

**RIVERTON CITY PLANNING COMMISSION
MEETING MINUTES
February 11, 2021**

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

Planning Commission Members:

Troy Rushton, Chair
Kent Hartley
Gary Cannon
Brian Russell (excused at 8:25 p.m.)
Keith Breinholt
Shelly Cluff
Natalia Brown

Staff:

Jason Lethbridge, Development Services Director
Greg Wilson, City Engineer
Tim Prestwich, City Planner
Craig Bott, City Attorney

1. CALL TO ORDER/ROLL CALL

Chair Gary Cannon called the meeting to order at approximately 6:30 p.m. Terry Clawson led the Pledge of Allegiance.

a. Swearing in New Planning Commissioners.

New Planning Commissioners Keith Breinholt, Shelly Cluff, and Natalia Brown were sworn in.

b. Planning Commission Chair and Vice-Chair Selection.

City Planner, Tim Prestwich, reported that the ordinance specifies that the Chair and Vice-Chair are selected from among the Commission Members. The procedure for electing Chair and Vice-Chair was described. There are no extra responsibilities or meetings associated with serving as Chair or Vice-Chair. Their primary role is to maintain order in the meeting. The Vice-Chair fills in if the Chair is not present. The Chair and Vice-Chair are nominated and voted on by the Commission. The procedure for making nominations was described. Nominations remain open until there are no more nominations. The vote must be a majority.

Commissioner Lefgren moved to nominate Commissioner Troy Rushton to serve as Planning Commission Chair. The motion passed with the unanimous consent of the Commission.

Commissioner Hartley moved to nominate Commissioner Lefgren to serve as Vice-Chair. The motion passed with the unanimous consent of the Commission.

New Planning Commission Chair, Troy Rushton assumed the Chair.

Mr. Prestwich reported that the Mayor has asked that the new technology be used. The Chair will be seated in the middle and the names of the Commissioners will be programmed into the software. The Chair will then activate the microphone of each Commission Member and their name will show up in the meeting recordings.

2. PUBLIC HEARING ITEMS

- a. **CONDITIONAL USE**, RAVI KIRAN SINDRI IS REQUESTING A CONDITIONAL USE PERMIT FOR A RETAIL GROCERY STORE IN THE COMMERCIAL GATEWAY ZONE ON COMMERCIAL PROPERTY AT 2936 WEST 12600 SOUTH.

Chair Rushton opened the public hearing.

Mr. Prestwich presented the staff report and stated that the request is for a conditional use for an existing commercial property on 12600 South. The property location was described. He explained that the City ordinance adopts a Table of Uses that contains uses that are declared to be permitted, conditional, or not permitted. The subject property is zoned Commercial Gateway (CG) and the proposed use is a conditional use in the zone. All of the properties to the east and west are also zoned CG. One property to the west is residential and zoned RR-22. The properties to the west were rezoned several weeks earlier by the City Council following a recommendation from the Planning Commission. The General Plan for the area is Commercial with a Business Park General Plan designation. It was anticipated that some of the properties to the south and all of the properties to the west will be rezoned commercial at some point.

Mr. Prestwich reported that the proposed use is for a multi-tenant building. One of the proposed uses in the building is a grocery store. He presented the Concept Plan and stated that it had not yet been reviewed or approved by staff. It will come back to the Commission as a site plan at which time the details will be addressed. Mr. Prestwich reported that the rest of the retail space is permitted in the zone. Staff looked at the proposed market retail grocery and could not identify any impacts that it would create. Because it is a conditional use they look at the potential impacts in the area. Staff was unable to identify any impacts that would be unique to the proposed use.

Staff recommended approval with the conditions set forth in the staff report. One comment was received from a neighbor to the west. Mr. Prestwich reported that the matter was noticed to neighbors within 300 feet, published in the newspaper, and noticed on the City's webpage as a public hearing.

Commissioner Cannon reported that he read the comment from the neighbor and asked about the fencing requirement. Mr. Prestwich explained that the ordinance specifies that an incompatible use or zone may require masonry fencing between residential and

commercial. The exception is if it fits a recognized holding zone for similar use in the future. The Commission will determine what is to be required with the site plan.

Commissioner Cannon asked how an incoming retail business will impact someone who has been doing business there. Mr. Prestwich explained that if it is business to business, it is not incompatible and there is no fencing requirement. A use must be incompatible in order for the fencing requirement to be valid.

