additional rules are given for Auto Dealerships in the C-G Zone in RCC 18.70.030(2):

- Auto Dealership (new or used) only on property (or combination of properties) of at least one acre having frontage on 12600 South and/or the Bangerter Highway. Such use must be on a finished commercial site accompanied by approval of a Commercial Site Plan and include permanent and compliant office/sales

building(s). No auto dealership use within the C-G Zone shall be allowed within 1.5 miles of another, measured in a direct line. Auto dealership uses in the C-G Zone may not be combined with “auto repair and related services...” without Conditional Use Permit approval, but auto dealerships may have service bays for work related to vehicles being sold on the property.

Mr. Prestwich reported that this application meets all of the criteria outlined in RCC 18.70.030(2). The proposed building has auto bay doors on the north side, which backs up against the townhome units. However, there will not be auto repair work done. He clarified that there will be auto sales with service bays. If there is a desire to service vehicles and handle repairs in the future, an application would need to be brought to the Commission. Right now, the CUP request is for use of the property as an Auto Dealership.

An aerial image of the property was reviewed. Mr. Prestwich pointed out the commercial and residential uses around the applicant property. This is a challenging site because of the different uses in the surrounding area and the built infrastructure. He highlighted the pedestrian overpass and explained that the engineer had to accommodate that with fencing. There is also a white fence that extends all the way down, which was put in with Country View. Commercial uses in the area have maintained that white vinyl fence.

Mr. Prestwich reported that there are utilities that come through the site, which limits where things can be placed on the lot. He reiterated that there are certain challenges associated with this site. There is a Utah Department of Transportation (“UDOT”) road, so work has also been done with UDOT. There is also a grade difference that needed to be taken into account. Though this was a challenging site, the presented plans meet all of the criteria, and Staff is recommending approval. A rendering of the site was shared. He pointed out that storm drainage and an extra landscaping buffer were included to separate the uses. It was also noted that the building meets architectural standards.

The Site Plan was reviewed. Mr. Prestwich highlighted the landscaping that is proposed and noted that there is a low-impact water design envisioned for the site. He pointed out the five bay doors in the rear. There is not a large shop room, but there is office space. Shared access to the four-plex in the back and the commercial strip mall to the right was noted. Mr. Prestwich reviewed the Grading Plan and Lighting Plan. The ordinance requires that the lighting be shielded and no direct light source be visible from the adjoining residential properties. If there is an issue, work can be done with the property owner after installation occurs to ensure there is appropriate light shielding.

Mr. Prestwich shared additional renderings. These mention the materials that are proposed. The applicant originally wanted to park vehicles in the landscaping, but City Staff informed them that the current ordinance will not allow that. There might be a future discussion with the City Council about this, but the current proposal is compliant with the ordinance and there will not be vehicles parked along the frontage in the landscaping.

There will be a dumpster on the site, and the dumpster walls will be painted to match the building. The doors will be metal and painted black. Mr. Prestwich reported that there is example motion language included in the Meeting Materials Packet. However, there is an error in Condition of Approval #7. He proposed that the following language be removed: "An offsite Storm Drain Pond must be built by others prior to this site receiving occupancy from Riverton City." There were some written comments received ahead of the Planning Commission Meeting. Those comments were shared with Commissioners.

Commissioner Cannon asked if any auto dealership that wants to operate in the City of Riverton will have to abide by these landscaping requirements. Mr. Prestwich clarified that it has to do with the way the parking and landscape ordinance is written. It would apply everywhere and not only in the C-G Zone. He stated that there is no product display allowed. Though the architect and landscape architect created something tasteful for the applicant property, what was originally proposed is not allowed under the ordinance.

Commissioner Shelly Cluff asked how tall the trees will be on the back of the property. She wanted to know more about the coverage there will be for the residences. Mr. Prestwich shared the Landscape Plan. There are existing trees as well as four additional trees on the back. Commissioner Cluff asked what kind of mechanical work will be performed on the site. Mr. Prestwich reported that during the Zone Text Change discussion at the City Council level, the applicant stated that it will involve detailing work on the vehicles that are being sold. No outside vehicles will be brought in for mechanical work. Commissioner Cluff had questions about the tools that will be used and the noise levels. Mr. Prestwich reminded Commissioners that conditions can be imposed to mitigate the impacts. Commissioner Cluff wondered whether there could be a noise-related condition.

