

**RIVERTON CITY PLANNING COMMISSION
MEETING MINUTES
OCTOBER 13, 2022**

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:

Shelly Cluff, Chair
Keith Breinholt
Jon Gilchrist
Evan Matheson
Darren Park
Troy Rushton

Staff:

Tim Prestwich, City Planner
Lisa Halversen, City Planner
Ryan Carter, City Attorney

1. CALL TO ORDER/ROLL CALL

Chair Shelly Cluff called the meeting to order at approximately 6:30 p.m. The Pledge was led by Commissioner Gilchrist.

2. PUBLIC HEARINGS

- A. SUBDIVISION – "HOMESTEAD," PLZ-22-1004, A SUBDIVISION APPROVAL IS SOUGHT FOR PROPERTY LOCATED AT 3600 WEST 12805 SOUTH FOR 44 SINGLE-FAMILY HOMES. APPLICANT – DAVID WEEKLEY HOMES.**

Chair Cluff opened the public hearing.

City Planner, Tim Prestwich, presented the Staff Report and stated that the subject property is on Water Street and 3600 West and was part of the Stampin' Up property that has been vacant for years. It was subject to several rezone requests and ultimately, the City Council settled on a Commercial-Professional Office ("CPO") Zone with an Elderly Housing Overlay and a special designation. The proposed subdivision meets the requirements of the SD and the Elderly Housing Overlay. Notices were sent to surrounding neighbors within 300 feet and posted on the City's webpage. No public comments were received. Mr. Prestwich identified the location of the property in relation to the surrounding properties and businesses. There is a church to the north and an elementary school to the left in the picture shown.

There are 45 proposed lots, private roads, and three open space areas that will be owned and maintained by the Homeowners Association ("HOA"). The HOA will also be maintaining the park strips shown on the plat map. Yard maintenance will be taken care of by the HOA. The private roads will be 38 feet wide and the main road will be 54 feet wide to allow for parking on both sides. The plans received by the Commission showed 'No Parking' signs on one side but could be removed because the width of the roadway allows for parking on

both sides. The road cross sections have sidewalks on both sides of the access and the main roads.

The Elderly Housing Overlay has requirements for what the houses are to look like and David Weekly Homes has a nice product that will fit on the lots. The lots will be approximately 5,000 square feet in size. The homes will be one-step up or no-step up, straight walk-in, which is one of the requirements of the Elderly Housing Overlay. There are also conditions for the interior that will be met. In addition, the development must be age-restricted. Mr. Prestwich felt the product would blend nicely in the neighborhood and would be a good addition to the community.

He showed the site plan and explained that there will be a six-foot solid masonry fence around the perimeter of the property. The fencing is required by the ordinance for various reasons on each side of the property. The applicant is proposing a three-foot picket fence in front of the houses and Mr. Prestwich indicated that it would have to be a rounded top and not a picket or pointed top. He reported that Water Street is a collector street and the Ordinance specifies that if there is a fence on a collector street, it must be six-foot solid masonry. This particular area, however, is open space, so the question is whether the three-foot fence may be allowed. The shorter fence ties in well and opens the neighborhood up, allowing for seemingly larger backyards rather than creating a walled compound. Finding a way in the Ordinance to allow the shorter fence was tricky. Mr. Prestwich cited the Code, which states that a six-foot masonry block wall is required. However, Title 17, which addresses development fencing, specifies that all incidents of a development adjoining a collector are necessarily required to have a fence. He requested the help of the Commission regarding language that states, "The Planning Commission shall review all requests for any type of fence not specifically identified in this chapter, and may approve said fence if, in the opinion of the Commission, the fence does not impair the intent and purpose of this chapter." Ultimately, the decision is with the Planning Commission. He noted that there are other similar instances of fencing issues in the City.

Another issue was that the developer would like to have a gap in the fence. Staff did not object to the request. There is a landscape feature with a walkway to allow the residents pedestrian ingress and egress. It ties in well with the other landscaping. Mr. Prestwich showed a small portion of the property on Lot 101 that will be dedicated to the City but maintained by the HOA. The Landscaping Plan shows the fencing on the triangles, stepping down or dropping down from six feet. Mr. Prestwich showed the Landscaping Plan and described the location of the park and open areas as well as the proposed landscaping materials.