In response to a question raised, Mr. Prestwich explained that the property to the east has six-foot chain link fencing and is an older fence. The high school has a newer chain-link fence against the ball fields. There is no fence on the far east side of the applicant's property.

Mr. Prestwich reported that when the application was approved previously with the Utah Department of Transportation ("UDOT"), they required the applicant to install a shared access. A shared drive approach was included in the conceptual design. The applicant has also shown a stub to the west to meet the City's requirement for interconnectivity along with commercial sites. Fencing issues were discussed.

The applicant, Ravi Kiran Sindri, stated that they are proposing an Indian grocery store. The rest of the units will be general retail stores.

Commissioner Cannon asked Mr. Sindri about his intention to fence between his property and the owner to the west. Mr. Sindri pointed out that the other strip malls have easements. He was open to the easement if the property is to be commercial.

Matthew Box, Mr. Sindri's realtor stated that they will work with the Planning Commission to determine the appropriate fencing.

City Attorney, Craig Bott, stated that the question is irrelevant because there is no fencing required. The applicant is not required to identify what kind of fencing they want as it is beyond the scope of the application.

Terry Clawson identified himself as the owner of the property to the west. He expressed concerns about fencing and stated that his property is zoned Residential with a Conditional Use Permit. His family lives in the home and they run a business there. The fencing on the east side of the property is three-foot chain link, which has already been cut by someone wishing to gain access to the property. Mr. Clawson was concerned about parking and access and stated that there may be issues with trespassing and security. In response to a question raised, Mr. Clawson stated that he does not live on the property currently as it is being renovated but he expects to reside there in the near future.

Commissioner Russell confirmed with Mr. Bott that fencing is not relevant at this stage but will become relevant during site plan approval. Mr. Prestwich explained that the

fencing is not relevant because the Conditional Use Permit is not for the site itself but for the market. The Commission should determine whether a grocery use creates additional impacts on the site that need to be mitigated. The question of fencing was not specific to the grocery use.

Commissioner Lefgren suggested that Mr. Sindri resolve the concerns raised by the neighbor before the application comes back to the Commission for site plan approval.

There were no further public comments. Chair Rushton closed the public hearing.

Commissioner Russell moved to APPROVE Application PLZ-21-2003 Sindri CUP, to be located at 2936 West 12600 South with the following conditions:

- 1. The applicant shall apply for site plan approval with plans showing site improvements, engineering, building architecture and landscaping, and other documents and plans as required by ordinance and shown on the Site Plan Application.**
- 2. The applicant shall obtain site plan approval from the Planning Commission prior to any construction commencing on the site.**
- 3. Site improvements are to be designed in accordance with the standards of the Unified Fire Authority and Riverton City Engineering Division.**
- 4. Storm drainage systems shall be designed in accordance with Engineering Department requirements and standards.**

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

- b. SLR PROJECT COMMUNITY SCALE PLAN, BENSON WHITNEY WITH PROPERTY RESERVE, INC. IS REQUESTING APPROVAL OF A COMMUNITY SCALE PLAN FOR 345 UNITS ON APPROXIMATELY 41 ACRES LOCATED NEAR 4406 WEST 13200 SOUTH.**

Mr. Prestwich presented the staff report and stated that the request is for a community-scale plan in the Suburban Land Reserve (“SLR”) project. The location of the 41-acre site was described and an aerial view of the property displayed. Mr. Prestwich reported that 13200 South is complete up to the canal and is a City road that will extend over and be completed with future City projects. He displayed a map showing the Community Planning Areas (“CPA”) that were adopted with the SLR Specific Development District (“SDD”) and Master Development Agreement (“MDA”). In 2015, the City adopted the SLR SDD and put the SLR zoning on the property. With that, there were certain CPAs that were allowed in different areas.

In CPA 1, residential and commercial are allowed. Mr. Prestwich stated that this application is only requesting residential. CPA 1 allows all types of residential. Within 250 feet of the north property line is limited to single-family detached residential. Mr. Prestwich reported that an MDA was executed by the City and recorded against the SLR property. The SDD is available on the City's website. The review process is different as they are following a Master and Final Site Plan. For a large residential project, they would do a preliminary plat and a final plat. With the SDD, they follow a three-step process starting with a Community Scale Plan, followed by a public hearing. The applicant then prepares a Block Scaled Plan with increased detail, showing project feasibility. It then comes back to the Planning Commission as a decision item. Noticing requirements were addressed. The final step will be a detailed plan that may be considered as a final plan. Once approval is granted, construction could begin within three to four weeks. Tonight's discussion will focus only on the Community Scale Plan.