Chair Park noted that most auto dealerships have a large sign near the road. The only sign in this case is on the side of the building. He asked if the applicant is allowed to put signage out in the landscape area. Mr. Prestwich reported that there is not enough space to do a pole sign or anything elevated, but it is possible to have a monument sign.

Chair Park pointed out that the ordinance states that as long as work is done on vehicles that are for sale within the dealership, work on the site is permitted. His concern is that there could be some heavier work done on the site that could result in noise issues. Mr. Prestwich reiterated that it is possible to impose conditions that will mitigate the noise. Commissioner Crystal Keele asked if it is possible to limit the use to auto detailing and fluids, as described by the applicant. This would ensure there was no mechanic work.

City Attorney, Ryan Carter, suggested that all of the information be received before the Planning Commission starts to consider possible Conditions of Approval for the application. Regardless of whether a vehicle is being restored or cleaned, noise will occur. It is possible to think about mitigation measures that will keep noise under control.

The applicant, Ryan Harmison, introduced himself to the Planning Commission. As far as the architecture, the plan is to have insulated doors. This would mitigate noise when the doors are shut. The service bay area has volume to capture the noise. There will be brick around the façade, so noise when the doors are shut will likely not be significant. He understands there will be a compressor in the shop area, and it will run on occasion.

Mr. Harmison shared information about the tree height. He reported that there are existing trees on the site, which are approximately the same height as the condominiums in the back. The trees that are proposed to be added will be between 12 and 15 feet. The Landscape Plan was further reviewed. The Landscape Architect was asked to provide trees that would provide screening. The trees were spaced with the existing trees in the area to provide as much shielding as possible. Discussions were had about tree types.

Commissioner Matheson noted that there are some crosswalks on the left. Mr. Harmison reported that ADA access into the building needs to be provided. The size of the building requires there to be two entrances that have ADA access. Those crosswalks allow access across the fire lane. There is a sidewalk on the west side and a ramp further to the west.

The business owner, Marco Hermosillo, clarified that OBO Auto Sales is not a body shop, so there will not be vehicles repaired on the site. As for the noise, the plan is to have the bay doors closed at all times. There will be an AC system, so the employees are comfortable. In addition, he is looking into air compressors that do not make noise. The equipment for the detailing shop will be fully electric and there will not be work done outside the bay doors. The bay doors will be closed whenever work is taking place.

Commissioner Matheson believed there will be used vehicles for sale, which was confirmed. Mr. Hermosillo explained that this is not a body shop, so significant work will not be done on any of the vehicles. There will be light mechanical work done, such as oil changes and brake work. The detailing work will ensure that the vehicle is clean before sale. Mr. Hermosillo reported that the neighbors have been taken into consideration during the design process. There is no desire to upset residents or create issues in the area. There was a commissioner concern expressed about the proximity to Riverton High School. Mr. Hermosillo reported that whenever there is a test drive, there is a salesperson in the vehicle as well. The customer will not be test driving a vehicle on their own.

Chair Park opened the public hearing.

Jerald Broderick stated that along the adjoining property line, there is a power line that hangs extremely low. It is close to the ground, and he is uncertain what is planned for that. He wondered if this is something that can be addressed. Mr. Broderick reported that the water meters that provide water to the four-plex will need to be relocated for the culinary and secondary because of this development. Installation of an 8-foot wall will be beneficial in the long-run, but it will tear up some of the landscaping on his property. In addition, the mailboxes for the tenants of the four-plex are out on the street. He is not sure whether those will need to be relocated as well. Mr. Broderick noted that there was

some discussion about the existing trees in the area. He stated that those Chinese Elm trees have begun to damage the vinyl fence because they have grown aggressively in that corner. He expressed concerns about eastbound traffic that moves into the center lane to turn into the businesses or the four-plex. There is a dangerous situation there.

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

Commissioner Matheson asked Staff to address some of the issues that were raised during the public hearing. City Engineer, Matt Cassel, explained that UDOT controls the road, so they will review all of the information and make a determination. Commissioner Matheson wanted to know what will be done with the mailbox and water meter. Mr. Cassel reported that the applicant will address the meters and the mailboxes.

