

**RIVERTON CITY PLANNING COMMISSION
MEETING MINUTES
November 18, 2021**

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

Planning Commission Members:

Grant Vice-Chair Lefgren, Chair
Keith Breinholt
Natalia Brown
Gary Cannon
Shelly Cluff

Staff:

Tim Prestwich, City Planner
Ryan Carter, City Attorney

1. CALL TO ORDER/ROLL CALL

In the absence of Chair Troy Rushton, Vice-Chair Grant Lefgren assumed the Chair and called the meeting to order at approximately 6:30 p.m. Vice-Chair Lefgren led the Pledge of Allegiance.

2. PUBLIC HEARING ITEMS

A. REZONE, A REQUEST FOR A REZONE OF APPROXIMATELY 1.87-ACRES LOCATED AT 12317 & 12325 SOUTH REDWOOD ROAD. APPLICANT-CORY GRUNDMAN.

Chair Rushton opened the public hearing.

City Planner, Tim Prestwich, presented the staff report and stated the above is a request for a rezone of approximately 1.8-acres located at 12317 and 12325 South Redwood road. The hearing was noticed within 1,000 feet of this property. The request is for two separate lots totaling 1.93 acres with 175 feet of frontage and 485 feet deep with an existing home on each lot. He explained that the corridor in question was changed in the General Plan from 2001 when it was designated as medium-high density residential with the current General Plan designation of five to eight units per acre. A property map was displayed. Mr. Prestwich reported that the lot size in the R-22 zone is .50-acre with RM-6 having a minimum 5,000 square-foot lot with 50-foot frontage and setbacks of 15-5-15. There is a condition that if adjacent to existing incompatible land uses, the setback is one foot for each foot in building height. The zone also includes townhomes and condominiums.

Mr. Prestwich stated that at the time of the application, this zone also included townhomes and condominiums. The City Council recently approved changes to the Code with the removal of condominiums or townhomes, attached or detached. Detached single-family units are permitted in the RM-6 zone. The application has no vested rights under the old ordinance and only single-family detached units will be allowed. Because this is a legislative recommendation, the Commission must determine whether the application is reasonably debatable or has a reasonable argument for making the rezone request.

Commissioner Cannon requested clarification of the attached twin homes. Mr. Prestwich explained that a twin home shares a property line, and each side purchases the lot and the home. The ordinance allows for a duplex and dual habitation with one lot and one owner. Density issues were discussed. He confirmed that the Utah Department of Transportation ("UDOT") can put requirements on the access to Redwood Road that would potentially stop the development.

Commissioner Brown expressed concern with the access and increased traffic from the adjacent development.

City Attorney, Ryan Carter believed that access to the property has been granted to some extent. UDOT would have to consider to what extent the additional units create an additional traffic burden on the access that has already been granted. Access would continue to be allowed and improvements may be required making it difficult for a property owner to get in and out as a right in or right out.

Vice-Chair Lefgren opened the public hearing.

Lisa Kass read a statement prepared by her father, Jerry Thomas Callicott, who lives directly south of the proposed development. He is in his 90th year and is raising his sixth generation of Riverton residents. Progress has taken a portion of his front yard and more recently, striping took away the shoulder entirely. The turn lane makes left turns nearly impossible and dangerous. He requested that a concrete barrier wall be constructed rather than a vinyl fence prior to development. He also requested that the lot sizes be increased and confirmed that they do not have plans to develop their property.

Vice-Chair Lefgren reassured Ms. Cass that the letter will become part of the record and forwarded to the City Council who will make the final decision. Mr. Prestwich noted that additional letters have been included in the Staff Report and will be forwarded to the City Council.

Clayton Burg believed that the proposed two acres are only the beginning of the remaining 18 acres and this matter will impact the remaining property. He suggested that it be limited to R-4 zoning. Safety at a nearby crosswalk was of concern.

