

**RIVERTON CITY PLANNING COMMISSION
MEETING MINUTES
FEBRUARY 8, 2024**

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:

Jon Gilchrist, Chair
Gary Cannon
Shelly Cluff
Evan Matheson
Monique Mortensen
Darren Park
Troy Rushton

Staff:

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

1. CALL TO ORDER/ROLL CALL

Chair Jon Gilchrist called the Planning Commission Meeting to order at approximately 6:30 p.m. The Pledge of Allegiance was led by Commissioner Shelly Cluff.

2. PUBLIC HEARINGS

A. GRANITE DEFENSE SYSTEMS, PLZ-23-2043, A CONDITIONAL USE APPLICATION FOR A HOME OCCUPATION LOCATED AT 12172 SOUTH ASPEN BROOK CIRCLE. APPLICANT - DEREK MILLER.

Lisa Halversen, Planner, presented the Staff Report. The proposed home occupation is a firearm sales, manufacturing and transfer business where customers buy regulated firearms or parts online and have them shipped to a local agent. A Federal Firearms License (FFL) is required, this is issued and regulated by the Bureau of Alcohol, Tobacco, and Firearms (ATF). There are strict rules for obtaining and maintaining a license.

Ms. Halversen shared an image of the subject property and explained that it is 0.53 acres and is in Autumnwood Estates in a cul-de-sac. All of the neighboring properties are also zoned R-3.

Ms. Halversen reported that she asked the applicant what type of manufacturing he was proposing and was informed that the applicant has a 3D printer. He will print small components such as sights and scopes and assemble that component to the firearm. The manufacturing will not be a large operation. Customers will not come to the home, except at random times once or twice per week. In those instances, customers will park off-street. The reason the application has come to the Commission is that the proposal is to run the business out of a detached garage.

Ms. Halversen shared the mailer that was distributed. No comments were received from neighbors. An aerial view of the property was reviewed. She pointed out the area where

the detached garage is currently located. Both the Site Plan and Parking Plan were shared with the Planning Commission. As for the detached garage, the proposal is to use half the space for personal storage and half the space for the business. The bench will hold the 3D printer and there will be a gun safe. This is a two-story house with a three-car garage and a wide drive approach. The ATF contacted the City because running a business like this also involves an ATF application process. The applicant is in the process of obtaining that licensing. An aerial image of the backyard was shown. The impact on the neighborhood is anticipated to be small, given the limited number of customers and no employees.

Staff recommends approval of the Home Occupation with the conditions listed in the Staff Report. The proposed business is anticipated to have a low impact on the neighborhood. Additionally, notices were sent out to all property owners within 300 feet of the site and posted on the City website. No comments were received ahead of the meeting.

Commissioner Cluff noted that the applicant is interested in manufacturing scopes. She wondered whether the approval will allow any components to be manufactured or only scopes. Ms. Halversen noted that there is no Condition of Approval listed to limit what the applicant is allowed to manufacture. However, she had spoken to the applicant, who indicated that manufacturing will be done with the small 3D printer. It was indicated on the application that the applicant will not be producing ammunition, explosives, or caustic materials. Commissioner Darren Park asked if there is an ordinance restricting the manufacture and sale of ammunition in the City. City Attorney, Ryan Carter, explained that there is a provision against general manufacturing in a Home Occupation zone, but there is a small clause that says, "other than small-scale arts, crafts, and/or hobby work." Additionally, he noted that the use of hazardous chemicals, pesticides, and flammable or combustible materials is also prohibited under the Home Occupations language.

Chair Gilchrist stated that typically an FFL holder is available to distribute firearms and ammunition that is purchased online. He asked if the applicant intends to use his FFL to receive orders on behalf of others and then distribute them. Ms. Halversen stated that the FFL license will allow the applicant to do firearm transfers, and the applicant is here to answer specific questions. It was noted that when the firearm is shipped to someone with an FFL, they have to receive it directly, do background checks, and make sure the paperwork matches the application to purchase the firearm. Chair Gilchrist asked if there is support for that as a home-based business in Riverton in the codes and ordinances. This was confirmed.

Commissioner Gary Cannon explained that he went through this rigorous process a few years ago and his application was denied. The FFL makes it difficult to obtain a license. Mr. Carter stated that it is also difficult to maintain an FFL because there is a rigorous audit and monitoring process. Following the Commission discussion, the applicant was asked to speak.

