

MINUTES OF THE DRAPER CITY PLANNING COMMISSION MEETING HELD ON THURSDAY, SEPTEMBER 26, 2024, IN THE DRAPER CITY COUNCIL CHAMBERS

PARTICIPATING: Andrew Adams, Chair
Commission Member Mary Squire
Commission Member Gary Ogden
Alternate Commission Member Shivam Shah
Alternate Commission Member Laura Fidler

EXCUSED: Lisa Fowler, Vice-Chair
Commission Member Susan Nixon
Commission Member Kendra Shirey
Alternate Commission Member Christine Green

STAFF: Todd Draper, Planning Manager
Spencer DuShane, City Attorney
Brien Maxfield, Senior Engineering Manager
Maryann Pickering, City Planner III
Todd Taylor, City Planner III
Nick Whittaker, City Planner
Amie Salazar, Office Manager

6:30 PM Business Meeting

Chair Andrew Adams called the meeting to order at 6:34 p.m. and welcomed those present.

1. Items for Commission Consideration.

A. Public Hearing: Chick-fil-A Site Plan and Deviation Requests (Administrative Action)

On the request of Kevin Watson of 4G Development and Consulting, representing Wadsworth Bangerter Crossing, LLC, a request for Site Plan approval and associated deviations in the CR (Regional Commercial) Zone regarding the construction of a new fast-food restaurant on approximately 1.68 acres, located at 13673 South 100 East. Known as applications 2024-0073-SP and 2024-0249-VAR. Staff Contact: Todd Taylor, 801-576-6510, todd.taylor@draperutah.gov.

City Planner III, Todd Taylor, presented the Staff Report and stated that the above matter relates to Site Plan and Deviation Requests on property located at 13673 South 100 East. He shared the Vicinity Map and reported that the site location is east of I-15 and south of Bangerter Highway. An Aerial Map of the subject property was shared. Mr. Taylor reported that the site is designated Community/Neighborhood Commercial and zoned CR (Regional Commercial) since a rezone occurred a few months prior. He shared the Site Plan, which shows the proposed Chick-fil-A location, a 6,239 square-foot building with a double-lane drive-thru. The building is located in the center with parking on both sides. Access is provided down to 100 East and there is a Cross Access Easement to the shopping center to the east. The Landscaping Plan was reviewed.

Mr. Taylor shared the elevations of the one-story Chick-fil-A building and identified the brick materials proposed. The applicant is requesting deviations to the building orientation and parking spaces. He explained that the building entrance will not face the street and there will be five additional parking spaces provided. The criteria for approval that the applicant has indicated the application includes additional amenities (four tables and one bench), additional vegetative landscaping (10% more than is required), and the number of primary materials being used exceeds the amount by more than 10%. As for the parking spaces, there was a Parking Study submitted. That study and its findings are included in the Staff Report for Planning Commission review.

Staff recommended that there be two additional Conditions of Approval based on the review conducted. The conditions include a revised Lighting Plan that complies with the Code be submitted for approval by Staff prior to approval of the Building Permit and that a revised Drainage Report also be submitted and approved by Staff prior to the approval of the Building Permit.

The applicant, Kevin Watson, was present representing Chick-Fil-A. He reiterated that a deviation is being requested for the building orientation. Chair Adams noted that drive-thru stacking can sometimes be an issue. He asked where the main entrance will be located and where visitors will be encouraged to enter. The location was identified on a map of the site. Chair Adams expressed support for the building orientation deviation to better satisfy the stacking needs. What is proposed will ensure there is improved site flow. Mr. Watson reported that the double drive-thru will provide stacking for approximately 46 vehicles. There is also the area to the south of the entrance where additional vehicles can stack if needed.

Chair Adams hoped to see that everyone would come in from the west entrance as opposed to the east entrance. He does not see an issue with the Site Plan, but the entrance into that location is important to consider. Mr. Watson explained that the operators will run the restaurant in the best way possible. For example, there might be certain areas coned off at the Chick-fil-A location during a particular time. The operators know their business and know what is needed. Additional discussions were had about the queuing and stacking. Mr. Watson reported that a Queuing Study was conducted and there is typically no stacking seen above what has been proposed for the site.

Commissioner Squire asked for additional information about the 46 vehicles that can be stacked. She wanted to better understand what portion of the drive-thru that includes. For instance, whether that includes the area to the order window or if it is the total area. Mr. Watson clarified that the total drive-thru area will accommodate the stacking. It is from the drive-thru entrance around to the outside meal delivery area. Commissioner Shah asked if Chick-fil-A is a franchise. This was confirmed. He wondered whether there will be training done for the franchisee. Mr. Watson explained that there is an intense vetting process for the operators chosen. The intention is to select high-quality operators and ensure that all operators are properly trained. Something that Chick-fil-A is known for is the quality and speed of service as well as overall operations.

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

Chair Adams reported that his concern does not have to do with the extra parking, additional landscaping, or the on-site stacking. He reiterated that his concern has to do with access to the parcel. Commissioner Ogden stated that his concern relates to traffic. He was not concerned about the orientation, as the orientation proposed seems to be the best fit for the site. However, it is important to consider the fact that traffic in the area can be difficult. Chair Adams wondered whether the site would flow better if the east entrance was blocked off. He asked if there is an option for the operator to cone that off if it becomes necessary. Senior Engineering Manager, Brien Maxfield, confirmed that this can be done. Cones can be used to address issues that arise as long as it is within their private parking area and their drive aisles, but they must remain open for fire access and emergency services. Commissioner Squire believes that would only need to be done during the busiest times. Chair Adams noted that an additional Chick-fil-A in Draper could reduce the restaurant traffic levels, as the visitation would be split between two restaurants in the future.