With private roads, all utilities within the development will be privately maintained. The City's maintenance will end at the right-of-way and the two master meters. Mr. Prestwich pointed out that David Weekly Homes would like to have private meters on all of the houses. A master meter will be used for the City to read but the HOA will monitor individual meters to ensure that no individual resident is using excessive water. The City is working to expand the system to allow for remote readings, which would be beneficial in this case. That agreement would be worked out with the City Attorney and authorized by the City Council.

Staff recommended approval with the conditions set forth in the Staff Report. If the Planning Commission wants to alter the fencing requirement, Condition #9 would need to be modified.

Commissioner Gilchrist asked for clarification of the utilities. He recalled that an irrigation canal came through the property at one time. He asked if the developers have rights to that water or if the irrigation requirements would come from the City's secondary water system. Mr. Prestwich responded that the water would come from the City and stated that it is required to convert a private irrigation system to the City's system upon development. The developer would be responsible to eliminate any remaining ditches.

Commissioner Gilchrist asked if all the secondary water was metered to the individual units as well, or if there was just one master meter. Mr. Prestwich confirmed that there is just one master meter.

Commissioner Matheson asked for a clarification of the 55+/80% rule and asked how it is regulated in cases where children and grandchildren come to visit and, in some cases, if the elderly resident dies. Mr. Prestwich was unsure how it is enforced, except that the HOA would be the governing body. If the City finds that it is out of control, it could impose enforcement due to the zoning requirements. He did not know if state law or court rulings allow people time to resolve these types of situations. City Attorney, Ryan Carter would help set it up but the HOA would handle it from there.

Commissioner Rushton asked about the drainage on Parcel C and where it discharges to. It was clarified that there is a retention system after which it goes into the stormwater system. Commissioner Rushton's concern was that the pond on Water Street does not have a drain and there is always residual water in the pond. He wanted to make sure that if the discharge from this development goes into that pond, it is factored into the stormwater calculations. It was reported that the inlet/outlet of the City's ponds is not at the bottom, allowing for one-half inch of storm events to percolate back into the ground.

Commissioner Rushton asked if the street width within the interior of the development will allow for parking on one or both sides. Mr. Prestwich reported that the 38-foot-wide streets are posted as 'No Parking' on one side. The 54-foot streets allow for parking on both sides. It was further noted that the 38 feet includes the sidewalks which takes the paved surface down to 24 feet. As a result, there would be no parking allowed on those streets. The 54-foot streets would be reduced to 30 feet, which would allow for parking on one side. Mr. Prestwich stated that the Fire Department has allowed for the measurement to be from the gutter.

Commissioner Park asked if snow removal on the private roads needed to be addressed. Mr. Prestwich stated that it was not necessary but the Commission could specify that in the motion. The Ordinance requires that they have on-site snow removal. It appeared that the plows would have to push to Parcel C, the open space, and the pond.

The applicant, Rulon Dutson from David Weekly Homes, expressed excitement for the development and stated that it was a shame that no one on the Commission would qualify to live there for several more years. He thanked Staff for their help with the project. He

commented that this is their first encore – age-targeted, age-qualified – project, and they are excited to create a neighborhood where people feel comfortable. In terms of parking, the setbacks of the units will allow for the driveway to accommodate two vehicles. Each unit will also have a two-car garage. With the additional on-street parking, the developer felt that there was adequate and appropriate parking. Snow removal, landscaping, and other concerns will be addressed appropriately. The age-qualified component will be part of the disclosure and an integral part of the HOA documents, which will describe how it will be governed to meet the zoning standards.

Mr. Dutson reported that the HOA will not be in charge of invoicing and collecting fees for water usage for the individual units. The HOA will maintain all of the landscaping within the project, so the secondary water will be primarily used by the HOA through the master meter. Any incidental watering by individual homeowners for a garden or flowers will be their responsibility.