The applicant, Derek Miller, explained that he has lived in Riverton for two years and previously lived in Arizona. He has had a Manufacturing License with the ATF since 2009 and maintains a business in Arizona that continues to manufacture. He originally moved to

Riverton to retire, but has since gotten back into working. Mr. Miller clarified that it is not only scopes that he will build, but also sights. He has developed a sight that he can 3D print out of titanium, which is concentric circles as opposed to a normal sight. He does a lot of research and development, which requires a license, but most of the manufacturing will still occur in Arizona. Development and research will be done here. On a rare occasion, transfers will be done, but he does not advertise that transfers are done. One of the requirements from the ATF is that this needs to be run like a business. It cannot be just for personal use and he is expected to demonstrate that it is possible to earn money doing this.

In the firearms business, when doing transfers or purchases for resale, the markup is only 20%, so a high volume is needed to account for that. Mr. Miller explained that as a result, most people offer accessories, parts, and pieces to make up for this. Commissioner Evan Matheson asked about securing the items. Mr. Miller reported that he has large safes to store the guns in. Those safes are combination and are not electronic. In addition, he has cameras that surround the house and will surround the building. Those will record 24/7 and are stored in the Cloud, so even if the camera is destroyed, there is still footage recorded.

Commissioner Monique Mortensen asked if there will ever be an instance where customers come on-site for installation. For instance, bringing the firearms directly to Mr. Miller. Mr. Miller reported that either installation or repair may occur on-site. Some people inherit guns or purchase through an estate sale and the guns are not in good shape. He can repair those. There are opportunities for repairs, but generally speaking, he tries to keep those services to those he knows as opposed to advertising for those types of services.

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

Commissioner Rushton moved that the Planning Commission APPROVE PLZ-23-2043, "Granite Defense Systems," located at 12172 South Aspen Brook Circle, with the following conditions:

- 1. The site, structures, and use shall remain in compliance with any and all applicable Riverton City standards and ordinances, specifically the City Home Occupation Ordinance (18.190) and applicable Building and Fire Codes.**
- 2. Applicant must obtain and maintain a Riverton City Business License.**
- 3. Applicant must obtain and maintain applicable State and other outside agency approvals, including an FFL License through the Bureau of Alcohol, Tobacco, and Firearms.**
- 4. Home Occupation must operate within the Fixed Standards, and applicable Qualifications and Conditions, as outlined in the Home Occupation Ordinance and with this approval.**

5. **No business activity may take place outside the home before 7:00 a.m. or after 7:00 p.m.**
6. **Applicant may use up to 50% of the detached garage for business use.**

The motion was seconded by Commissioner Park. Commissioner Park – Yes, Commissioner Matheson – Yes, Commissioner Rushton – Yes, Commissioner Cluff – Yes, Commissioner Mortensen – Yes, Commissioner Cannon – Yes, Chair Gilchrist – Yes. The motion passed with the unanimous consent of the Commission.

3. DECISION ITEMS

- A. **RAISING CANE’S (VILLAGE AT SOUTH MOUNTAIN EAST, LOT 3), PLZ-23-8009, AN SLR DETAIL (FINAL) PLAN FOR A DRIVE-THROUGH RESTAURANT TO BE LOCATED AT 13367 SOUTH OLD LIBERTY WAY. APPLICANT – LUARON FOSTER, RAISING CANE’S.**

City Planner, Tim Prestwich, presented the Staff Report and explained that the application is to approve a Final or Detail Plan for Raising Cane’s, Lot 3 at the Village at South Mountain East. The Detail Plan falls within the SLR SDD (“Specific Development District”) that was adopted in January 2016 and includes a unique three-step process for development approvals: Community Scale Plan, Block Scale Plan, and Detailed Plan. Mr. Prestwich explained that the subject property is located at 13367 South Old Liberty Way. He reviewed both the Village at South Mountain East and West. He explained that the subject property is on the west side of the City in the SLR SD Zone. The SLR SD was adopted by the City in 2015 and there was a Master Development Agreement put in place the next year.

