

**MINUTES OF THE DRAPER CITY PLANNING COMMISSION MEETING HELD ON THURSDAY, NOVEMBER 14, 2024, IN THE DRAPER CITY COUNCIL CHAMBERS**

**PARTICIPATING:** Andrew Adams, Chair  
Lisa Fowler, Vice-Chair  
Commission Member Mary Squire  
Commission Member Susan Nixon  
Commission Member Kendra Shirey  
Alternate Commission Member Laura Fidler

**EXCUSED:** Commission Member Gary Ogden  
Alternate Commission Member Christine Green  
Alternate Commission Member Shivam Shah

**STAFF:** Jennifer Jastremsky, Community Development Director  
Todd Draper, Planning Manager  
Spencer DuShane, City Attorney  
Brien Maxfield, Senior Engineering Manager  
Nick Whittaker, City Planner  
Amie Salazar, Office Manager

**6:30 PM Business Meeting**

Chair Andrew Adams called the meeting to order at 6:30 PM and welcomed those present.

**1. Items for Commission Consideration.**

- A. Approve Planning Commission Meeting Minutes for September 12, 2024.  
(Administrative Action)**

**Motion:** Commissioner Squire moved to APPROVE the minutes of September 12, 2024.

**Second:** Commissioner Nixon seconded the motion.

**Vote on motion:** 5-to-0 in favor.

| Commissioner      | Yes | No | Abstained | Not Participating | Absent |
|-------------------|-----|----|-----------|-------------------|--------|
| Fowler            | X   |    |           |                   |        |
| Squire            | X   |    |           |                   |        |
| Ogden             |     |    |           |                   | X      |
| Nixon             | X   |    |           |                   |        |
| Shirey            | X   |    |           |                   |        |
| Fidler, Alternate | X   |    |           |                   |        |
| Shah, Alternate   |     |    |           |                   | X      |
| Green, Alternate  |     |    |           |                   | X      |

**B. Approve Planning Commission Meeting Minutes for September 26, 2024.  
(Administrative Action)**

**Motion:** Commissioner Squire moved to APPROVE the minutes of September 26, 2024.

**Second:** Commissioner Nixon seconded the motion.

**Vote on motion:** 5-to-0 in favor.

| Commissioner      | Yes | No | Abstained | Not Participating | Absent |
|-------------------|-----|----|-----------|-------------------|--------|
| Fowler            | X   |    |           |                   |        |
| Squire            | X   |    |           |                   |        |
| Ogden             |     |    |           |                   | X      |
| Nixon             | X   |    |           |                   |        |
| Shirey            | X   |    |           |                   |        |
| Fidler, Alternate | X   |    |           |                   |        |
| Shah, Alternate   |     |    |           |                   | X      |
| Green, Alternate  |     |    |           |                   | X      |

**C. Approve Planning Commission Meeting Minutes for October 10, 2024.  
(Administrative Action)**

**Motion:** Commissioner Squire moved to APPROVE the minutes of October 10, 2024.

**Second:** Commissioner Nixon seconded the motion.

**Vote on motion:** 5-to-0 in favor.

| Commissioner      | Yes | No | Abstained | Not Participating | Absent |
|-------------------|-----|----|-----------|-------------------|--------|
| Fowler            | X   |    |           |                   |        |
| Squire            | X   |    |           |                   |        |
| Ogden             |     |    |           |                   | X      |
| Nixon             | X   |    |           |                   |        |
| Shirey            | X   |    |           |                   |        |
| Fidler, Alternate | X   |    |           |                   |        |
| Shah, Alternate   |     |    |           |                   | X      |
| Green, Alternate  |     |    |           |                   | X      |

**D. Approve Planning Commission Meeting Minutes for October 24, 2024.  
(Administrative Action)**

**Motion:** Commissioner Squire moved to APPROVE the minutes of October 24, 2024.

**Second:** Commissioner Nixon seconded the motion.

**Vote on motion: 5-to-0 in favor.**

| Commissioner      | Yes | No | Abstained | Not Participating | Absent |
|-------------------|-----|----|-----------|-------------------|--------|
| Fowler            | X   |    |           |                   |        |
| Squire            | X   |    |           |                   |        |
| Ogden             |     |    |           |                   | X      |
| Nixon             | X   |    |           |                   |        |
| Shirey            | X   |    |           |                   |        |
| Fidler, Alternate | X   |    |           |                   |        |
| Shah, Alternate   |     |    |           |                   | X      |
| Green, Alternate  |     |    |           |                   | X      |

**E. Public Meeting: Draper Medical Condominium Plat Amendment Extension of Approval.**

**(Administrative Action)**

On the Request of Curtis J. Brown, Representing Anderson and Karrenberg PC and 12450 South Street Holdings, LC, an Extension of the October 26, 2023, Planning Commission approval of an Amended Subdivision Request to Subdivide an existing office building into commercial condominiums on approximately 0.81-acre property located at approximately 114 East 12450 South. Known as Application 23-0238, Staff Contact: Todd A. Draper, [todd.draper@draperutah.gov](mailto:todd.draper@draperutah.gov), (801) 576-6335.

Planning Manager, Todd Draper, presented the Staff Report and stated that the request is to extend the request for up to six months. The applicants were unable to record the plat within the one-year time limit. An extension was sought to allow that to continue. The subject property was identified on a map displayed. The request is to turn the property into condominium units. No other changes were proposed.