With regard to the fencing, the goal will be to maintain privacy on the west, north, and east boundaries; however, along Parcel B it is intended to create an open feel with a park that will be visually pleasing from Water Street. It will also allow for a view of the mountains to the east. Mr. Dutson asked for consideration of the alternative fencing in that section, which will provide a designation between public and private space. It will also allow the neighborhood to be a part of the broader community rather than a separate compound.

Commissioner Park asked if there was a reason for the change from the rail fence to the picket fencing. Mr. Dutson explained that it had to do with the joining of the different types of fencing as there is a three-way juncture at one point in the development. Additionally, they considered the likelihood of residents owning dogs and the ability to contain animals better with a picket-type fence than a rail fence. Ultimately, they are trying to create an open, rural atmosphere in the community, which speaks to the legacy of the parcel.

Commissioner Park asked if there will be problems with the stipulation of a rounded top in lieu of a pointed top. Mr. Dutson stated that would not be a problem and that their main concern is that it is an open-type fence and not a six-foot masonry wall along that section.

Commissioner Gilchrist remarked that recently the City passed an ordinance regarding water-wise landscaping. He asked if they had incorporated that into the landscape design. Mr. Dutson reported that water-wise landscaping is provided in the park strips and is one of the reasons the developer wanted to install a master meter for the secondary water. That way, the HOA can manage water usage and be sensitive to water conservation.

Commissioner Rushton asked if they knew what the distance was between the masonry wall and the existing barn on the property to the north. Mr. Dutson was not aware of the setback of the barn to the property line but stated that the developer requires the fence be placed on the property line.

Commissioner Rushton commented on the fencing and agreed with the openness of the proposal. Mr. Dutson stated that they are trying to create an 'active' adult community and

encouraging people to get out and walk and access the surrounding area by keeping it open along Water Street.

Commissioner Matheson commented that it appeared that none of the Commissioners were concerned about the shorter fence. He asked how the transition from the six-foot masonry to the three-foot picket fence would work. Mr. Dutson explained that along Water Street, there will be a six-foot masonry fence on the south sides of Lots 101, 145, 135, and 134. The transition had not been discussed in detail but they plan to make it an appropriate transition.

Chair Cluff stated that there will likely be a high number of children walking to and from the elementary school. She asked if that was of concern to the developer. Mr. Dutson stated that the park is intended to be a private space from a use-liability standpoint. That is one of the reasons the fencing material is critical. Regardless, it will be obvious that it is a private space. That does not guarantee, however, that it won't be accessed by non-residents.

Chair Cluff asked if there will be a gate at the sidewalk opening. Mr. Dutson confirmed that there will be a gate at both openings.

Mr. Prestwich asked for clarification on whether there will be fencing along the south sides of Lots 125 through 130 that border the open space for Parcel B. Mr. Dutson stated that it will be the picket fencing that was discussed.

Mr. Prestwich asked if Lot 125 needs a different consideration since it is so close to the road. Mr. Dutson stated that it is a problem area that they have discussed and will resolve before final plat approval.

Commissioner Park asked if Parcel C will have the picket fence along the south side and tie into the fence at Lot 125 on the south and east sides. He also asked if the retention area will be fenced off.

There was discussion regarding the traffic to and from the elementary school and the potential for children to enter the retention area if it is not fenced. Mr. Dutson stated that the developer's goal is to make this an attractive community while making it clear through fencing, landscaping, and/or signage that it is a private space. They are aware of the safety issues of the retention pond.

Commissioner Rushton commented that Daybreak is a good example of transitioning from different types of neighborhoods within a community subtly.

Chair Cluff asked if there would be fencing between the lots. Mr. Dutson stated that that would be a homeowner option and not something the developer will install. Any fencing would need to adhere to community guidelines.

Chair Cluff invited public comment. There were no public comments. The public hearing was closed.

Commissioner Park asked to see the Code regarding the fencing and stated that the wording is 'may,' not 'shall,' so there is leeway for the Commission to allow for alternative fencing. He asked if was necessary to address snow removal. Mr. Prestwich said that it is part of a City ordinance and unnecessary.

