

**RIVERTON CITY PLANNING COMMISSION
MEETING MINUTES
MARCH 28, 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:

Evan Matheson, Chair
Gary Cannon
Shelly Cluff
Jon Gilchrist
Monique Beck
Troy Rushton

Staff:

Jason Lethbridge, Development Services Director
Tim Prestwich, City Planner
Lisa Halversen, City Planner
Ryan Carter, City Attorney
Matt Cassel, City Engineer

1. CALL TO ORDER/ROLL CALL

Chair Evan Matheson called the meeting to order at approximately 6:30 PM. The Pledge of Allegiance was led by Jason Williamson.

2. PUBLIC HEARINGS

A. SHOPT, PLZ-24-2008, A CONDITIONAL USE APPLICATION FOR A HOME OCCUPATION (WOODWORK AND LASER ENGRAVING BUSINESS) LOCATED AT 12840 SOUTH ANN CHRISTINE COURT. APPLICANT - BILL THOMSEN.

Planner Lisa Halversen presented the Staff Report and stated that the request is for ShopT located in the home of Bill Thomsen at 12840 South Ann Christine Court. The property is .26 acres in size and is located at the end of a cul-de-sac. The home is a rambler with an attached two-car garage and a basement. The property is zoned R-4 as are the surrounding properties. The applicant, Mr. Thomsen desires to use half of his garage for a small artistic woodworking and laser engraving business. He also wants to use a small portion of the home as his office. The property has an extra-wide driveway that continues down to the side of the garage for extra parking.

Mr. Thomsen will have no additional employees and no customers will come to the home. The business will be low impact with products being sold online and at local shows. There will be a few deliveries made to the home each week. The impact of the proposed business on neighborhood traffic will be negligible. The site plan was presented showing that part of the home would be spaced for an office. He plans to use 50% of the garage for his business. In the rear, there is a weatherproof storage container for wood pieces. No additional storage was anticipated.

The only impact of the proposed business on the neighborhood may be limited noise. A wood lathe, planer, and table saw will be used. Mr. Thomsen wants to be courteous to his

neighbors and offered to limit the use of power tools to times that will not impact his neighbors and they will be used inside his closed garage to mitigate the noise.

Ms. Halversen drove by the home and noticed that Mr. Thomsen's truck was parked on the side of the garage and there were no logos on it. From the outside, it is not obvious that any type of business activity is taking place on the property. The request came to the Planning Commission because the applicant is applying to use part of his garage for the business. A mailer went out to the neighboring property owners and no comments were received. The Code specifies that 50% of an accessory structure or attached garage can be used for a home occupation. Staff recommended approval with the conditions set forth in the Staff Report.

Mr. Thomson described the work he does. The business will not change from how he has been doing things other than going forward he will sell his work. His equipment is quiet with the planer and the table saw being the loudest. He reported that he usually works on Saturdays and some Sundays.

Chair Matheson opened the public hearing.

Chair Matheson's main concern was noise and he acknowledged that planers tend to be loud. Mr. Thomson stated that he rarely uses it and only for short periods of time. He did not expect it to impact his neighbors.

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

Commissioner Cluff moved that the Planning Commission APPROVE PLZ-24-2008, "ShopT", at 12840 South Ann Christine Court, subject to 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.**
- 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 AM or after 7 PM.**

6. **Applicant is permitted to use up to 50% of the garage space for business activities.**

The motion was seconded by Commissioner Mortensen. The motion passed with the unanimous consent of the Commission.

- B. **RED ARROW CLOTHING, PLZ-24-2009, A CONDITIONAL USE APPLICATION FOR A HOME OCCUPATION (APPAREL CUSTOMIZATION BUSINESS) LOCATED AT 3027 W. IRIS MEADOW DRIVE. APPLICANT - BLAKE WILLIAMSON.**

Ms. Halversen presented the Staff Report and stated that the request is a Conditional Use application for a home occupation apparel customization business. Red Arrow Clothing personalizes clothing and embroiders t-shirts and is an existing business in the City. They outgrew their original Business Permit and would like to add new features to their application. The property is located in the south-central portion of the City. The property is .21 acres in size and is zoned R-4 as are the neighboring properties. The home has two stories with an extra wide three-car garage and a basement. The applicant is in the process of building a detached garage in the southwest corner of the property and they have obtained a Building Permit.