Mr. Prestwich reported that the proposal is for a mix of single-family detached units along the north side and cluster homes on the south. There is a considerable amount of community space in the middle with open space and green space. The community center and open spaces are proposed to be private and will be privately owned and maintained by the developer.

The project has three access points onto Eagle Flight Road (4570 West) and one onto 13200 South. There is no bridge across the Welby Jacob Canal but there is one on 13200 South. The plan shows a walking trail to Sunday Drive that would continue through. Currently, there is no connection to Sunday Drive.

The Parks Plan included the community green space, the clubhouse, a neighborhood park, and walking paths. Mr. Prestwich reported that there had been discussions with the applicant on the distinction between public and private roads. He reported that several comments were received on the application. He pointed out that a few public comments and phone calls were received. He noted that the SDD was adopted in 2015 or 2016. Some of the neighbors felt that their voices had not been heard over the years and they do not want additional density in the area. He noted that the density was set when the SDD was adopted. Mr. Prestwich reported that the SLR was part of a special agreement. They were granted density across the entire project and can choose how to assign it. They were granted a density of seven units per acre.

Mr. Prestwich reported that this is the second SLR project the City has done. The Development Agreement with the City specifies that the master developer, SLR, has to grant the number of units to the next developer that comes in. Staff will keep track of the units to ensure that the threshold is not reached.

Another concern from the neighbors was with the neighborhood connection on Sunday Drive and the density of the units along the north line. One comment was that one area of the SDD zoning designation species that properties along the north side shall meet the

rear yard setbacks of the Western Springs Subdivision. Mr. Prestwich reported that at the time the SDD was adopted, the Western Springs setbacks were not yet adopted.

Benson Whitney, Vice President of SLR provided an overview of the single-family for-rent units. He explained that this type of development is doing very well in other markets. He provided an image of the above-market amenity package. He described some of the amenities that will include a pool, hot tub, lazy river, clubhouse, and meeting areas. Their goal is to provide amenities for families. Mr. Whitney displayed images of the open space area with an outdoor kitchen and pavilion.

Mr. Whitney reported that they met with staff earlier in the week to discuss Sunday Drive. Staff wants it to go through. He provided an alternative that was intended to benefit both parties. The intent is to include dog parks within the project. He noted that they have not been seen in this market and he was excited to provide them. The planned interior gray vinyl fencing was next presented.

With regard to interior streets, Mr. Whitney stated that they will all be privately owned. They asked that it be as designed with 65% public roads and 35% private. They met with staff on how that will work with snowplows. To avoid confusion they plan for the private roads to serve as drive approaches. SLR's preference was for Sunday Drive to not go through and to keep the public and private roads as set forth in the plan.

Commissioner Lefgren asked Mr. Whitney to describe the reasoning behind not having Sunday Drive connect to the community. Mr. Whitney stated that they received feedback from the neighbors who do not want it to go through.

Commissioner Lefgren asked if it is possible to take a public road right-of-way and landscape it so that it does not look like a dead end. Mr. Prestwich stated that if the connection isn't made, staff's preference was to require the area be landscaped. In response to a question, Mr. Whitney stated that the spacing between the buildings and the paseo is about 30 feet.

Commissioner Cannon appreciated Mr. Whitney listening to concerns regarding Sunday Drive. He explained that Sunday Drive was never built to accommodate a lot of traffic and what is proposed will create more traffic there. He was pleased that Mr. Whitney has proposed an alternative given the fact that the residents do not want it. He asked if there would be more pride of ownership if the City cares for the public roads as opposed to private roads. He asked about the reasoning behind the percentages for the public and private roads within the project. Mr. Whitney stated that the roads will be built to City standards and they want it to feel like a normal subdivision. He explained that pride of ownership will result from residents paying for what they use. The single-family lots will have individual tax identification numbers. The townhomes, five-plex, and six-plex units will have one tax identification number per pod or building.

Chair Rushton further explained that with public roads, they will avoid doing master meters and it will be easier to know who to bill when someone leaves their shower or tub on all day.

Commissioner Lefgren asked if they will have individual Tax ID Numbers. Mr. Whitney explained that with the single-family lots, there will be individual Tax IDs. The townhomes and five and six-plexes will one Tax ID per building.