Mr. Prestwich explained that a public hearing was held for the Community Scale Plan and Block Scale Plan. This is a decision item to make sure all of the engineering matches what was approved with the Block Scale Plan. He added that this will be the final hearing and the matter will move to construction after. If approval is given at this meeting, the applicant can submit for the Building Permit as soon as tomorrow. Mr. Prestwich shared an aerial image of the area. He pointed out the intersection that the Utah Department of Transportation (“UDOT”) will tear up to put an overpass/underpass for Bangerter and 13400 South. The City is engaged with SLR, the Master Developer on the property, to have the storm drain pond put in. It is part of the Development Agreement and is something the City and Master Developer are working on together. He believed the City will end up maintaining that storm drain pond.

Some of the past approvals were reviewed. Mr. Prestwich explained that those approvals can be discussed in more detail if desired by the Planning Commission. He pointed out the Village at South Mountain East and the Village at South Mountain West. The purple and green on the image shown indicate the phasing processes. Some of the sites share improvements. For example, the Raising Cane’s site and the 7 Brew Coffee site will share an exit lane and will rely on improvements from one another in order to obtain occupancy.

The phasing for Village at South Mountain East was further reviewed. Mr. Prestwich explained that everything on the east is private, so the inner driveways are private as are the inner utilities, but there will be a few tie-ins on the public street. He reminded Commissioners that the site is challenging as there are a lot of easements running through. He appreciated the Master Developer and the engineers, as they had creatively solved some of those challenges. Additional information about Raising Cane's was shared. He presented the application and the approval letter from the Master Developer, SLR. The Subdivision Plat that was recorded was shared and he pointed out Lot 3. A note was read aloud:

- As a reminder, the Site Plan cannot go to the Planning Commission until the plat is recorded. Later, this site may be able to be built concurrently with the Master Developer and concurrently with the north and east adjoins (Lots 2 and 4), however, this site cannot have occupancy until the Master Site improvements and the adjoining improvements are shared with this site are installed.

Mr. Prestwich explained that there is a Condition of Approval related to the note. He shared the Site Plan for the Raising Cane's site and pointed out the stacking available and the bypass lane. There is a small patio eating area out front. He noted that there is a lot of stacking proposed. As for the architecture, it does not follow the normal turn-of-the-century design. There are more choices available in this case and SLR will determine whether it is appropriate. It needs to "sensitively address the context that it sits in." Mr. Prestwich stated that the building design is solid and feels it will be a good development on the site.

The Landscape Plan was reviewed. There is no sod on the site as it is all decorative gravel and low-water impact plantings. The minimum tree requirements are also met. Mr. Prestwich shared the example motion. Due to the complexity of working together with the other sites, there are more Conditions of Approval than usual. He read one condition:

- This site relies on offsite improvements, shared improvements, and backbone infrastructure, as shown on the plans for this application and the previously approved Block Scale Plan and The Village at South Mountain East Phase 1 Detailed Plan. Riverton City may withhold occupancy of the building on the site if the offsite, shared, and backbone infrastructure is not complete.

Chair Gilchrist asked to review the slide that shows the utility easements. Mr. Prestwich noted that this particular site was the cleanest in terms of the utility easements. Commissioner Troy Rushton wanted clarification about the backbone infrastructure. The roads will be put in, but he asked if the pavement for each individual lot will come when the lot is built or all at one time. Mr. Prestwich stated that even though the property line for Raising Cane's goes out to the center of the road, CCA has the Phase 1 plans and will do the roads, stormwater, and any water lines that need to run in and out of the main roads.

Commissioner Park asked if all of Phase 1, including where Lots 1 and 2 are located, will need to have the roads in beforehand. Mr. Prestwich clarified that there are two Phase 1s, including an East Phase 1 and a West Phase 1. It is his understanding that Phase 1 needs

to be completed. The word “may” was included in the proposed Condition of Approval #11 to leave some room for flexibility. However, the Commission can change that to “shall” if desired. Commissioner Park thought the improvements should have been done.

Chair Gilchrist had questions about the infrastructure in Phase 1. He believed some of the streets are scheduled to drain out into that future pond. It was clarified that the east side will drain to the future regional SLR pond. Something has to be in place for drainage. It is not required that the full pond be built, but something must be there to capture stormwater. Mr. Prestwich noted that the Phase 1 plans show a temporary pond, but as the regional pond moved forward, the temporary pond will be in the permanent pond area. Chair Gilchrist asked if, on the west side, it goes into an existing storm drain on Old Liberty that then goes into 13400 and drains into Rose Creek. This was confirmed. Chair Gilchrist believed UDOT is dumping into that system as well with their improvements. He wanted to make sure there is coordination. It was confirmed that there is collaboration with others.