Chair Adams noted that three motions need to be made for this particular site. Discussions were had about the additional Conditions of Approval that were recommended by Staff. It was noted that those are tied to the Site Plan approval rather than the two Deviations requested.

Motion: Commissioner Squire moved to APPROVE the Deviation Request from the Building Orientation Requirements, as requested by Kevin Watson, 4G Development and Consulting, representing Wadsworth Bangerter Crossing, LLC, Application No. 2024-0249-VAR, based on the following findings for approval, as listed in the Staff Report dated September 11, 2024:

Findings:

1. The requested deviations are consistent with the purpose and intent of the development standards of the applicable zoning district or land use category.
2. The proposed development satisfies at least three (3) of the criteria listed in DCMC Section 9-22-030(B).

Second: Commissioner Ogden seconded the motion.

Vote: A roll call vote was taken with the Commissioners voting 4-to-0 in favor of the motion. Commissioners Squire, Ogden, Fidler, and Shah voted "Yes." The motion passed unanimously.

Motion: Commissioner Ogden moved to APPROVE the Deviation Request from the Maximum Parking Space Requirements, as requested by Kevin Watson, 4G Development and Consulting, representing Wadsworth Bangerter Crossing, LLC, Application No. 2024-0249-VAR, based on the following findings for approval as listed in the Staff Report dated September 11, 2024:

Findings:

1. Adequate parking will be provided.
2. The total number of spaces will provide more parking than required.

Second: Commissioner Fidler seconded the motion.

Vote: A roll call vote was taken with the Commissioners voting 4-to-0 in favor of the motion. Commissioners Squire, Ogden, Fidler, and Shah voted "Yes." The motion passed unanimously.

Motion: Commissioner Shah moved to APPROVE the Site Plan as requested by Kevin Watson, 4G Development and Consulting, representing Wadsworth Bangerter Crossing, LLC, Application No. 2024-0073-SP, based on the following findings for approval and subject to the conditions listed in the Staff Report dated September 11, 2024, including the additional conditions requested by City Staff:

Findings:

1. The Site Plan reflects the full development of the property.
2. The Site Plan, with approval of the deviation requests, conforms to applicable standards set forth in the ordinance, including but not limited to, building heights, setbacks, access points, parking, landscaping, and building materials.
3. The proposed development plans meet the intent, goals, and objectives of the General Plan and the purpose of the CR Zoning District in which the site is located.
4. The public facilities and services in the area are adequate to support the subject development, as required by engineering standards and specifications.
5. The proposed development plans will comply with the engineering standards found in Titles 7, 8, 11, 12, 16, and 18 of the DCMC, including traffic, stormwater drainage, and utility concerns.

Second: Commissioner Squire seconded the motion.

Vote: A roll call vote was taken with the Commissioners voting 4-to-0 in favor of the motion. Commissioners Squire, Ogden, Fidler, and Shah voted "Yes." The motion passed unanimously.

B. Public Hearing: Lot 11 Alan Point Subdivision Plat Amendment Request (Administrative Action).

On the request of Michael and Celsey Abraham, a Subdivision Plat Amendment request on approximately 0.83 acres, located at approximately 873 West Alan Point Drive in the RA2 (Residential Agricultural, 20,000 ft² min. lot size) zone. Known as application SUBD-083-2022. Staff contact: Maryann Pickering, (801) 576-6391, maryann.pickering@draperutah.gov.

Planner III, Maryann Pickering, presented the Staff Report and explained that the application is a Plat Amendment request for Lot 11 of the Alan Point Subdivision. She shared a Vicinity Map and explained that the site is on the western edge of the City. The current land use designation is the Residential Low/Medium Density and there is the Sensitive River Overlay. The zoning is RA2 (Residential Agricultural), which is one of the single-family zones in the City. Ms. Pickering shared the original plat that was recorded for Alan Point and highlighted Lot 11 for reference. The proposed subdivision plat for the lot was shared. The cross-hatched area is what is proposed to be vacated or removed from the plat. She explained it is the “wetlands and no building zone” area.

The intention is to vacate that area from the plat in order to build a structure at the rear of the property. Work was done with the United States Army Corps of Engineers to obtain all of the appropriate documentation. It has been determined by the corps that there are no jurisdictional wetlands or waters present on the property. As a result, it is appropriate to remove it from the plat. Ms. Pickering reminded the Commission that there have been three other requests like this in the past for neighboring properties. Lot 12, Lot 14, and Lot 16 have all gone through this process.

Commissioner Shah asked whether it is possible for the applicant to build a structure at the back of the property. Ms. Pickering explained that once the plat is recorded and the no-build area is removed, it is possible to build something there if that is desired by the property owner. Currently, nothing can be built there because of the “wetlands and no building zone” area listed on the plat.

The applicant, Michael Abraham, was present but did not comment.

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

Motion: Commissioner Squire moved to APPROVE the Subdivision Plat Amendment as requested by Michael and Celsey Abraham for the Lot 11 Alan Point Plat Amendment, Application SUBD-083-2022, based on the findings for approval and subject to the requirements listed in the Staff Report dated September 17, 2024:

Findings:

- 1. There is good cause for the amendment, and no public street or municipal utility easement will be vacated or amended.**

Second: Commissioner Shah seconded the motion.

Vote: A roll call vote was taken with the Commissioners voting 4-to-0 in favor of the motion. Commissioners Squire, Ogden, Fidler, and Shah, voted "Yes." The motion passed unanimously.

2. Adjournment.

The Commissioners were reminded that some emails were sent out about conferences and training opportunities. Those interested can inform Staff and the necessary registrations can take place.

Motion: Commissioner Squire moved to ADJOURN.

Vote: The motion passed with the unanimous consent of the Commission.

The meeting adjourned at approximately 6:57 p.m.