Susan Callicott Holt identified herself as the daughter of Mr. Callicott and although the proposed development may look good on paper, she believed it will cause difficulties when accessing her father's property. She was concerned about traffic and safety when turning into the property.

Rod Higley lives adjacent to the proposed development. He emphasized that more homes would create more sewer and water runoff. He suggested a capture and development of the sewer system for these homes. He stated that traffic and turnarounds at the school crosswalk are already a problem.

Kristy Small stated that her home backs the proposed property. She would not be opposed to six detached homes but was opposed to twin homes. Access was of concern. She requested that all noxious trees along the fence line be removed.

Dan Ivey resides on Riverton Chase Drive and expressed concern with traffic from the north using his driveway as a turnaround.

Bethany Dangerfield lives adjacent to the subject property and stated that the traffic using Riverton Chase Drive as a turnaround is a consistent problem. She was unclear about the difference between a townhome and a twin home but believed it would cause an increase in cars with no driveway and street parking.

Dwayne Perra reported that he lives on 12300 South on the west side of Redwood Road. With the RM-6 designation, he believed it would be appropriate and a fair assessment of what could be developed.

Cory Grundman, the applicant and owner of Dredge Management, stated the proposed plan was developed to be less invasive and will include 10 homes. The plan includes a cement wall surrounding the property. He suggested extending the access median to ensure a right in and right out only.

Robert Higley commented that UDOT has a strict mandate based on turnarounds and center medians. The road has a center median but throughout the length of the project, development is a left-hand turn lane. He stated that townhomes on 12600 South and 1300 West have created congestion and parking along the street. He believed this will overflow onto Riverton Chase Drive and he expressed his opposition to the project.

Christie Chenault reported that they have an issue with UDOT expanding. When the mailboxes were placed in their neighborhood, there was no public outreach or communication. She was opposed to overflow parking in her neighborhood.

Robert Small expressed concern with traffic safety and believed the increase will cause additional issues, especially with the existing crosswalk.

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

Commissioner Cannon stated that UDOT will be controlling the Redwood Road access and proposing an outcome that will create the least amount of liability and the highest level of safety.

A question was raised regarding the Historic Preservation Overlay Zone. Mr. Prestwich explained in the 2020 General Plan update, the Council and Planning Commission recommended the underlying General Plan designation remain five to eight dwelling units per acre for medium-high density with the addition of historic preservation.

Counsel Carter recommended that the Planning Commission review the recommendations regarding how historic preservation could be applied in this case. He believed they were looking at some type of architectural-style standard.

Vice-Chair Lefgren agreed that the concern is dominated by traffic, which is the biggest component of the proposal. He understood that traffic studies will be included in the future to minimize any impact to the access from Redwood Road. The difference between R-4 and R-6 zoning was discussed. Mr. Prestwich noted that R-4 zoning is a 10,000 square-foot lot with a 15-foot front setback and 25-foot setback to the garage.

Commissioner Cannon moved to recommend DENIAL of PLZ-21-4008 Rezone of 1.93 acres of land located at 12317 and 12325 South Redwood Road, thus keeping the zoning as RR-22.

Commissioner Brown asked if further review into the surrounding traffic could be conducted prior to site plan approval. Mr. Prestwich stated that it could be continued or tabled until further review or until a recommendation is forwarded on to the City Council and include a recommendation that some sort of traffic analysis be included.

The motion died for lack of a second.

Vice-Chair Lefgren moved to recommend APPROVAL of PLZ-21-4008 Rezone of 1.93 acres of land located at 12317 and 12325 South Redwood Road thus changing the zoning to R-4 (Residential four units per acre). Commissioner Cluff seconded the motion. Vote on motion: Commissioner Brown-Aye, Commissioner Cluff-Aye, Commissioner Cannon-Nay, Commissioner Breinholt-Nay, Vice-Chair Lefgren-Aye. The motion passed 3-to-2.