Ms. Halversen reported that the request before the Planning Commission was for a detached garage, which was expected to be completed within the next month. The applicants now have two full-time employees and have outgrown the space they were currently doing business in. They are requesting to use half of the new detached garage for the business. Usually, there is only one employee on-site at a time. The applicant is requesting to use half of the garage for the business. The new application shows that they have two employees. The business has been successful so the next step after this one would be to move to a commercial site.

A photo of the site was displayed while the garage is being constructed. There is currently a driveway coming out of the detached garage. Ms. Halversen showed where the employees will park and noted that the vehicle will be screened. The Code specifies that yard space cannot be used for the home occupation unless it is screened. The off-street parking to be used by the employees will also be screened.

Notices were sent to the adjoining property owners and no responses were received. Ms. Halversen reported that from the outside there is no evidence that there is a business taking place on the site. Staff recommended approval with the conditions enumerated in the Staff Report.

The applicants were present and described the operation. The applicant's son Jordan Williamson stated that he partners with his parents in the company. They outsource all of the manufacturing and would like to bring it in-house to keep up with demand. The operation is very quiet and the garage is well insulated to reduce sound.

Commissioner Cluff asked what hours the employees will be working. Mr. Williamson stated that they will work part-time from 5:00 PM to 7:00 PM.

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

Commissioner Gilchrist asked staff about the light manufacturing use and if the City has reviewed the operation to determine if it falls within the guidelines for a home-based business. Ms. Halversen stated that she asked about the type of equipment to be used and the product. The operation has been approved previously by the City.

Commissioner Cluff moved that the Planning Commission APPROVE PLZ-24-2009, "Red Arrow Clothing", at 3027 West Iris Meadow Drive subject to 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.**
- 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 AM or after 7 PM.**
- 6. Applicant may employ two full-time non-resident employees. Employees must use off-street parking.**
- 7. Applicant is permitted to use up to 50% of the detached garage space for business activities.**

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

C. RIVERTON ACRES, PLZ-24-2010, A CONDITIONAL USE APPLICATION TO DIVIDE A LOT AND USE AN EXISTING PRIVATE LANE AT 3546 WEST 13400 SOUTH. APPLICANT - JOSH MEIDELL.

City Planner, Tim Prestwich presented the Staff report and stated that the request was seen previously by a different applicant. Josh Meidell is the current applicant, he has worked through the issues with the neighbors. The property is zoned RR-22 and is located just off 13400 South where there are one-half acre lots. The surrounding properties are similarly zoned. The location of the property was identified. The Meidell property consists of two parcels with one being a small remnant parcel. There is also a one-acre parcel that was previously owned by the Morman Family. The property is in poor condition and has been acquired by Mr. Meidell. There is a private lane that comes from the east side.

Mr. Meidell has worked with the Krafts and the Saccos who own the 30-foot-wide private lane that has 18 feet of pavement. Mr. Meidell has an agreement with the owners of the private lane to pursue the request and is seeking approval for one home. It was anticipated that a lot line will be added to create a new lot.

As this is a new application, notices were sent to the neighboring property owners and no comments were received. An Ownership Affidavit was provided by the applicant and the owners of the private lanes, which was required from all owners. Staff recommended approval with the conditions set forth in the Staff Report. Mr. Prestwich explained that with any private lane, the Planning Commission must determine if the property qualifies for a private lane and what it would look like. The Code sets the criteria for both. Staff believes it meets the criteria and nothing else is planned in the area. It helps meet the goals of the Transportation Plan by limiting the number of drive approaches.

Mr. Prestwich identified Item C which specifies that the development of additional lots on an existing private lane shall be allowed only where the lane meets the width requirements for the proposed number of lots. He explained that one or two lots require 20 feet of paved surface but it is currently about 18 feet and would need to be widened to 25 feet of paved surface as there will be three users. There is a turnaround at the end of the road that is required. "No Parking" signs will be posted on both sides of the road. The matter will come back as a public hearing with subdivision approval before a subdivision takes place. Mr. Prestwich referenced condition number two and stated that private lanes should have at least a 25-foot-wide drivable surface, which could be curb, asphalt, or concrete. Mr. Prestwich indicated that the neighbors authorized Mr. Meidell to pursue a subdivision and a Conditional Use Permit.