Commissioner Gilchrist brought up the 'fence-within-a-fence' requirement in the ordinance that requires a Conditional Use Permit. He asked if that would need to be addressed regarding Lot 125. Mr. Prestwich reported said that the ordinance addresses parallel fencing and since the fence lines are not parallel, that ordinance would not apply.

There was discussion regarding how to word the conditions that will comply with City Code and allow the developer the latitude to make certain changes and decisions. There was also discussion regarding the timing of pulling Building Permits before the fencing is complete as long as no Certificate of Occupancy is issued until the fencing is complete.

Commissioner Park moved that the Planning Commission APPROVE PLZ-22-1004 "Homestead Subdivision", to be located at 3600 West 12805 South 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 and ordinances of the City, including the International Building and Fire Code.**
- 6. The development shall remain in compliance with the SD designations of Rezone Ordinance 21-34 including:**
 - a. Density is limited to 6 (six) units per acre.**
 - b. The Project shall be age-restricted in compliance with all applicable laws to a minimum of 80% at 55 or older.**
 - c. Units shall not front onto Water Street, and no individual driveway access onto Water Street shall be allowed.**

7. **Interior streets shall be private with private utility lines.**
8. **The HOA shall maintain the private streets, private infrastructure, the open space Parcels A, B & C, and the park strips adjacent to the development on 3600 West and Water Streets.**
9. **Perimeter fencing shall be installed as shown on Civil Plan Set Sheet C-3 (Stamped on 10-10-22) with picket or otherwise comparable fencing approval by City Staff prior to building permits being issued in the subdivision.**
10. **All snow removal shall be either contained to the property or hauled away from the property and not pushed onto the City right-of-way.**

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

- B. REZONE – "FUNARO REZONE," PLZ-22-4009, A ZONING CHANGE IS SOUGHT FOR .5 ACRE LOCATED AT 1794 WEST 11800 SOUTH, CURRENTLY ZONED AS RR-22 AND REQUESTING CHANGE TO R-4. APPLICANT - PETER FUNARO.**

City Planner, Lisa Halversen, presented the Staff Report and stated that the property is a one-half-acre residential lot in the northeast quadrant of the City. Peter Funaro was identified as the property owner and is requesting the current RR-22 zoning be changed to R-4. Notices were sent to property owners within 1,000 feet of the subject property and no public comments were received. Ms. Halversen reported that while all properties in the area are zoned RR-22, the subject property is the only one that is a one-half acre. The other lots in the area range between 0.3 to 0.4-acre in size. There is one lot directly north that is 1.4-acre. Mr. Funaro would like to change the zoning to R-4, which would allow him to create two 11,000-square-foot lots. There are currently two access points from the lot onto 11800 South, so there is the potential for a private lane.

Ms. Halversen presented the zoning map and commented that the lots across 11800 South are zoned R-4, which is compatible. The current lot has 125 square feet of frontage on 11800 South. The minimum required for R-4 zoning is 80 feet. The RR-22 zone has animal rights if the property is one-half acre or larger. Currently, the subject property has animal rights, but they are not utilized. Because the surrounding properties are not a full one-half acre, they do not have animal rights. Therefore, changing the zoning to R-4 would not have a significant impact on the animal rights issue.

There are implications for the General Plan as it has called out this area as Estate Density Residential. However, the minimum square footage is 21,000 square feet and none of the lots in the area are that large except the one to the north and the subject property. The minimum square footage for the R-4 Zone is 10,000 square feet. Ms. Halversen presented a chart showing that with Estate Density, the R-1 and RR-22 zones are the only zones that would apply. However, an R-4 zone would allow several other zoning options.

There is currently a small home on the southwest corner of the subject property that would remain. The applicant proposed a private lane on the east side of the lot that would allow for the 125-foot frontage. Each lot would be slightly larger than 11,000 square feet. Ms. Halversen presented the zoning changes and qualifications that need to be met. A councilmember on the City Council has indicated that it might be worth revisiting the area in the General Plan to potentially revise it. If the Commission felt that the qualifications had been met, Staff recommended approval of the rezone.

Commissioner Park referenced the adjoining lots and asked for clarification as to whether they were too small to be subdivided. Ms. Halversen verified that that was the case unless property owners combine their lots.