B. REZONE, A REQUEST FOR A REZONE OF APPROXIMATELY 8 ACRES OF PROPERTY LOCATED AT 12761 SOUTH 3600 WEST. APPLICANT-SPENCER MOFFAT, REPRESENTING THE BOYER GROUP.

Vice-Chair Lefgren opened the public hearing.

Mr. Prestwich presented the Staff Report and stated that the above request is for a rezone of approximately eight acres of property located at 12761 South 3600 West. A property rendering was displayed. The Concept Plan includes a flex warehouse with a storefront and garage doors in the rear. The underlying zone is Commercial Professional Office with an Elderly Housing Overlay. He reported that the proposed M-1 zone fits within the General Plan for Business Park or Light Manufacturing and is an appropriate zoning for that designation. Properties within 1,000 feet have been noticed and written comments were included in the packet.

Vice-Chair Lefgren pointed out that the Overlay Zone was changed in early 2021 and the City Council went ahead with an overlay that was counter to the Planning Commission recommendation. It was noted that the neighbors would prefer commercial over residential.

The applicant, Spencer Moffitt from The Boyer Group, stated that they understood that the Elderly Overlay Housing Zone had been approved and the previous developer has no interest in developing the property when they were denied their requested density. They were reminded of the history of the property and decided on Light Industrial. He clarified that there will be truck traffic associated with the buildings during business hours as they are larger facilities. These types of buildings are typically 32 feet in height with a parapet to conceal equipment.

Jason Woodbury expressed concern with property access and asked that any traffic not go through his neighborhood.

There were no further public comments. Vice-Chair Lefgren closed the public hearing.

Zoning issues were discussed. Mr. Prestwich stated that M-1 and CPO zoning differ in terms of uses, architectural requirements, and signage allowances. CPO allows only minimal uses for retail and almost no manufacturing. Surrounding properties were detailed.

Commissioner Breinholt recalled the agreement with the nearby plaza regarding trucks accessing Water Street and asked if there is signage. Mr. Prestwich confirmed that signage is posted.

Vice-Chair Lefgren stated that he has been involved with this project from the most recent application and recalled that the Planning Commission forwarded a recommendation to the City Council with a different proposal. He was inclined to leave it as-is and allow the City Council to change it back.

Vice-Chair Lefgren moved to recommend DENIAL of PLZ-21-4009 Rezone of 8.0-acres of land located at 12761 South 3600 West, thus keeping the zoning as C-PO/EHOV-SD, Professional Office with an Elderly Housing Overlay and Specific Development Designations. Commissioner Cannon seconded the motion. Vote on motion: Commissioner Brown-Nay, Commissioner Cluff-Nay, Commissioner Cannon-Aye, Commissioner Breinholt-Aye, Vice-Chair Lefgren-Aye. The motion passed 3-to-2.

C. AMENDED COMMERCIAL SITE PLAN AND COMMERCIAL SUBDIVISION, "MCNEIL AUTO" LOCATED AT 3311 WEST 12600 SOUTH. APPLICANT-PETER MCNEIL. THIS ITEM WAS CONTINUED BY THE COMMISSION AT THE OCTOBER 28, 2021, COMMISSION MEETING.

Vice-Chair Lefgren opened the public hearing.

Mr. Prestwich presented the Staff Report and stated that the above request is for an Amended Commercial Site Plan and Commercial Subdivision located at 3311 West 12600 South. The matter was continued from the October 26, 2021, meeting. Emails received by Staff were also sent to the applicant who has since responded. Multiple questions were raised, and the applicant agreed to address them all at once. The applicant's consultants were moving forward with plans for Phases I and II. Staff asked for a motion to table the item and leave the application open with no further public hearing.

There were no further public comments. Vice-Chair Lefgren closed the public hearing.