Greg Wilson noted that UDOT has already requested that the center concrete median be extended 150 feet east of the furthest entrance. All accesses will be right-in/right-out only. The applicant is responsible for extending the median 150 feet beyond the furthest east access. Commissioner Keele asked about the power lines that were mentioned during the public hearing. Mr. Wilson reported that there was a meeting with Rocky Mountain Power. The City ordinance requires that aerial power lines be buried, so the service pole will be removed and there will not be aerial power there in the future. If there is damage to the landscaping or sprinkler system during the fence installation, then there will be repairs done to address the damage. Chair Park asked who determines the location of the mailboxes. Mr. Prestwich explained that it is handled by the Post Office.

Discussions were had about the motion language. Commissioner Cluff thought it would be beneficial to include a Condition of Approval that is specific to the noise. For instance, there could be a condition that states: "Garage Bay doors shall be closed when doing service work." Other Commissioners expressed support for the addition of that condition.

Commissioner Matheson moved that the Planning Commission APPROVE PLZ-26-8012 AND PLZ-26-2018, "OBO Auto Sales," approving the Conditional Use Permit and the Commercial Site Plan of the Auto Dealership, to be located at 2630 West 12600 South, with the following conditions, as amended:

- 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. Building and Site lighting shall be installed and screened according to Riverton City Standards.**

4. The rooftop mechanical shall be screened from view according to ordinance.
5. Wall-mounted service panels shall be painted to match the building.
6. The site and structures shall comply with any and all applicable Riverton City Standards and Ordinances, including the International Building and Fire Codes.
7. Storm drainage systems and accommodations shall comply with Riverton City Standards and Ordinances, and with the recommendations of the Riverton City Engineering Division.
8. 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.
9. A Land Disturbance Permit must be issued by the City prior to any construction grading on the site.
10. The applicant must obtain final approval from utility providers.
11. Site Landscaping shall be installed as shown and must include 20 trees per acre.
12. Site Fencing shall be installed as shown.
13. Garage bay doors shall be closed when doing service work.

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

- C. **“SOUTH VIEW ESTATES,” PLZ-26-1003, AN APPLICATION FOR APPROVAL OF A PRELIMINARY RESIDENTIAL SUBDIVISION OF UP TO 5 LOTS ON APPROXIMATELY 3.55-ACRES LOCATED AT 13660 SOUTH 1300 WEST. APPLICANT – BAYLEE SANDBERG OF SAGE HOMES.**

Mr. Prestwich presented the Staff Report and explained that this is a Preliminary Residential Subdivision application for property located at 13660 South 1300 West. This is an application for a 5-lot subdivision with half acre lots on a new public street. The “South View Estates” Subdivision was first applied for in the mid 2000s and was approved for construction in 2007. Many of the improvements were installed in 2007, but the Subdivision Plat was never recorded. The approvals for the Subdivision expired and the

improvements sat unfinished and unused. Several months ago, the current applicant approached the City with interest in purchasing the property and completing the project.

The Zoning Map was shared as well as an aerial image of the area. Mr. Prestwich pointed out the location of the property. He reported that an existing road was put in, but the subdivision was never completed or recorded. The road is pointed toward additional vacant properties and is lined up against underutilized property. He believed the location of the road was chosen to facilitate additional development. Mr. Prestwich shared an image of the road, which has been blocked off. It looks like a public road but was never dedicated. There are curb and gutter on both sides, asphalt, manholes, a fire hydrant, and streetlight. Most of the improvements were done, but the subdivision was not completed.

What is currently proposed is a Preliminary Residential Subdivision. It will create a public street with five lots of a half acre or greater. This meets the requirements of the RR-22 Zone. Mr. Prestwich reported that it is not possible to have a private lane, because there is a chance that the properties to the west might need the road for access in the future.

There is a private access easement along the north side, which is noted on the plat. It continues to be in place and provides access to the applicant. Though there would be a public road, the private access easement would also remain in place. Mr. Prestwich pointed out the location of the temporary fire turnaround. The Utility Plan was shared.