Chair Rushton recalled that Mr. Whitney indicated that such communities exist in other states and he asked if they are private or public. Mr. Whitney explained that their research has shown that some are private and others are public. He pointed out that single-family for rent is being built in Utah as a traditional subdivision. Many other communities, however, do not have the amenity package they are offering.

In response to a question regarding how they will manage the population with public roads, Mr. Whitney stated that the clubhouse will have electronic keys, which will limit access.

Commissioner Cluff asked if the development was inspired by community value or if it was just an investment. She also asked what value it might bring, if any. Mr. Whitney stated that the development has both investment and community value. He further stated that single-family for rent is currently booming in the United States and there is a demand for it. He spoke to several people who want to rent a home and not have to worry about maintenance. Mr. Whitney noted that many people do not want to own a home but do not want to live in an apartment either.

David Cannon reported that research market firm Robert Charles Lesser & Company conducted a study in conjunction with the Urban Land Institute that is dedicated to the responsible use of land. They published a study last year called Renter Nation. The demographics showed that in the 2010s, there were more renter households created than homeowner households. That growth was not just based on the economics of those who cannot afford to purchase a home but renter by choice. Mr. Cannon stated that the largest growth on a percentage basis of renter households is in the highest income bands. They, therefore, opt to rent rather than own. He reiterated the reasons Mr. Whitney iterated regarding why many prefer to rent.

Chair Rushton opened the public hearing.

Eric Davis, a Western Springs resident, expressed concern that what is proposed is a huge apartment complex. He was upset that a Costco was placed near his home and now they will be faced with a large apartment complex. He stated that the Master Plan was voted on by the City Council and recommended by the Planning Commission. He saw no reason for the request and suggested that they do what the community agreed upon and not on what the developer can make the most profit from. Mr. Davis felt that he had been deceived and demanded that the Planning Commission adhere to what is set

forth in the Master Plan and not bend to the will of the developer. He stated that he moved to Riverton for the Riverton lifestyle.

Crystal Davis echoed her husband's sentiments. She referenced a Harvard study that shows that rentals decrease the value of a home because the renters do not take the same ownership pride that homeowners do. She also noted that there will be an increased need for law enforcement and infrastructure. The proposed development will also create more traffic problems. She stated that she can no longer ride her bicycle or run near her home because of traffic and has to go elsewhere. Mrs. Davis stated that they moved to Riverton because of the open space but felt it was becoming more like Phoenix. She asked the Commission to consider whether they would like something similar next to their homes. She stated that renters do not have pride in ownership or a commitment to the City or the area in general. She did not want people like that as her neighbors.

Ashley Hoopes, a Western Springs Cottages resident, commended the developer for listening to the community on the issue of Sunday Drive not going through. She stated that the community was not told that this will be a rental property and hoped there would be another meeting for the public to comment. She further stated that the project will not add value to the area since the amenities will not be open to the public. Ms. Hoopes stated that the 250-foot distance should be required and thought it was doable to provide the same amount of space with each home. She also asked about the fencing and if a new fence was proposed. She stated that the neighbors will not be supportive of the current proposal.

There were no further public comments. Chair Rushton closed the public hearing.

Commissioner Lefgren suggested that the developers work with the Engineering Department with respect to Sunday Drive to find a way to transition it into the community. He also felt that the project was being structured as a for sale subdivision and public roads would be more appropriate. He was concerned about managing that number of rentals in terms of traffic. He did not want it to look like a rental neighborhood if the intent is for it to look like a subdivision. His prediction was that the developer will sell it at some point.

Commissioner Brown asked about condition number five and the connection between both properties. Mr. Prestwich stated that it would be brought back with detailed plans. Commissioner Brown's preference was to leave it open for now. Mr. Prestwich stated that the Planning Commission serves as the Land Use Authority for the Community Scale Plan. Sunday Drive is a public right-of-way outside of the SLR area. If desired, the Commission could ask the City Council to provide feedback. The Commission could include a condition that the Council give direction on Sunday Drive and the closure.

Commissioner Breinholt was concerned about blockages and stated that the alleyways are too narrow for fire trucks to gain access. Mr. Whitney stated that there was a Preliminary Fire Review of the community scale plan and comments were received on

the roadway widths and areas that need to connect through. He explained that the final site plan will contain changes and the Fire Department is addressing the concerns.