**Motion: Commissioner Fowler moved to APPROVE the request for an Extension of approval for the Draper Medical Condominium Amended Subdivision Plat, as requested by Curtis J. Brown, representing Anderson and Karrenberg, PC and 12450 South Street Holdings, LC, for Application 23-0238, based on the following:**

**Finding:**

- 1. Good cause has been shown for the extension of the Planning Commission Approval.**

**Second: Commissioner Shirey seconded the motion.**

**Vote on motion: 5-to-0 in favor.**

| Commissioner      | Yes | No | Abstained | Not Participating | Absent |
|-------------------|-----|----|-----------|-------------------|--------|
| Fowler            | X   |    |           |                   |        |
| Squire            | X   |    |           |                   |        |
| Ogden             |     |    |           |                   | X      |
| Nixon             | X   |    |           |                   |        |
| Shirey            | X   |    |           |                   |        |
| Fidler, Alternate | X   |    |           |                   |        |
| Shah, Alternate   |     |    |           |                   | X      |
| Green, Alternate  |     |    |           |                   | X      |

**F. Public Hearing: The Break Zoning Map Amendment Request (Legislative Item)**

On the Request of Gary Knapp, Representing Tom R. Rivetti a Request for a Zoning Map Amendment from the RA1 (Residential Agricultural, 40,000-foot minimum lot size) to the CC (Community Commercial) Zone. The property is located at approximately 12240 South 700 East and is approximately 0.52 acres in size. Known as Application 2024-0216-MA, Staff Contact: Nick Whittaker, 801-576-6522, [nick.whittakerr@draperutah.gov](mailto:nick.whittakerr@draperutah.gov).

City Planner, Nick Whittaker, presented the Staff Report and identified the location of the subject property on a map displayed. The land use in the area is Neighborhood Commercial and currently that property is being used as residential. The request is to rezone to CC, which is located south of the property. The current zoning is Residential Agricultural with 40,000-square-foot minimum lot sizes. The proposed zoning has no minimum lot size. Much of the surrounding property is commercial in nature.

Commissioner Fowler asked if the desired use had been discussed with the applicant so that it makes sense to change the zoning. Mr. Whittaker indicated that he had. The intent is to open a restaurant on the property. Mr. Draper noted that the current map does not match with the CC Zone and is considered incompatible. He noted that there is already CC zoning on other properties to the south that are under the same land use designation. Commissioner Fowler commented that a restaurant use does not seem to fit. Mr. Draper referred to the permitted uses in the CC Zone, which include banks, bars, restaurants, and bed and breakfasts.

The applicant, Gary Knapp, was present with Michael Culligan. In response to a question raised, Mr. Knapp stated that The Break Restaurant and Bar has multiple locations. The first location was in Day Break. There are also locations in Murray and Downtown Salt Lake City. He reported that the existing residence contains a business use currently.

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

Commissioner Nixon asked if the intended use is a restaurant and bar if it will meet the separation distance. Mr. Whittaker stated that all of the proper permitting would be needed for a bar with the State and the City. Community Development Director, Jennifer Jastremsky stated that the

applicants have indicated that they will have a restaurant license. She noted that the City only has one bar license remaining and it must be within a hotel. A total of eight bar licenses are allowed in Draper City. There is no limit on the number of restaurant licenses that can be issued. She stated that the separation requirement is 200 feet, which would likely require the entrance and building to be on the south side of the property. The distance is measured from the property line of the residence to the front door of the establishment.

**Motion:** Commissioner Fowler moved to forward a POSITIVE recommendation to the City Council for the zoning map amendment as requested by Gary Knapp, Application 2024-021-MA, based on the following:

**Findings:**

1. The proposed zoning map amendment is consistent with the goals, objectives, and policies of the City's General Plan.
2. The proposed zoning map amendment is harmonious with the overall character of existing development in the vicinity of the subject property.
3. The proposed zoning map amendment will not adversely affect adjacent property.
4. There are adequate facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.

**Second:** Commissioner Nixon seconded the motion.

**Vote on motion:** 5-to-0 in favor.

| Commissioner      | Yes | No | Abstained | Not Participating | Absent |
|-------------------|-----|----|-----------|-------------------|--------|
| Fowler            | X   |    |           |                   |        |
| Squire            | X   |    |           |                   |        |
| Ogden             |     |    |           |                   | X      |
| Nixon             | X   |    |           |                   |        |
| Shirey            | X   |    |           |                   |        |
| Fidler, Alternate | X   |    |           |                   |        |
| Shah, Alternate   |     |    |           |                   | X      |
| Green, Alternate  |     |    |           |                   | X      |

**G. Action Item: 2025 Draper City Planning Commission Meeting Schedule  
Recommendation to the Draper City Council.  
(Administrative Action)**

**Motion:** Commissioner Squire moved to forward a POSITIVE recommendation to the City Council for the 2025 Planning Commission Meeting Schedule, as presented.

**Second:** Commissioner Fidler seconded the motion.

**Vote on motion:** 5-to-0 in favor.

| Commissioner      | Yes | No | Abstained | Not Participating | Absent |
|-------------------|-----|----|-----------|-------------------|--------|
| Fowler            | X   |    |           |                   |        |
| Squire            | X   |    |           |                   |        |
| Ogden             |     |    |           |                   | X      |
| Nixon             | X   |    |           |                   |        |
| Shirey            | X   |    |           |                   |        |
| Fidler, Alternate | X   |    |           |                   |        |
| Shah, Alternate   |     |    |           |                   | X      |
| Green, Alternate  |     |    |           |                   | X      |

**2. Adjournment.**

**Motion:** Commissioner Squire moved to ADJOURN.

The meeting adjourned at 6:50 PM.