Commissioner Gilchrist asked if utility impacts will have to be adjusted by widening the lane to 25 feet. He noticed that a fire hydrant may fall within that area. Mr. Prestwich responded that the concern will need to be addressed. He commented that it was likely that when the storm drain was put in place, there was no stormwater retention requirement.

Commissioner Cluff asked if something were to happen and the other private lane were not able to be finished, would what exists currently be sufficient for a fire lane for three properties

in the back? Mr. Prestwich stated that what exists is sufficient and fire apparatus can come through on private lanes.

The comment was made that as part of the Crossman Subdivision, the City restricted the use of the drive because there were no agreements in place and they are privately owned. It was suggested that the neighbors arrange for fire access to go all the way around and come back on the street.

Mr. Meidell asked if the lane width could remain at 18 feet. Mr. Prestwich referenced the Riverton City Code, which requires the lane to be brought up to current standards when lots are added to an existing lane and there is no room for exception. The only option would be for the Saccos to no longer use the lane to access their home and use Crossman Lane instead, which may not be wide enough.

Ken Sacco commented that they have lived in their home for 29 years. At that time, they were told that the lane would serve three lots. He asked if that had changed. He was happy with the current width of 18 feet because they can easily push snow and keep the driveway clear. Mr. Prestwich explained that that is no longer the case and a new lot can no longer be added to the lane. He explained that Crossman Lane was approved with only two additional users and not three. A Conditional Use Permit would be required to access it, which would kick it up to the 25-foot requirement.

Commissioner Cluff asked for clarification on whether the Crossman private lane could go up to two properties to make it 20 feet wide. Mr. Prestwich clarified that the lot is accessing the street and has a 20-foot pavement section. Two new lots are going on the private lane.

Chair Matheson asked who will be paying for the widening of the pavement. Mr. Meidell clarified that he will cover the cost. Commissioner Gilchrist asked if the Crossman Subdivision private lane has already been constructed. He thought it may be worth considering adjusting the Crossman's pavement to a wider width rather than constructing two separate pavements. Mr. Meidell explained that they have a 25-foot easement so that his neighbor can still access his lot.

Mr. Meidell stated that the road is not yet in but they are preparing to make the cuts. They have an electrical transformer at the 25-foot mark. Mr. Prestwich explained that if it is left as a utility easement and the asphalt to the pavement is run down Mr. Meidell's lane, he will be adding only seven feet rather than 27. He offered to meet with him personally to discuss the details. Mr. Prestwich clarified that the request is to add one additional lot to an existing private lane. A separate application would be needed to make any adjustments or additions to Crossman.

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

Commissioner Rushton moved that the Planning Commission APPROVE PLZ-24-2010, "Riverton Acres", at 3546 West 13400 South subject to the following conditions:

1. **Private lane shall follow Riverton City Code for development on private lanes.**
2. **Approval is for one additional home onto an existing private lane, for a total of three lots accessing the private lane.**
3. **Private lane shall be at least 25-foot wide drivable surface.**
4. **Private lane may continue to use the existing street number or change to a street name as the three-lane users determine.**
5. **The private lane shall include a turnaround designed and installed to the standards of the Unified Fire Authority and Riverton City Standards and Specifications.**
6. **The private lane shall include a turnaround designed and installed to the standards of the Unified Fire Authority and Riverton City Standards and Specifications.**
7. **The subject parcel's driveways, including the private lane entrance, shall conform to Riverton City Standards for driveways, including but not limited to width, number of driveways, and separation distance between driveways.**
8. **The private lane shall be maintained by the homeowners, no City maintenance will be performed on the private lane.**
9. **Written CC&Rs or an agreement for shared access and maintenance of the private lane must be submitted with the subdivision.**

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

- D. **CODE TEXT AMENDMENT, PLZ-24-5001, AMENDING SECTIONS 18.215.030 AND 18.135.200, UPDATING STANDARDS AND REQUIREMENTS RELATED TO EXTERIOR COMMERCIAL LIGHTING. AMENDMENTS PROPOSED BY RIVERTON CITY.**

Development Services Director, Jason Lethbridge presented the Staff Report and stated that text amendments are often brought forward as an application. In this case, the City is proposing amendments to the Lighting Ordinance. Issues arose with a commercial business in the City installing holiday lighting that is not part of the site plan approval. It was reported that businesses are now installing year-round lighting which raised questions in terms of enforcement and the ordinance as that type of lighting is not currently addressed in the

Code. Proposed amendments were put forward as a result. Mr. Lethbridge explained that the current City ordinance is fairly simple and broad. It requires lighting to be shielded and directed downward so that the light source is not visible from beyond the property line, which is common.