Chair Gilchrist was concerned about allowing left-turns in and out of the two access points closest to the signal. With Bangerter and 13400 set to be shut down for months, there will be a lot more traffic on Old Liberty Way around the time this location opens. It was noted that one of the recommendations is to extend the median so left turns cannot happen. The east phase is required to put in right turns only on their exits. The median will go in when the intersection starts to deteriorate. SLR is committed to putting that in when it is time to do so, but that time has not come yet. The intersection will likely start to deteriorate, not with this development, but as SLR starts to develop to the north. However, the area will be monitored.

Commissioner Cluff asked for additional details about stacking at the location. Mr. Prestwich noted that the applicant is in attendance and may address that. Commissioner Rushton asked what the plan is further to the north. He wants to know if the roads will be directly across from each other. It was stated that it is a transition area and monitoring will be done to ensure that the area is safe for everyone. The median will be extended when that becomes necessary.

Commissioner Cannon asked the City Attorney whether it is possible to request off-site improvements based on the amount of sales. Mr. Carter denied this. It is up to the City and the Master Developer to master plan the roads adequately. If a particular business brings in an influx of business that is intolerable, then the City needs to look at making modifications to the existing road, including shutting down lanes or working on different access points. At the end of the day, the City controls roadways to the extent necessary to protect the health, safety, and welfare of the community. There is no way to impose a different standard based on a higher sales tax revenue. There will be a transitional phase in the area and it may be difficult at first. It is up to the Master Developer and the City to work out those issues.

The applicant representative, Crystal Ferrell, stated that she is representing Raising Cane’s. Two civil engineers and an architect are also present at the meeting to answer more technical questions. Commissioner Cluff asked about stacking and if there is a comparison between this location and the South Jordan location. Civil Engineer, Chris Bick, explained

that one of the main differences between the South Jordan site and the Riverton site is the drive-thru configuration. With South Jordan, there are two menus where orders can be placed and then it necks down to a single lane. The stacking results in less than a dozen vehicles.

Mr. Bick shared an exhibit related to the proposed Riverton site. For this site, there are three lanes instead of one, so it is possible to stack three times more vehicles on-site than at the South Jordan store. The other major difference between South Jordan and Riverton is that South Jordan was the first Raising Cane's store to open in Utah. Since then, many queuing and stacking studies have been done. Moving forward, the queuing should not exceed the peak stacking number. Mr. Bick reviewed the exhibit and noted that 27 vehicles can stack in the first two lanes, which exceeds the peak stack of 22 vehicles as indicated in the queuing studies. If cars exceed that number, an employee can come out and take orders with an iPad and stack vehicles in the bypass lane. That allows for a total of 42 vehicles, which is double the peak of what has been seen elsewhere. Mr. Bick explained that if the numbers went beyond that, Raising Cane's has an operations team that will hire off-duty police officers who can direct traffic to ensure there are no issues.

Discussions were had about traffic and the egress. The proposed motion language was shared and Commissioners considered whether the word "may" or "shall" is best when it comes to the completion of Phase 1. Chair Gilchrist asked Staff about their thoughts on that language. Mr. Carter explained that the word "may" provides some flexibility while the word "shall" does not. It was suggested that language for the roadway infrastructure state that it shall be completed. Mr. Carter reiterated that the word "may" gives the City discretion. Chair Gilchrist noted that the SLR traffic projections are looking at when the development is complete, but do not take into account the impacts of traffic caused by UDOT construction. Mr. Carter confirmed that there will be challenges as a result of UDOT construction. While the application and the UDOT construction will impact one another legally speaking, taking that into account does not give the City any more discretion in terms of whether something is eligible for approval. He noted that UDOT has the power to set up detour routes.

Commissioner Rushton believed the business will do whatever is needed to manage the traffic flows in and out. If off-duty police need to be hired or coordination needs to be done with the City, it has been made clear that issues will be addressed. Commissioner Park asked about the shared improvements and backbone infrastructure in Phase 1 in terms of surface improvements. Mr. Prestwich explained that it includes curb, gutter, and roadway. Additional discussions were had about whether the word "may" should be changed to "shall."