Commissioner Breinholt inquired about the density and asked for clarification on the overall density of seven units per acre average. Development Services Director, Jason Lethbridge, explained that it is primarily due to the time that has elapsed since the original approval. The seven units per acre included in the Development Agreement were used to establish a pool of units. The 500 acres within the SLR Specific Plan are entitled to develop up to seven units per acre or 3,500 units.

Mr. Lethbridge explained that for each residential development, SLR is required to allocate a number of available units out of the total number of available units. The number of units for any particular location is not regulated. He pointed out that within the 41-acre development where the density exceeds seven units per acre, is not in conflict with the MDA. The only limitation on density is within the 250-foot transition area and that only requires single-family detached units. He further stated that there is nothing in the Development Agreement that requires consistency. The Planning Commission's discretion under the MDA does not extend to putting limitations on the overall density. That would only be the case if they were approaching or exceeding the 3,500-unit cap, which they are not. The governing number is the number of units allocated by SLR.

Commissioner Breinholt asked about thru streets and acknowledged that the developers did a good job of designing the roads. He asked for confirmation on whether 13200 South will connect to the lower end of the development in the future. Mr. Lethbridge confirmed that it will. Commissioner Breinholt asked about the potential to connect bike paths in the area. It was noted that there is a bike lane on Eagle's Flight. A request was made that the Traffic Impact Study be revised to address pedestrian traffic. The engineering team was in the process of addressing those concerns.

In response to a question raised by Commissioner Brown, Mr. Whitney confirmed that a Traffic Impact Study was conducted and included Sunday Drive.

Chair Rushton asked about the agreement with SLR and if there is a definition addressing an owner or rental development and public versus private access in the agreement with SLR. Mr. Prestwich stated that there is and reported that there is nothing in the MDA or SLR documents that would prohibit the rental of one or all of the properties. Even outside of the SLR project area, Riverton City Code does not limit one's ability to rent one or more units within a project or development. The rental component is not subject to any land use decision.

With regard to roadways, Mr. Prestwich stated that the MDA allows for public or private or a combination of both. It was at the Commission's discretion to determine whether roads are public or private or a mix of both.

Chair Rushton stated that because what is proposed is a community within a community, having a mix creates a community feel and access. He pointed out that once people migrate there, law enforcement may have to be called, which will impact the residents of the project and the adjacent neighborhoods. He felt that it should be a private access community with all of the roadways being private. Mr. Prestwich stated that that would give them the ability to have gated access but it would not mandate it. It would also mean that all of the roads within the project area would be theirs to maintain and police.

Commissioner Lefgren reiterated that with the individual Tax ID Numbers, it will feel like a subdivision. As a result, he felt that a public road would make more sense.

Commissioner Cluff asked if a road could be changed later from private to public or vice versa. Mr. Prestwich stated that action from the Land Use Authority would be required to do so. Any road constructed would have to be built to City standards. It was acknowledged that it is easier for a public road to become private in the future than for a private road to become public.

Commissioner Lefgren moved to APPROVE Application PLZ-20-8018 SLR Community Scale Plan for CPA-1 to be located near 4500 West and 13200 South with the following conditions:

- 1. This development shall conform to the limitations and provisions included in the SDD and MDA.**
- 2. The applicant shall apply for Block Scale Plan approval with plans and other documents showing site improvements, engineering, building architecture, fencing, streetscape, and landscaping.**
- 3. The applicant shall obtain Detail Plan Approval from the Planning Commission prior to any construction commencing on the site.**
- 4. Site improvements including storm drainage systems are to be designed in accordance with the standards of the Unified Fire Authority and Riverton City Engineering Division.**
- 5. The applicant shall provide detailed plans for terminating Sunday Drive near the north boundary of this project, including details for continuing a walking path and utilities as required.**
- 6. Interior streets, open spaces, and other amenities shall be public or private per the exhibit.**
- 7. The north 250 feet of this project shall be limited to single-family detached residential with the limitations and details as described in the SDD and MDA.**

8. **The City Council shall consider the closure of Sunday Drive with a walkway.**