Commissioner Park asked if they would be moving the east access to the property. It was also noted that the site plan would not have to be approved at tonight's meeting.

Commissioner Gilchrist commented that as part of the R-4 zoning requirements for flag lots, the access is not allowed to be counted as part of the buildable lot size. That being the case, it did not appear that there would be 10,000 square feet remaining. Ms. Halversen understood that the private lane square footage was not part of the 11,000 square feet. Mr. Prestwich stated that it could be worked out as part of the Conditional Use Application once the zoning is in place because they could use an easement. The discussion continued regarding the setback requirements in relation to the overall dimensions.

Commissioner Rushton asked if the adjacent lots have animal rights. Mr. Prestwich responded that the owners would have had to have kept animals continuously since about 1968 when the new zoning code was adopted to still have animal rights. After having dealt with the residents in recent years, none of the surrounding properties have maintained animals.

It was confirmed that fencing would be considered at a later date. A question was raised about the access to 11800 South and if it is a City road or if the Utah Department of Transportation ("UDOT") would have to be involved. Mr. Prestwich confirmed that it is a City road.

The applicant, Ally Funaro stated that one interesting thing about her lot is that there is a strip of land to the north with a fence that has been used by the applicant for many years. She thought that perhaps there would be consideration to include that acreage with her property. She would be interested in knowing what it would take to legally own that portion and make it part of the overall square footage of the property. She preferred to keep the lane access where it is currently but was willing to move it if necessary.

Commissioner Park asked if they had met with a Land Use Attorney regarding the extra square footage and their plans to subdivide. His concern was that the applicant was requesting a rezone and they may not be able to configure an additional lot with the setback requirements. Ms. Funaro stated that they have not met with an attorney at this point. They submitted the application as the first step in an effort toward subdividing.

Commissioner Park stated that with the City Council indicating that the area needs to be re-examined, what is proposed may align with what the applicant is proposing.

Commissioner Rushton asked if the applicant lives in the home currently. She confirmed that she does. She indicated that the additional lot will be sold. Commissioner Rushton commented that sometimes property lines can be contentious. He was hesitant to recommend a rezone without assurance that the lot is the actual size stated.

Commissioner Gilchrist asked for clarification of the “extra” property described by the applicant and whether it was part of the calculations submitted with the application. Ms. Funaro stated that the additional strip is not part of the one-half-acre square footage. It would add an additional 0.05-acre to the existing lot size.

Commissioner Gilchrist stated that talking to the owner of the property and asking to purchase it would be the easiest way to address the issue.

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

Commissioner Gilchrist inquired about the mention of a member of the City Council that discussed revisiting the General Plan and changing the Estate Density Residential Zone. He stated that rezoning the subject parcel to R-4 does not seem like a good idea in the big picture. If the City Council wants to reevaluate the General Plan, he wondered if it would be detrimental to rezone this parcel to R-4, not knowing what the City Council wants to do. Mr. Prestwich stated that this is a legislative action item, so in essence, the Planning Commission is offering an opinion to the City Council. The motion can simply recommend the application. The City Council would have the ultimate decision.

Chair Cluff asked what zoning would apply to the neighboring lots that are not a full one-half acre in size. Mr. Prestwich stated that most of them will only qualify for R-4 zoning.

Commissioner Rushton commented that the Planning Commission is not the Land Use Authority. He did not feel that the Planning Commission should deprive a private property owner of the right to reasonably develop his or her property. Trying to anticipate what the City Council is going to do in the future is a slippery slope for the Commission.

Commissioner Park stated that the owners are allowed to develop their property within the zoning currently established ordinance. Asking for a parcel-specific rezone is not the same as ‘reasonably developing’ their parcel. Discussion continued regarding what would be reasonable development.

Commissioner Rushton asked if the Commission were to approve this parcel as R-4 if the City Council could decide to change the zoning of the surrounding area to R-4 in the General Plan. Mr. Prestwich stated that it would need to be noticed but the City Council could request that action be taken.