Commissioner Rushton moved that the Planning Commission APPROVE PLZ-23-8009, "Raising Cane's" Detail (Final) Plan to be located at 13367 South Old Liberty Way, with the following conditions of approval:

- 1. This Detailed Plan shall comply with the terms and conditions approved with the Block Scale Plan, with the SLR Project Area Master Development Agreement, and with the approvals of the Master Developer.**

2. **Site Improvements and the Building, including the exterior finish, dumpster enclosures, and landscaping, and all other improvements shall be consistent with the plans presented to the Planning Commission, except where otherwise noted.**
3. **Rooftop mechanical shall be screened by parapet walls.**
4. **Wall-mounted service panels shall be painted to match the building.**
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. **The applicant shall correct or resolve the remaining Staff redlines.**
7. **Storm drainage systems and accommodations shall comply with Riverton City Standards and Ordinances, and with the recommendations of the Riverton City Engineering Division. An offsite Storm Drain Pond must be built by others prior to this site getting occupancy from Riverton City.**
8. **The Applicant must create and agree to follow a Long-Term Storm Water Management Plan according to Riverton City standards and ordinances prior to receiving building occupancy.**
9. **A Land Disturbance Permit must be issued by the City prior to any construction grading on the site.**
10. **The applicant must obtain final approval from utility providers.**
11. **This site relies on offsite improvements, shared improvements, and backbone infrastructure as shown on the plans for this application, and the previously approved Block Scale Plan and The Village at South Mountain East Phase 1 Detailed Plan. Riverton City may withhold Occupancy of the building on this site if the offsite, shared, and backbone infrastructure is not complete.**

The motion was seconded by Commissioner Matheson. Commissioner Park – Yes, Commissioner Matheson – Yes, Commissioner Rushton – Yes, Commissioner Cluff – Yes, Commissioner Mortensen – Yes, Commissioner Cannon – Yes, Chair Gilchrist – Yes. The motion passed with the unanimous consent of the Commission.

- B. **7 BREW COFFEE (VILLAGE AT SOUTH MOUNTAIN EAST, LOT 4), PLZ-23-8011, AN SLR DETAIL (FINAL) PLAN FOR A DRIVE-THROUGH COFFEE SHOP TO BE LOCATED AT 4004 WEST 13400 SOUTH. APPLICANT - DWAYNE RASH, ENCORE 7 BREW LLC**

Mr. Prestwich presented the Staff Report and explained that the application is for a Final or Detail Plan for 7 Brew Coffee, Lot 4 at Village at South Mountain East. The Detail Plan falls within the SLR SDD, which was adopted in January 2016. The property is located at 4004 West 13400 South. He noted that this property is immediately to the east of the Raising Cane's site. The architecture has a slightly more modern look than what the traditional zoning would require, but some red brick was still tied into the design. The application and approval from SLR were shared as well as the Site Plan. The Site Developer has committed to build Phase 1, which includes the curb-to-curb improvements. There is a City water line easement running down the middle of the lot. This document has the same note as the Raising Cane's document, in order to emphasize to applicants that there needs to be cooperation and collaboration with neighbors in order for the sites to be ready to open.

Mr. Prestwich further reviewed the Site Plan. He pointed out the food prep area, an employee restroom, and a storage building with a cooler. There is no outdoor seating. He noted that there is shared asphalt with Raising Cane's. The Landscape Plan was shared. There is no sod, the proposal is water-wise, and the tree requirement is met. Mr. Prestwich reported that the motion language for this application is the same as the previous application.

The applicant representative, Dale Doerhoff, explained that he is the President of Encore Restaurants. Commissioner Park asked if there are concerns about Dutch Bros being located a few hundred yards to the west. Mr. Doerhoff shared background information about Encore Enterprises. Up until last year, when they sold their portfolio, they were the largest franchisee for Five Guys. Some of the best units were near competitors. Even though 7 Brew Coffee will be near Dutch Bros, there is no concern about the proximity. The intention is to find the best sites and build locations there. Mr. Doerhoff stated that there will be 60 units of 7 Brew Coffee in the State of Utah and another 90 in Arizona. There are 200 locations across 25 states currently. He believes there is room for different restaurants.