Mr. Prestwich explained that this has been an interesting process, because the application expired and there is no subdivision. There are now new standards in place. He reported that the condition of the road was unknown, so there was field testing conducted. There is now confirmation that this can be finished and meet the current City standards. He shared the road cross section, which shows a 5-foot park strip and 5-foot sidewalk. There is also full asphalt width and full curb and gutter. There is a 6-foot landscape buffer as well. He noted that there are standard Conditions of Approval proposed for the RR-22 Zone in the example motion language. There were some written comments submitted ahead of the Planning Commission Meeting. Those comments have been included in the Meeting Materials Packet for Commissioner review.

Discussions were had about the road and where it might go in the future. Mr. Prestwich reported that this is uncertainty about this. He has looked into different possibilities, but there will need to be some decisions made. Mr. Cassel shared information about the sewer and water lines. He reported that all of the water lines that have sat idle for 20 years have been flushed and pressure tested. Everything has been checked and rechecked. There are certain things that need to be replaced, such as the setters and barrels for the meters, but the proposal is to bring everything up to current standards.

The applicant representative, Travis Schmitt from Sage Homes, introduced himself to the Commission. He confirmed that everything will be updated to meet the current City standards. The plan is to fence three sides of this property, including the west, east, and

north. There will not be a vinyl product used, but a 6-foot concrete and composite product. This will be installed as a gray concrete color, but there are options to stain the product.

Mr. Schmitt acknowledged that there are concerns about the easement on the back property. If it is a 24-foot easement, then the new fence would need to be placed 24 feet from the rear property line to allow for that easement to be accessible. Alternatively, there could be gates installed between the lots. He explained that there will need to be additional conversations about access and the easement on the rear property. It was clarified that the easement mentioned is for the property to the west.

Chair Park opened the public hearing.

Stephen Richins explained that he owns the property to the west. There have been issues in the area over the years with theft. He explained that there are also flood concerns, as his sister has had to redo her basement multiple times because of the storm drain issues. There were manholes left uncapped in the area as well. Mr. Richins stated that he has the 24-foot easement. He expressed concerns about the fencing that has been proposed.

Mr. Richins noted that at the end of the subdivision, the curb takes a turn and goes out into his sister's property. The main issues relate to the easement, property boundaries, and addressing. It is possible to work through these issues, but his property is not compatible with what is proposed, so the fences are needed. He pointed out that it has been 20 years since the original process started and he would like to know the end date.

Christy Butterfield stated that she lives in the house to the south of the development. She is grateful that something wonderful will be developed in the future, but she wants to make sure everything is done right. The trees that were in there have been pulled out, so the chain link fencing was essentially destroyed. She requested that the fences be replaced and that this work be done well. It is important that no one is negatively impacted.

Ms. Butterfield asked about a timeline on the fence replacement. She also reported that addressing is a concern, because the new sign that was placed lists an incorrect address. As for the boundary agreements, there is a desire to have something clear and in writing. She explained that drainage is a concern, because she has dealt with flooding ever since the road was put in. The drain has one opening and that can become plugged.

Chad Goeckeritz explained that he is one of the property owners on the north of the subdivision. There is no issue with homes going in, because the applicant property has been full of weeds and rodents. He asked if the easement is moveable, because he does not want the 24-foot section to become problematic. He has not seen the easement used.

Chair Park asked the applicant representative to address some of the comments made during the public hearing. Mr. Schmitt explained that with the new City standards and requirements, each home built will have its own water runoff storage. That should help to eliminate some of the water that is running down the road. Mr. Cassel reported that

this road was partially built but was never dedicated to the City. Since it was not dedicated to the City, there was no one checking to see if the inlet boxes became clogged. Mr. Schmitt noted that corrective actions have been required during this process.

There have been discussions about having fencing on three sides of the property: east, west, and north. If there is a fence that runs along the west property, that will likely address a lot of the concerns that were expressed during the public comment period. If there are homes built on the applicant property, this should eliminate people using the street as an open access point. Mr. Schmitt believed it would be possible to have a nicer fence or a gate option to access the west property if there is an agreement to move the easement. A preliminary deposit has been paid for the fencing. The plan is to put the fence in before any vertical construction starts on the homes. The intention is to clean up the area and make it look more presentable. He acknowledged that the previous conditions were not ideal and referenced the weeds on the site. Mr. Schmitt understands the concerns that have been expressed about the easement. If there is a fence 24 feet off of the north property line, then the area could become a catchall for debris. Mr. Schmitt confirmed that there is a fence plan and it could be installed within the next 60 days.