Commissioner Rushton moved that the Planning Commission recommend APPROVAL of Application PLZ-22-4009, Funaro General Plan Amendment, and Rezone for 0.5 acres at 1794 West 11800 South proposed Rezone to the R-4 zone. Commissioner Matheson seconded the motion. Vote on motion: Commissioner Rushton-Aye; Commissioner Matheson-Aye; Chair Cluff-Aye; Commissioner Gilchrist-Aye; Commissioner Breinholt-Aye; Commissioner Park-Nay. The motion passed 5-to-1.

C. SUBDIVISION/CONDOMINIUM - "SOUTH PASTURE OFFICE CONDOMINIUM," PLZ-22-1008, A PROPOSAL TO COMBINE EXISTING LOTS AND SUBDIVIDE AN EXISTING OFFICE BUILDING INTO FIVE (5) OFFICE SUITES OR CONDOS. APPLICANT - ANTHONY MAXFIELD.

Ms. Halversen presented the Staff Report and stated that this application has implications for two separate actions. The Site Plan was approved by the Planning Commission in October 2021. Lots 15 and 16 are owned by the same developer and they built a medical office building on the property. They are now proposing to combine the two lots and develop office condos in the interior of the building. The property is located at 12523 South Pasture Road. Notices were sent to all property owners within 300 feet and no comments were received. The existing lot line cuts through the middle of the building and it is surrounded by parking areas and landscaping. There are entrances to the building on the east and west sides. She showed the floor plan of the proposed office space divisions and the landscaping plan. Staff recommended the two lots be combined into one and that the developer be allowed to divide the interior space into office condo space.

Commissioner Matheson asked for clarification as to whether the lot is currently vacant or built out. Ms. Halversen stated that the building is nearly completed.

Commissioner Park asked why they would place the building on the property line. He also asked if the office space would be sold and privately held. Mr. Prestwich responded that it is a common occurrence for office buildings to be divided into individual condo spaces and sold. He further explained that it is not prohibited in the ordinance to construct a building this way as long as both lots are owned by the same entity. To make it a condo project, the lots need to be combined.

The applicant, Anthony Maxfield, reported that he took over management of the project about four months ago so he could not speak to why the lot consolidation had not been done before construction. The building is about three weeks from completion and the developers have been approached by multiple parties who would like to own their own suites rather than lease them. They would like to facilitate those requests to the extent possible. While most of the suites will be sold, there will be a few that will be retained as a leasehold on the project.

Commissioner Park asked Mr. Maxfield about his experience with these types of projects that have mixed ownership and rentals. Mr. Maxfield stated that this is the fourth project of this kind where there is a mix of lease and owned units. There are Covenants, Codes, and Restrictions ("CC&Rs") in place and an Owners' Association established.

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

Commissioner Matheson moved that the Planning Commission APPROVE PLZ-22-1008 “South Pasture Office Condos,” located at 12523 South Pasture Road with the following conditions:

- 1. Address any outstanding Riverton City staff redline comments on the plans.**
- 2. Lots shall be combined with a Plat recorded with Salt Lake County.**

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

3. DECISION ITEMS

A. SLR FINAL/DETAIL PLAN, “MOUNTAIN RIDGE PHASE 20”.

Mr. Prestwich reported that as these are decision items, no public notices need to be sent out. The applications are in the SLR Zoning District, so the SLR zoning and the MDA approval processes apply. The Block Scale and Community Scale Plans have previously been approved by Planning Commission, so for this application, only the Detail Plans are considered. The first is Mountain Ridge Phase 20. It is located south of 13400 South on Sentinel Ridge Boulevard. The subject property is south of the phases that are currently under construction. Mr. Prestwich presented the Community Scale Plan that was approved two to three years ago and identified Phase 20. He reminded the Commission that in June 2022, the applicant amended the Block Scale Plan and eliminated the church and added additional residential units.

Phase 19 is currently under review. Previous phases have roads, curb, gutter, and utilities. There is a combination of public and private streets in the development. Phase 20 primarily has public streets with a segment on the interior of private streets. The applicant complies with the requirements for the Detail Plans.

Staff, including the Fire, Engineering, Storm Water Planning, and Water Departments recommended approval with the conditions listed in the Staff Report.