Vice-Chair Lefgren moved to close the public hearing and TABLE Application PLZ-21-8018 McNeil Auto American Site Plan. Commissioner Breinholt seconded the motion. Vote on motion: Commissioner Brown-Aye, Commissioner Cluff-Aye, Commissioner Cannon-Aye, Commissioner Breinholt-Aye, Vice-Chair Lefgren-Aye. The motion passed unanimously.

D. AMENDED COMMERCIAL SITE PLAN, “SAGE HOME OFFICE BUILDING” LOCATED AT 1288 WEST 12700 SOUTH. APPLICANT- DOUG JESSOP WITH SAGE HOMES. *This item was continued by the Commission at the October 28, 2021, Commission Meeting.*

Mr. Prestwich presented the Staff Report and stated that the above request is for an Amended Commercial Site Plan for the Sage Office Building located at 1288 West 12700 South. The matter was scheduled for a public meeting in September at which time the applicant wished to make changes. The public hearing remained open and was continued to the October 28, 2021, meeting. At that time, the applicant submitted drawings after the deadline and Staff was unable to put the matter on that agenda. Both the matter and the public hearing were continued.

The property access is along the interior looking northwest and will be expanded into the adjacent green space. Notices were sent to residents within 300 feet of the property. A property rendering was displayed. Mr. Prestwich stated that the applicant intends to use the structure for the storage of home staging furniture. The parking requirements have been met. The exterior details were to include brick, a pop-out, a high-pitched roof, window treatments, and were to include earth tones.

Commissioner Brown was in favor of the aesthetics of the building and asked if it was a concern that it differs from the surrounding structures. Mr. Prestwich stated that redevelopment is a challenge, and the surrounding projects were built separately with unique elements of their own.

Commissioner Cannon believed that the project may increase surrounding property values. The fact that no neighboring property owners were present indicated that they are agreeable to the proposal. He expressed support for the request.

The applicant, Doug Jessop from Sage Homes, reported that he intends to use the property as his office. After the improvements are made, it will be something the City will be proud of. He confirmed that the windows will be replaced and the exterior painted white.

There were no further public comments. Vice-Chair Lefgren closed the public hearing.

Vice-Chair Lefgren was in favor of the request and stated that it will improve the neighboring offices.

Commissioner Cluff moved to recommend APPROVAL of PLZ-21-8019 Amended Site Plan for Sage Home Office Building with the following conditions:

1. Fix minor Riverton City Staff redline comments on the plans.
2. Storm drainage systems shall comply with the Riverton City Standards and ordinances, and with the recommendations of the Riverton City Engineer.
3. Applicant must complete a Long-Term Storm Water Management Plan or Covenant to Maintain to reflect the updated site plan as required by City Ordinance.
4. A Land Disturbance Permit must be issued by the City prior to any construction grading on the site.
5. The site and structures shall comply with any and all applicable Riverton City Standards and ordinances, including the International Building and Fire Codes.
6. Building elevations shall match those shown to the Commission, with at least the lower third of the wall on the addition being brick.
7. The site shall have at least 10 trees including existing trees, which shall remain.
8. Landscaping shall be completed or bonded for under the City's Inclement Weather Policy before a Certificate of Occupancy is granted for the addition.

Commissioner Breinholt seconded the motion. Vote on motion: Commissioner Brown-Aye, Commissioner Cluff-Aye, Commissioner Cannon-Aye, Commissioner Breinholt-Aye, Vice-Chair Lefgren-Aye. The motion passed unanimously.

3. **DECISION ITEMS**

- A. N/A.

4. **DISCUSSION ITEMS**

- A. PLANNING COMMISSION TRAINING.

5. MINUTES

A. OCTOBER 28, 2021, PLANNING COMMISSION MEETING MINUTES.

Commissioner Cannon moved to **APPROVE** the minutes of the October 28, 2021, Planning Commission Meeting, as presented. Commissioner Brown seconded the motion. The motion passed with the unanimous consent of the Commission.

6. ADJOURNMENT

The meeting adjourned at approximately 8:15 p.m.