At the request of the City Council, research was conducted. The conclusion was that the lighting codes range from complicated and detailed to broad. The majority are fairly broad and difficult to quantify. From looking at surrounding communities staff was able to identify issues that were present in the Code was to be more specific about shielding in terms of the source versus the light. The City ordinance references shielding the light source, which is the bulb or lamp. That is very different from allowing no light to escape onto adjacent property.

Mr. Lethbridge reported that many cities have limitations based on intensity. There are different measurements and ways to specify how bright a light can be. There are also time and date limitations. The question of temporary and holiday lighting and how and when it can be displayed are not addressed in the Code. The draft better defines a fully shielded fixture, how it looks, and how it will be measured and quantified. The proposed draft is based on industry standards from other cities and better defines what a fully shielded fixture is. It also addresses the light source, which shall not be visible from surrounding properties, and helps with enforcement. There are exceptions for lighting that is below a certain level of intensity such as security lighting and public event spaces. Specialized categories include gas station canopies and flag illumination.

The issue of holiday lighting was intended to address businesses bringing in trim lighting. Holiday lighting was defined. The current draft requires a Conditional Use Permit for holiday lighting. The City Council did not feel that was appropriate or a good use of the Commission's time. While it is in the draft, the City Council did not support the idea of requiring a Conditional Use Permit. With respect to the period of display, permanent lighting needs to be approved as part of the Site Plan. Temporary lighting must be turned off by 11:00 PM and should not be on for more than 16 hours in a 24-hour period. If a business is within 100 feet of a residential property the lights cannot flash or move and must be turned off by 10:30 PM.

A point of discussion with the City Council was how to address and regulate lighting for businesses that are adjacent to residential properties. The intent is to protect residential properties. The 100-foot limitation would include buildings that are close enough for the lighting to have a significant impact. Lights should be truly temporary and a list of approved holidays that lights can be displayed should be provided. Mr. Lethbridge stated that more businesses want to add permanent holiday displays with lights that are installed permanently but not always on. He clarified that the issue before the Commission only pertains to commercial lighting. While the proposed language does not address residential lighting, there have been concerns from neighbors about the year-round use of holiday lights.

Mr. Lethbridge reported that the City Council asked that the Commission address time of day restrictions for lighting that is adjacent to residential. The current draft only includes

time-of-day limitations relative to holiday or temporary lighting. It does not specify the time the lights should be off for businesses that are adjacent within 100 feet of a residential property. He stated that the shielding requirements should address the issues pertaining to timing. The City Council was concerned that there ought to be a similar requirement that specifies that non-essential lighting be turned off by a certain time for businesses adjacent to or within 100 feet of residential properties. The Code should reflect the needs of the City and enforce the Code. Feedback from the Commission was invited.

Commissioner Rushton asked if the request was the result of one business that has pending enforcement action. Mr. Lethbridge confirmed that was the case and explained that one specific business installed holiday lighting, which created an issue. Staff then realized that no language in the Code addresses that type of lighting. It also became clear that the standards need to be stricter with regard to the shielding of lighting. Commissioner Rushton was concerned that every time there is a complaint they will have to write a new ordinance to address it. He felt this was an issue the Commission needed to spend time on. Mr. Lethbridge explained that the issue brought attention to the lack of standards. He tried to avoid crafting the language so narrowly that it only solved one problem. He did not think the proposed language introduces a lot of new requirements that will be onerous to business owners. Rather, it allows them to add more clarity.

Commissioner Cluff asked if the new lighting requirements will potentially impact previously approved site plans for commercial entities. Mr. Lethbridge explained that it will not apply retroactively and is not dramatically different in the Code. When the ordinance is adopted, the information will be provided to City businesses. Commissioner Cluff thought that temporary lighting should be approved as part of a site plan if it is outside the November to January window.

Commissioner Gilchrist asked what would prevent a business owner from doing what they want with temporary lights after they have been approved as part of the site plan. Mr. Lethbridge stated that they could look at how the standard could be expanded to restrict the type of lighting or simulated motion.