Commissioner Matheson acknowledged that the easement appears to be an issue. Mr. Richins shared information about the existing conditions and stressed the importance of proper drainage. Chair Park believed these are issues that can be worked out between the different parties. Mr. Schmitt is not certain what was done in the past as far as the drainage, but there is a willingness to improve the current situation. There has to be something done to address the runoff on the lots for the homes proposed to be built on the property. He expressed a willingness to work with neighbors to address the issues.

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

Chair Park asked the City Engineer to address the irrigation issues that were highlighted. Mr. Cassel reported that additional research will need to be conducted. Further discussions were had about drainage. Mr. Cassel confirmed that there will be more research conducted and there will be outreach with Mr. Richins during this process.

Commissioner Joe Marzo asked how soon the road is anticipated to be dedicated to the City. Mr. Cassel explained that once the corrections have been made, the dedication occurs, and the warranty period ends, the City can take over the road. If it was finished and the plat was recorded tomorrow, then it would be one year from that date.

Commissioner Marzo requested clarification about what the Commission is being asked to review. Mr. Prestwich reported that the application has to do with the subdivision layout, accepting the dedication of the public street, and making a decision on the fencing.

Commissioner Cluff believed that the easements will be worked out in another forum, but during the current Planning Commission Meeting, the request is to approve the lot lines and the road. This was confirmed. Commissioner Cannon asked if the water line in the

road is sufficient to service the property of Mr. Richins and Ms. Butterfield. Mr. Richins shared additional information about the current access and water use in the area.

Chair Park asked if there is sufficient information to move forward with the Preliminary Residential Subdivision application. While he understands that everyone would like a decision to be made during the current meeting, it might make more sense to continue this item until additional information is obtained. Mr. Prestwich reported that the storm drain system meets City standards. However, the introduction of the idea that there is tailwater and there were previously accommodations for tailwater is new information. It is a requirement that the developer take care of that if it is on the applicant property. If the Planning Commission is going to require a fence or allow an offset fence on the north property line, there are some concerns if the easement is still in question. The plat shows 15 feet, but there is testimony that it is actually 24 feet. There are still some unknowns.

Mr. Carter discussed the connection of the roadway. It looks like there is not a clear connection between the public roadway and the property owned by Mr. Richins. In order to guarantee that Mr. Richins would continue to have access off of that roadway, there would need to be some sort of boundary adjustment between the two parcels. He wants to make sure the Planning Commission understands that the idea that the easement could be withdrawn because there is a public road to that property is not accurate. It does not front the Richins property. Chair Park asked if the easement could remain as a utility easement with the surface access abandoned. It was stated that this would be possible if there was agreement between the parties. That is not something for the City to handle.

Commissioner Cluff noted that the Planning Commission has been asked to make a decision on the fencing at the current meeting. There needs to be clarity about where the fence will be located in order to do that. Mr. Prestwich explained that it is possible to have language that mentions "fencing along the easement line." If this application is continued until the next Planning Commission Meeting, more information about the easement can be presented. In addition, there can be fencing options shared with the Commission.

Chair Park believed more definitive information is needed on the easement before the Planning Commission makes a decision on the application. He requested information about where the easement lies and the width of the easement. The two parties might be able to discuss some alternative solutions before the next scheduled meeting.

Commissioner Cluff agreed that this item should be continued to the next Planning Commission Meeting so the involved parties can have another discussion and so the necessary documentation can be provided to the Planning Commission for review. Other members of the Planning Commission agreed that there are too many variables. It makes sense to continue this item and the discussion to a future meeting so there is more clarity.

Commissioner Cluff moved to CONTINUE PLZ-26-1003, "South View Estates," to a future Planning Commission Meeting. Commissioner Beck seconded the motion. The motion passed with the unanimous consent of the Commission.

3. MINUTES

A. MINUTE APPROVAL: AUGUST 13, 2026.

Commissioner Cluff moved that the Planning Commission **APPROVE** the Minutes from the Planning Commission Meeting on August 13, 2026, as reported. Commissioner Keele seconded the motion. The motion passed with the unanimous consent of the Commission.

4. ADJOURNMENT

Commissioner Matheson moved to **ADJOURN**. There was no second. The motion passed with the unanimous consent of the Commission.

The Planning Commission Meeting adjourned at approximately 8:30 p.m.