Commissioner Cluff asked if this will be the first location for 7 Brew Coffee in Utah. Mr. Doerhoff reported that there are units that are currently in for permitting in Provo and Millcreek as well as in Arizona. Chair Gilchrist noted that the previous motion and the motion now before the Commission requires the asphalt section to be constructed before the other can open. He wondered whether there are concerns about the collaborative process. Mr. Doerhoff stated that the architect, civil, and construction group have been working with Raising Cane's and the developer on that. He does not have concerns about that process.

Commissioner Matheson moved that the Planning Commission APPROVE PLZ-23-8011, "7 Brew Coffee" Detail Plan to be located at 4004 West 13400 South, with the following conditions:

- 1. This Detailed Plan shall comply with the terms and conditions approved with the Block Scale Plan, with the SLR Project Area Master Development Agreement, and with the approvals of the Master Developer.**

2. **Site Improvements and the Building, including the exterior finish, dumpster enclosures, and landscaping, and all other improvements shall be consistent with the plans presented to the Planning Commission, except where otherwise noted.**
3. **Rooftop mechanical shall be screened by parapet walls.**
4. **Wall-mounted service panels shall be painted to match the building.**
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. **The applicant shall correct or resolve the remaining Staff redlines.**
7. **Storm drainage systems and accommodations shall comply with Riverton City Standards and Ordinances, and with the recommendations of the Riverton City Engineering Division. An offsite Storm Drain Pond must be built by others prior to this site getting occupancy from Riverton City.**
8. **The Applicant must create and agree to follow a Long-Term Storm Water Management Plan according to Riverton City standards and ordinances prior to receiving building occupancy.**
9. **A Land Disturbance Permit must be issued by the City prior to any construction grading on the site.**
10. **The applicant must obtain final approval from utility providers.**
11. **This site relies on offsite improvements, shared improvements, and backbone infrastructure as shown on the plans for this application, and the previously approved Block Scale Plan and The Village at South Mountain East Phase 1 Detailed Plan. Riverton City may withhold Occupancy of the building on this site if the offsite, shared, and backbone infrastructure is not complete.**

The motion was seconded by Commissioner Mortensen. Commissioner Park – Yes, Commissioner Matheson – Yes, Commissioner Rushton – Yes, Commissioner Cluff – Yes, Commissioner Mortensen – Yes, Commissioner Cannon – Yes, Chair Gilchrist – Yes. The motion passed with the unanimous consent of the Commission.

- C. **QUICK QUACK CAR WASH (VILLAGE AT SOUTH MOUNTAIN WEST, LOT 2), PLZ-23-8010, AN SLR DETAIL (FINAL) PLAN FOR A CAR WASH TO BE LOCATED AT 4148 WEST 13400 SOUTH. APPLICANT RUSS NELSON, LONESTAR BUILDERS.**

Mr. Prestwich presented the Staff Report and explained that the application is for Quick Quack Car Wash in Lot 2 of the Village at South Mountain West. The subject property is located at 4148 West 13400 South. He explained that this will be a public street with sidewalk on both sides. Mr. Prestwich shared the Block Scale Plan, the Phase 1 phasing, and the Site Plan. He pointed out where the cars will enter the site, double stack, through the carwash, and then exit. Turning right will exit the site and left will reach the vacuum area. There are two small buildings, the main building, and the individual vacuum cleaners.

As for the landscaping, there is water-wise landscaping that meets the tree requirements. Mr. Prestwich pointed out that there has been coordination with Dutch Bros and the landscaping along the City street matches on both sides with the trees and the grasses. The building was shared, which has CMU and different shades of stucco and metal banding. The application meets all the requirements of the Block Scale Plan and has approval from SLR. Staff recommended approval with similar Conditions of Approval as the last two items.

Commissioner Cluff remembered that there was a lengthy discussion on stacking when a different car wash was approved. She asked for additional information about stacking on this site. Mr. Prestwich reported that the stacking could allow for 25 vehicles. Chair Gilchrist talked about the connection to Old Liberty Way. He hoped it was possible to encourage the island extension through those intersections in order to increase safety for drivers.

The applicant representative, Russ Nelson, stated that he is with Lonestar Builders. As for stacking, that is something that there is a desire to focus on. The site has stacking for 25 vehicles. Additionally, the Quick Quack Car Wash lives up to its name and the service time is just over two minutes. Many other car wash services last more than four minutes. The service is fast without sacrificing quality, so it alleviates the pressure on the stacking. As for the traffic concerns, those are always considered, because there is a desire for customers to have a good experience in the area. Mr. Nelson believed most of the car wash customers will use King Solomon Drive, which will even out the traffic pressure in the area.