Commissioner Gilchrist asked what regulations apply to electronic billboards. City Attorney, Ryan Carter explained that there is a separate Code for billboards. He could not recall if there is a specific lumen cap for billboards but there is a size limit. Commissioner Gilchrist asked if there is a limitation on the motion and flashing of light. Mr. Carter explained that the intent is to capture the attention of traffic, which also leads it away from intruding on residential properties. The City has not received complaints and it is not an issue.

In response to a question raised by Chair Matheson, Mr. Lethbridge stated that the Code specifies that lights should be off by 11:00 PM or when the business closes, whichever is later. The total hours in one day are also limited to 16. Chair Matheson wanted to make sure that under any circumstance lights are off by 11:00 PM. Mr. Lethbridge offered to look at the specific language again. Commissioner Gilchrist commented that it may be worthwhile to specifically address that if developers are planning to install lighting systems that can change color and flag it in the site plan.

Commissioner Cannon asked if residential lighting could also be addressed in the text amendment. Mr. Lethbridge stated that residential lighting should be addressed separately because residential uses differ in how they are approved and enforced.

Commissioner Rushton commented on enforcement and was of the understanding that the City already has a way to address what is taking place. Mr. Lethbridge explained that there is language that specifies that the light source shall not be visible from beyond the property where the structure is located and lighting shall not project above or beyond the property line. He considered that language to be overly broad and is not a clear standard to enforce. The intent of the ordinance is to provide clear tools to address situations that occur in the future.

Commissioner Cluff moved that the Planning Commission CONTINUE PLZ-24-5001, the Code Text Amendment to the next Planning Commission Meeting. The motion was seconded by Commissioner Cannon. The motion passed with the unanimous consent of the Commission.

3. DECISION ITEMS

A. MOUNTAIN RIDGE PHASE 23, PLZ-23-8021, A FINAL/DETAILED PLAN IN THE SLR ZONE. APPLICANT - EDGE HOMES.

Mr. Prestwich reported that staff has been working with Mountain Ridge for the last three years. What is being addressed are the last two phases of the West Block Scale Plan. The property is in the SLR zone in the southern part of the City and shares a border with Herriman. It follows the three-step review process. The plans for a signal at 13800 South were in place and it should be constructed soon. The Block Scale Plan that was approved covers Phases 17 through 24. The single-family detached lots are 6,800 to 7,500 square feet in size. Most of the lots are located along the perimeter and are serviced by slip lanes. The interior and larger public roads were identified. Slip lanes will service the lots that face the road. Staff recommended approval with the conditions enumerated in the Staff Report. Mr. Prestwich clarified that occupancy of the units will not be allowed until 13800 South is completed. The connection was identified and it was approved as part of the Master Development Agreement with SLR in 2015-2016. Staff was anxious for the connection to be made.

Commissioner Gilchrist asked if 13800 South will have to be completed to the canal. Mr. Prestwich responded that it will be complicated to Sentinel Way in terms of access. He suggested that that clarification be added to the motion. Commissioner Gilchrist also commented on private roads and fire turnaround access requirements. He asked if the current driveway configuration has been reviewed by the Unified Fire Authority (“UFA”) since it differs from what is normally seen. Mr. Prestwich agreed and stated that the slip lanes have a different configuration. He confirmed that what is proposed has been reviewed by UFA.

Commissioner Gilchrist asked if some of the lots in Phase 23 will be ready before the connection is made to Mountain View. Mr. Prestwich explained that the intent was to be able to get emergency vehicles down Sentinel in the event of an emergency. He had no question that the road will be completed.

Brandon Parr from EDGE Homes clarified that with respect to 13800 South, they committed the Mayor that it will be done before school starts. The plans have been approved and they are ready to begin construction immediately.