Commissioner Gilchrist asked if the overall requirements for the development include water-smart landscaping in the common areas as well as the individual residences. Mr. Prestwich stated that he did not recall the details indicated in the Block Scale Plan, however, with the proposed density there is not a lot of open space. The individual lots may have a CC&R requirement but the developer could address that question.

The applicant, Brandon Watson from Edge Homes, reported that the Mountain Ridge Project spans Riverton and Herriman. Herriman adopted the Jordan Valley Water Conservancy District’s standard for water-wise landscaping. The developer is trying to make

consistencies across City lines for the landscaping requirements. They have Landscaping Plans ready to propose to Staff that will be in line with the Jordan Valley Water Conservancy District's standards. The open spaces have been consolidated to create larger park areas, so there are no open spaces throughout the development. They have Landscaping Plans that incorporate water-wise concepts while still providing grass areas.

The developer will adjust the Landscaping Plan to ensure that they are in line with the water-wise requirements. The HOA will also maintain the front yards of the single-family residences to help with water conservancy.

Commissioner Rushton wondered, if the housing market softens, if the developer will rent the homes rather than sell them. Mr. Watson stated that Edge Homes only offers a for-sale product. They have investors, however, who may purchase some of the homes.

Commissioner Park asked if removal of the church property had already been done or if it was part of this application. Mr. Prestwich described the process starting with the Community Scale Plan ("CSP") and moving to the Block Scale Plan ("BSP") with more detail, and finally to the Final Site Plan ("FSP"). Both sides of the development were approved as the CSP after which the BSP on the west side was approved. It was amended in June 2022 to eliminate the church and add additional units. Tonight's meeting was to address the Final Site Plan and move forward with the decision that was made in June.

Chair Cluff moved that the Planning Commission APPROVE PLZ-22-8028, "Mountain Ridge Phase 20" Final Plan to be located near 13600 South Sentinel Ridge Boulevard with the following conditions:

- 1. The Detail Plan shall comply with the terms and conditions approved by the Master Development Agreement (MDA), Suburban Land Reserve Specific Development District, the approved Mountain Ridge CSP, and BSP.**
- 2. This Phase shall be subject to final development review and comments by the City, including but not limited to stormwater, culinary, and pressurized irrigation systems design.**

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

B. SLR FINAL/DETAIL PLAN, "THE PARK AT MOUNTAIN VIEW PHASE 3,"

Mr. Prestwich presented the Staff Report and stated that this project is on the north side of Mountain View Village under the same SLR zoning and MDA agreements. It has also already gone through the CSP and BSP plans. It was divided into three phases of construction and approvals. They have already received approvals for the Final Plans for Phases 1 and 2. This is the third Final Plan approval. It is a unique project in that it is a for-rent project. All the interior roads and utilities are private. There is a clubhouse in the center. He presented the architectural concept from the BSP. There are a total of 364 proposed

units divided into phases. This phase will include completion of the fence along the canal and the connection road to Majestic Rise or 13200 South. Mr. Prestwich described the Detailed Site Plan and stated that they have worked with Staff regarding stormwater and other issues of concern. Staff recommended approval with the conditions set forth in the Staff Report.

The applicant, John Christensen from City Creek Reserve represented the ownership of the project.

Commissioner Rushton moved that the Planning Commission APPROVE PLZ-22-8027 “The Park at Mountain View” Detail Plan for Phase 3, with the following conditions:

- 1. This Phase shall comply with the terms and conditions approved with the Block Scale Plan, and with the SLR Project Area Master Development Agreement.**
- 2. This Phase shall be subject to final development review and comments by the City, including but not limited to stormwater, culinary, and pressurized irrigation systems design.**
- 3. Applicant must update their 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.**

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

4. MINUTES

A. MINUTES.

Chair Cluff moved that the Planning Commission ACCEPT the minutes of the August 25, 2022, meeting as presented. Commissioner Park seconded the motion. The motion passed with the unanimous consent of the Commission.

5. ADJOURNMENT

The meeting adjourned at approximately 8:30 p.m.