Commissioner Rushton asked what percentage of the water is recycled. Mr. Nelson reported that approximately 80% to 90% of the water is recycled. The net water use is a little bit more than the average shower. Someone washing their car in a driveway will use between 120 and 150 gallons of water, but the car wash results in 22 to 28 gallons per vehicle. Commissioner Park asked about the Phase 1 exit onto Old Liberty Way. He believed that it is a right turn only coming eastbound out of there. Mr. Prestwich confirmed this statement. Commissioner Park believed that is intended to prevent people from making a left turn onto Old Liberty Way and crossing all of the lanes, which was also confirmed.

Commissioner Cluff moved that the Planning Commission APPROVE PLZ-23-8010, “Quick Quack Car Wash” Detail (Final) Plan, to be located at 4148 West 13400 South, with the following conditions:

1. **This Detailed Plan shall comply with the terms and conditions approved with the Block Scale Plan, with the SLR Project Area Master Development Agreement, and with the approvals of the Master Developer.**
2. **Site Improvements and the Building, including the exterior finish, dumpster enclosures, and landscaping, and all other improvements shall be consistent with the plans presented to the Planning Commission, except where otherwise noted.**
3. **Rooftop mechanical shall be screened by parapet walls.**
4. **Wall-mounted service panels shall be painted to match the building.**
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. **The applicant shall correct or resolve the remaining Staff redlines.**
7. **Storm drainage systems and accommodations shall comply with Riverton City Standards and Ordinances, and with the recommendations of the Riverton City Engineering Division. An offsite Storm Drain Pond must be built by others prior to this site getting occupancy from Riverton City.**
8. **The Applicant must create and agree to follow a Long-Term Storm Water Management Plan according to Riverton City standards and ordinances prior to receiving building occupancy.**
9. **A Land Disturbance Permit must be issued by the City prior to any construction grading on the site.**
10. **The applicant must obtain final approval from utility providers.**
11. **This site relies on offsite improvements, shared improvements, and backbone infrastructure as shown on the plans for this application, and the previously approved Block Scale Plan and The Village at South Mountain West Phase 1 Detailed Plan. Riverton City may withhold Occupancy of the building on this site if the offsite, shared, and backbone infrastructure is not complete.**

The motion was seconded by Chair Gilchrist. Commissioner Park – Yes, Commissioner Matheson – Yes, Commissioner Rushton – Yes, Commissioner Cluff – Yes, Commissioner Mortensen – Yes, Commissioner Cannon – Yes, Chair Gilchrist – Yes. The motion passed with the unanimous consent of the Commission.

D. DUTCH BROS COFFEE (VILLAGE AT SOUTH MOUNTAIN WEST, LOT 3), PLZ-23-8007, AN SLR DETAIL (FINAL) PLAN FOR A DRIVE-THROUGH COFFEE SHOP TO BE LOCATED AT 4122 WEST 13400 SOUTH. APPLICANT - RUSS ORSI, DUTCH BROS COFFEE.

Mr. Prestwich presented the Staff Report and explained that the application is for Dutch Bros Coffee, which is in Lot 3 of the Village at South Mountain West. The property is located at 4122 West 13400 South. He pointed out the location of the site on a map and stated that there is frontage on 13400 South and King Solomon Drive, but access comes from the private drive that runs along the north side of the lots. The site shares interior access with the future Lot 4. The site features a long, double-stacked drive-thru that wraps around the north, west, and south sides of the lot, with exiting taking place along the east side.

There will be some outdoor seating on the site, which was indicated on a map of the area. There is a walk-up window on the north side of the building with a canopy cover as well. Mr. Prestwich stated that the building is proposed to be 950 square feet with two-tone gray stucco, blue fiber cement siding, and stone veneer on the lower wall and columns. The site has water-wise landscaping and has received the necessary approvals from SLR.

The applicant representative, Brianna Uy, explained that she is from Barghausen Consulting Engineers, a civil firm working with Dutch Bros on the project. Commissioner Cannon asked about the Dutch Bros name. Ms. Uy informed the Commission that it came from two brothers who started the company in Oregon. Commissioner Park asked if there is concern about a similar business being nearby. Ms. Uy pointed out that everyone has different tastes and she believes there is room for everyone to succeed. Chair Gilchrist asked if this is a corporate store or if it is a franchise. Ms. Uy clarified that it will be a corporate store. Commissioner Rushton asked if there are any other Dutch Bros stores in Utah, which was confirmed.