Commissioner Cluff moved that the Planning Commission APPROVE PLZ-23-8021, "Mountain Ridge Phase 23" to be located near 13800 South Sentinel Ridge Boulevard subject to 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. The site and structures shall comply with any and all applicable Riverton City standards and ordinances, including the International Building and Fire Codes.**
- 5. Building permits may be issued for the site prior to 13800 South Street being completed, if approved by UFA and City Staff following established state code, however, the city may withhold occupancy for a lot or unit that uses 13800 South Street for access until 13800 South is paved and opened by Riverton City for public traffic.**
- 6. 13800 South only needs to be completed within the frontage of the phase.**

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

B. MOUNTAIN RIDGE PHASE 24, PLZ-23-8022, A FINAL/DETAILED PLAN IN THE SLR ZONE. APPLICANT - EDGE HOMES.

Mr. Prestwich presented Phase 24 with the trail running along Rose Creek. The trail is a public access easement that the Homeowners Association (“HOA”) will maintain. There is an easement for Riverton and Herriman residents as well. The access will be dependent on the completion of 13800 South. The 11 single-family lots will gain access from Sicilian Lane. The single-family lots are nearly 7,000 square feet in size. Staff recommended approval subject to the conditions set forth in the Staff Report and the addition of a sixth condition.

Mr. Parr reported that they plan to complete 13800 South before any of the phases go in. It is their top priority.

Commissioner Gilchrist moved that the Planning Commission APPROVE PLZ-23-8022, “Mountain Ridge Phase 24”, Final Plan to be located near 13800 South Sentinel Ridge Boulevard, subject to 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. The site and structures shall comply with any and all applicable Riverton City standards and ordinances, including the International Building and Fire Codes.**
- 5. The 6-ft masonry wall along Mountain View Highway (along the west line of Phase 24) must be installed before occupancy is granted for units in this phase.**
- 6. Building Permits may be issued for the site prior to 13800 South Street being completed, if approved by UFA and City Staff following established state code, however, the city may withhold occupancy for a lot or unit that uses 13800 South Street for access until 13800 South is paved and opened by Riverton City for public traffic.**

The motion was seconded by Commissioner Cluff. The motion passed with the unanimous consent of the Commission.

C. SALSA LEEDOS, PLZ-24-8004, AN APPLICATION TO AMEND A COMMERCIAL SITE PLAN LOCATED AT 13298 S. MARKET CENTER DR. APPLICANT - TRAVIS BONINO

Mr. Prestwich presented the Staff Report and stated that the request is from Salsa Leedos, which is located near Home Depot and the car wash. The owner operates the business and has been a steady presence in the City. Salsa Leedos is located in a commercial subdivision with parking surrounding the building. They have Shared Parking Agreements in place and cross-connection inside. There is also ample landscaping. The applicant would like to install a partial garage door and open the building up for a patio with designated outdoor seating. A sidewalk that wraps around the building will remain and will require a retaining wall. The applicant will need to obtain a Building Permit as well. Staff recommended approval with the conditions set forth in the Staff Report. Mr. Prestwich was pleased to see a business that is finding ways to grow and remain in the City.

Commissioner Gilchrist asked if the existing sidewalk will remain in the current location rather than pushed next to the street. Mr. Prestwich confirmed that it will remain as-is.

Commissioner Rushton asked if the applicant will be required to put up an awning and umbrellas. Mr. Prestwich explained that nothing else will be required.

The applicant, Travis Bonino thanked Mr. Prestwich for his help. He felt that the patio will be a great addition. They are prepared to meet all Division of Alcohol Beverage Services ("DABS") requirements.

Commissioner Cannon asked Mr. Bonino to describe how the business started. Mr. Bonino reported that he originally was in the process of signing a lease for property at the District when he heard about this location. They have now been in business for seven years.

Commissioner Cluff asked why a rolling garage door was proposed. Mr. Bonino stated that it was primarily for ease of servers. It also opens up the inside of the building to let more light in. With regard to bug concerns, Mr. Bonino stated that they will have an air system that blows air down to help in that regard.

Commissioner Cannon moved that the Planning Commission APPROVE PLZ-24-8004, "Salsa Leedos", amending the site plan of the existing commercial building located at 13298 South Market Center Drive, subject to the following conditions:

- 1. Building materials and modifications will be harmonious with the existing building and match the submitted plans presented to the Commission.**
- 2. Applicant shall obtain a Building Permit for modifications to the building.**
- 3. Outdoor seating area shall remain in compliance with City Code and ADA requirements.**

4. Outdoor seating area shall remain in compliance with DABS requirements.

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

4. **DISCUSSION ITEMS**

- A. None.

5. **MINUTES**

- A. None.

6. **ADJOURNMENT**

The meeting adjourned at approximately 8:25 PM.