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

3. DECISION ITEMS

- a. **FINAL SITE PLAN, MOUNTAIN VIEW VILLAGE PHASE 3 BY SALT DEVELOPMENT TO BE LOCATED NEAR 4302 WEST 13200 SOUTH.**

Mr. Prestwich presented the staff report and stated that the request is for a final site plan for Mountain View Village Phase 3, which is sometimes called the Village Lofts and Salt Development. He reported that Mountain View Village is part of the SLR project and falls under the SDD. Mountain View Village has its own agreement with the City that operates in addition to the SDD. Mr. Prestwich reported that they did the major retail at the corner of 13400 South and 13200 South Mountain View on Eagle's Flight Road. They are currently constructing Phase 2, which is on the east side of Eagle's Flight Road. Phase 3 is the mixed-use building on the northeast corner. The project was approved by the Planning Commission as part of the Master Site Plan. Since then, various phases have come back before the Commission. Final Plat approval of Phase 2 was granted a few years ago. Tonight's request was to move forward with construction as part of Phase 3.

A rendering of the site plan was presented and the location of the property identified. Mr. Prestwich stated that 13200 South ends at the Welby Jacob Canal. It is a City road and a wide public street. It will continue over the canal eventually and connect to 4000 West, which will connect to both 12600 South and 13400 South. There will be a future canal crossing to the south of the project. The bridge will not be built with this project as there is not yet a road on the other side to connect to. The internal roads and parking lots will be built either with Phase 2 or Phase 3. The Master Site Plan showed a break in the building and parking in the rear. Modifications were made and there is no longer a break in the building and the parking is in the rear and to the south.

Mr. Prestwich displayed the applicant's rendering of the building and noted that the retail space on the ground floor facing west will line up with the parking lot. He also indicated that along the canal, there will be fencing and a separation. The applicant was proposing a five-foot wrought iron fence. He noted that the four-story building being constructed is part of Phase 2 of the project.

Mr. Prestwich presented the sample motion and conditions and stated that staff is expecting plans that will be built. They exchanged red lines with the applicants and are in the process of resolving the outstanding issues, however, they will not substantially change the look or feel of the site or the building. In addition to staff, the utility companies and the sewer district will review the request. Mr. Prestwich stated that the matter was

not noticed as a public hearing but was posted on the City's website. The Commission does not have to allow public comment tonight.

Commissioner Russell asked for clarification on the wrought iron fence. He stated that with previous applications, anytime there is a canal they have been told that they have no option other than solid eight-foot masonry fencing. Mr. Lethbridge stated that outside of the CenterCal Project Area, there are strict fencing requirements along canals. Under the umbrella of the CenterCal Agreement, the fencing complies. It needs to be six feet in height and maintain the height with the one-foot base. The wrought iron open fencing is permissible.

In response to a question raised, Mr. Prestwich stated that there is no second building. Commissioner Lefgren requested the applicant address the parking.

The applicant, David Hulsberg from SALT Development reported that they are excited to be working in Riverton and to be associated with CenterCal. They plan to add 250 units that will serve as a great amenity for the community. Mr. Hulsberg stated that what is shown on the renderings is what they intend to build and have budgeted for. Renderings were displayed and discussed. He noted that their rooftop amenity will have great views and their projects have a resort feel. They are proposing a co-working space on the inside where residents can work. He clarified that the workspace is on the first and second floors. He noted that the clubhouse will be for the exclusive use of residents.

Mr. Hulsberg described traffic circulation within the project and stated that there will be a three-story parking garage in addition to parking throughout the project. The parking ratio is one stall per resident. There will be a Shared Agreement with CenterCal to use some of the parking stalls.

Mr. Hulsberg reported that of the 250 units, 30% are studios, 20% are two-bedroom, and 50% are one-bedroom units. He also reported that they will be matching the landscaping quality at CenterCal and it will continue onto their site.

Mr. Hulsberg identified the location of the TRAX stop. With regard to timing, Mr. Prestwich stated that it is a transit corridor and may not take the form of TRAX. In the interim, it could be Bus Rapid Transit or something else. The timing was subject to decisions on a more regional scale. It was, however, designated by Riverton City and the Utah Transit Authority ("UTA") as a transit route. He explained that the parking is within the unit type and not bent toward the demographic. Staff felt that the parking will be sufficient for the building.

Brian Hobbs from SALT Development addressed parking and described their experience working with Salt Lake City. He pointed out that many residents do not own cars. They will provide a small fleet of electric cars that can be rented by residents. He stated that the perception of rentals is changing. Income levels for the properties they have developed in Northern Utah range from \$110,000 to \$126,000 per year. He noted that

the project went to one building from two because they did not like all of the surface parking. They ultimately decided to pull it all into structured parking.