Commissioner Mortensen moved that the Planning Commission APPROVE PLZ-23-8007, "Dutch Bros Coffee" (Detail) Final Plan, to be located at 4122 West 13400 South, with the following conditions:

- 1. This Detailed Plan shall comply with the terms and conditions approved with the Block Scale Plan, with the SLR Project Area Master Development Agreement, and with the approvals of the Master Developer.**
- 2. Site Improvements and the Building, including the exterior finish, dumpster enclosures, and landscaping, and all other improvements shall be consistent with the plans presented to the Planning Commission, except where otherwise noted.**
- 3. Rooftop mechanical shall be screened by parapet walls.**
- 4. Wall-mounted service panels shall be painted to match the building.**

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. **The applicant shall correct or resolve the remaining Staff redlines.**
7. **Storm drainage systems and accommodations shall comply with Riverton City Standards and Ordinances, and with the recommendations of the Riverton City Engineering Division. An offsite Storm Drain Pond must be built by others prior to this site getting occupancy from Riverton City.**
8. **The Applicant must create and agree to follow a Long-Term Storm Water Management Plan according to Riverton City standards and ordinances prior to receiving building occupancy.**
9. **A Land Disturbance Permit must be issued by the City prior to any construction grading on the site.**
10. **The applicant must obtain final approval from utility providers.**
11. **This site relies on offsite improvements, shared improvements, and backbone infrastructure as shown on the plans for this application, and the previously approved Block Scale Plan and The Village at South Mountain West Phase 1 Detailed Plan. Riverton City may withhold Occupancy of the building on this site if the offsite, shared, and backbone infrastructure is not complete.**

The motion was seconded by Commissioner Cluff. Commissioner Park – Yes, Commissioner Matheson – Yes, Commissioner Rushton – Yes, Commissioner Cluff – Yes, Commissioner Mortensen – Yes, Commissioner Cannon – Yes, Chair Gilchrist – Yes. The motion passed with the unanimous consent of the Commission.

E. ELECTION OF OFFICERS - ANNUAL ELECTION OF PLANNING COMMISSION CHAIR AND VICE-CHAIR FOR 2024.

Chair Gilchrist explained that the next item on the agenda relates to the election of officers for the Planning Commission in 2024. He appreciated being able to serve as the Chair this past year. He noted that there need to be nominations made for the Chair and Vice-Chair positions and he started by nominating Commissioner Matheson to be the Chair for 2024.

Chair Gilchrist moved for Evan Matheson to serve as Chair for 2024. The motion was seconded by Commissioner Rushton. Commissioner Park – Yes, Commissioner Matheson – Abstain, Commissioner Rushton – Yes, Commissioner Cluff – Yes, Commissioner Mortensen – Yes, Commissioner Cannon – Yes, Chair Gilchrist – Yes. The motion passed with the unanimous consent of the Commission.

Commissioner Rushton nominated Commissioner Park for the Vice-Chair position.

Commissioner Rushton moved for Darren Park to serve as Vice-Chair for 2024. The motion was seconded by Commissioner Cannon. Commissioner Park – Abstain, Commissioner Matheson – Yes, Commissioner Rushton – Yes, Commissioner Cluff – Yes, Commissioner Mortensen – Yes, Commissioner Cannon – Yes, Chair Gilchrist – Yes. The motion passed with the unanimous consent of the Commission.

4. DISCUSSION ITEMS

A. None.

It was noted that the new Chair of the Planning Commission will take over the remainder of the Planning Commission Meeting. Chair Matheson assumed the Chair position and thanked Commissioner Gilchrist for the work he has done over the last year as the Chair of the Planning Commission. He has learned a lot from him during his time serving. Commissioner Cannon was appreciative of his fellow Commissioners and the work done.

5. MINUTES

A. 01/11/24 Planning Commission Meeting Minutes.

Commissioner Cluff moved that the Planning Commission APPROVE the Planning Commission Meeting Minutes of January 11, 2024. Commissioner Cannon seconded the motion. The motion passed with the unanimous consent of the Commission.

6. ADJOURNMENT

The meeting adjourned at approximately 8:16 p.m.