Commissioner Breinholt stated that he serves on the Transportation Committee and they have been negotiating with UTA to get Bus Rapid Transit at 12600 South. They would also like to add Herriman Town Square down 13200 South as a bus route. He stated that UTA will not invest in TRAX until they see the rooftops and density.

Chair Rushton asked about schools and the path students will take from these communities. It was noted that a Safe Walk to School Route has been designated. Mr. Prestwich clarified that the school district is aware of the unit levels and density involved with SLR and CenterCal.

Commissioner Lefgren moved to APPROVE PLZ-20-8017 Final Site Plan for Mountain View Village Phase 3 with the following conditions:

- 1. Address any outstanding Riverton City staff redline comments on the plans.**
- 2. Storm drainage systems and accommodations comply with Riverton City Standards and ordinances and with the recommendations of the Riverton City Engineering Division.**
- 3. The applicant must obtain any necessary approvals or permits from applicable outside agencies or jurisdictions.**
- 4. Any necessary easements or agreements on the property be recorded with Salt Lake County Recorder.**
- 5. The site and structure shall comply with all applicable standards of the City, including the SLR MDA and SDD.**
- 6. Perimeter fencing, including 6 feet wrought iron fence along the canal.**

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

4. DISCUSSION ITEMS

- a. RIVERTON WEST BUSINESS PARK, SCREENING OF LOADING DOCKS FACING A RESIDENTIAL ZONE.**

Mr. Prestwich reported that the above matter is for discussion only and no decision was to be made tonight. Similar nearby uses were described. The property location was identified on a map displayed and is zoned PCC. The intent was to develop flex

warehouse space similar to what was approved on the opposite side of the road. There have been issues with the PCC zoning, which specifies that loading docks shall be oriented away from residential or other incompatible uses and major roadways. Mr. Prestwich stated that due to the shape of the parcel, there is no way to develop a building that meets both requirements and orients it away from the residential and the new City street. On the opposite side, there is a similar problem where the parcel is narrow. The developer was moving forward with a proposal and would like guidance in order to proceed. The matter was to come back to the Commission as a site plan with additional details and is currently in the conceptual stage.

Mr. Prestwich oriented the Commission to the site. Currently, the building is oriented with the docks in the back with parking and storefronts in front. The flex warehouse space will include storefronts in front and warehouse space in the back. A 50-foot setback was proposed in addition to 11 feet of landscaping and an eight-foot masonry wall. An architectural rendering was displayed of the north building. 10 feet of landscaping is required by ordinance with an eight-foot masonry wall.

The larger building to the south will include a depressed dock with a taller loading area. Mr. Prestwich asked if the Commission would agree to allow the access doors to face the residential. If so, he asked if it would be acceptable to have the dock ramp in the proposed location or if it needs to be located on the side and further away from the residential.

Commissioner Lefgren inquired about the location of the dumpsters. Mr. Prestwich stated that the plans have not progressed that far.

Commissioner Breinholt reported that years earlier he represented a supermarket that was developed in an existing neighborhood. He commented that a masonry wall is the best way to collect noise, however, when it faces a two-story building it creates an echo chamber that feeds the noise directly into the neighborhood. That can be mitigated through landscaping or shrubbery that covers the masonry wall. A two-story masonry building nearby will result in noise coming over the wall. He was concerned about mitigating the noise and suggested that cloth awnings be used to deflect the noise.

The applicant, Jeremy Day, identified himself as one of three partners on the project. Together they have over a decade of experience developing flex/warehouse space. They were excited to be in Riverton. He noted that because of the shape of the parcel, it will be difficult to face the dock in a manner that works. He believed that the best option was the one proposed. They envision 10 feet of landscaping with larger trees and shrubs to mitigate the visual and noise impacts. Because of the quality of the space, they plan to bring in larger tenants who will be closed on weekends.

The possibility of locating the dock on the north side was mentioned. Mr. Day stated that it is infeasible due to the size of the space.

Chair Rushton asked if the building could be flipped so that the docks face east. He was concerned that what is requested is a double exception. If they flip the building the docks will not be facing residences. Mr. Day explained that that would be possible with the second building but not with the first because it is so narrow. Possible options were discussed.

Commissioner Cluff stated that if she lived there she would not want to get behind a semi and breathe in the exhaust. She would also not want trucks outside her window. Mr. Day stated that he worked for many years at Henry Day Ford in West Valley and they had a similar situation with their building. As the owner of the building, he never received a single complaint. He stated that the landscaping and proper setback were effective. Most of the trucks will not come until the middle of the afternoon when most residents are at work. The businesses will be closed on weekends.

Commissioner Breinholt asked if awnings could be fastened to reduce noise on the building side. Mr. Day stated that he would have to discuss that with his partners.

Mr. Prestwich reported that the next step will be for Mr. Day to submit an application with full engineering drawings after which the request will be brought to the Commission for site plan approval and a public hearing.

b. PRIVATE LANES.

Mr. Prestwich reported that previously there was discussion of potentially incorporating work session time into the Commission schedule. The Mayor identified it as a priority. The intent would be to dedicate the first portion of Commission meetings, from 6:30 p.m. to 7:00 p.m., as a work session. Doing so will allow items to be addressed in advance of the actual application and avoid substantial investment in time and planning on the part of the City and the developers. It was suggested that work meetings take place during the first Planning Commission Meeting of each month.

Mr. Prestwich reported that staff has been studying revisions to the Elderly Housing Overlay Zone that was discussed at the previous meeting. There is an outstanding application for a rezone to the Elderly Housing Overlay that would be heard by the Council at their next meeting.

Mr. Prestwich explained that one of the ordinances that are ready for revisions is the Private Lane Ordinance. The intent was to get feedback from the Commission before preparing the text. The current ordinance contains limitations and allows a maximum of four lots on a private lane. The width is scaled based on the number of users and the number of lots. A maximum length of 450 feet was set. Setbacks are measured to the property line. One of the issues with private lanes was to determine whether it is something they want to encourage or discourage. Criteria are in place that the private lane should be permitted where there is no ability to bring in a public right-of-way. The ordinance states that public rights-of-way are encouraged, however, it needs to be

demonstrated that there is not a feasible option to develop off of a public right-of-way or that there are other constraints.

Mr. Prestwich pointed out that as a City they are moving toward more infill and increasingly property owners are looking to utilize private lanes. Currently, the ordinance allows an easement right-of-way to float relative to the home. A question for the Commission was if they would prefer to see the ordinance treat the edge of the private lane as the measurement point for setbacks. Currently, in terms of accessory structures, they discount or remove the private lane area from the calculation. There was discussion regarding how to measure minimum lot size. Requiring the home to be set back from the private lane will accomplish much the same thing and force the dimensions of the lots to be larger.

Commissioner Cannon commented that he lives on one of the most utilized private lane experiments in the City. In many ways, the private lane was created to circumvent full subdivision improvements. His street is a classic example of a good private lane. He noted that most of the homes at the end of his lane are large homes on large lots.

Commissioner Lefgren felt strongly that with respect to setbacks, the end of the lane should be where the setback is. He did not think they should discourage lanes as they create seclusion and have an appeal. He would not support an ordinance that would push against a private lane. If they feel it is overly restrictive, they should change the lot size rather than force people to find ways to reduce the size of the lots from a usability standpoint.

In response to a comment made by Commissioner Cluff, Mr. Prestwich confirmed that there are no restrictions on a concrete pour.

Mr. Prestwich reported that the current subdivision ordinance includes a minor subdivision category of up to three lots. With regard to lane width and layout, he suggested that it may be beneficial to differentiate between a private drive and a private street. A distinction would give the Commission the ability to make allowances for infill or private drives that may not be appropriate for development. Sidewalk issues were also addressed as well as places where they would be necessary and more difficult to accommodate.

Signage and addressing issues were discussed. Mr. Prestwich stated that because Accessory Dwelling Units ("ADU") are allowed, the intent was to ensure that private lanes are appropriately signed and the units addressed. In the ordinance, they would want to make the requirements much more clear and explicit in terms of what is required. Metering and infrastructure on private lanes would also be addressed.

Mr. Prestwich reported on the annual Planning Commission Training, which would be scheduled in the near future.

5. MINUTES

a. JANUARY 14, 2021.

b. JANUARY 28, 2021.

Commissioner Cannon moved to APPROVE the minutes of January 14 and January 28, 2021. Commissioner Cluff seconded the motion. The motion passed with the unanimous consent of the Commission.

6. ADJOURNMENT

Commissioner Lefgren moved to ADJOURN. The motion passed with the unanimous consent of the Commission.

The meeting adjourned at approximately 9:10 p.m.