



## PLANNING COMMISSION AGENDA

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Thursday, July 10, 2025, 6:30 PM  
1020 East Pioneer Road  
Draper, UT 84020  
Council Chambers

### 6:30 PM BUSINESS MEETING

#### 1. Items for Commission Consideration

1.a **Action Item: Approve Planning Commission Meeting Minutes for May 8, 2025 (Administrative Action)**

1.b **Action Item: Approve Planning Commission Meeting Minutes for May 22, 2025 (Administrative Action)**

1.c **Public Hearing: Fratto Farms Commercial Land Use Map Amendment and Zoning Map Amendment Requests (Legislative Items)**

On the request of Troy Dana, a Land Use Map Amendment from the Residential Medium Density to Neighborhood Commercial land use designation, and a Zoning Map Amendment from the RA2 (Residential Agricultural) to CN (Neighborhood Commercial) zone for approximately 2.03 acres, located at approximately 791 E. 12200 S. Known as applications 2025-0101-MA and 2025-0102-MA. Staff Contact: Nick Whittaker, (801) 576-6522, Nick.Whittaker@Draperutah.gov.

#### 2. Other Business

2.a **Discussion Item: 2025 Moderate Income Housing Report (Work Session)**

Presentation and work session regarding the annual Moderate Income Housing Plan (MIHP) and required reporting to the State. Staff Contact: Todd Taylor, todd.taylor@draperutah.gov, (801) 576-6510.

#### 3. Adjournment

I, the City Recorder of Draper City, certify that copies of this agenda for the **Draper Planning Commission** meeting to be held **July 10, 2025**, were posted at Draper City Hall, Draper City website [www.draperutah.gov](http://www.draperutah.gov), and the Utah Public Notice website at [www.utah.gov/pmn](http://www.utah.gov/pmn).



A handwritten signature in blue ink that reads "Nicole Smedley".

Nicole Smedley, CMC, City Recorder  
Draper City, State of Utah

In compliance with the Americans with Disabilities Act, any individuals needing special accommodations or services during this meeting shall notify Nicole Smedley, City Recorder at (801) 576-6502 or [nicole.smedley@draperutah.gov](mailto:nicole.smedley@draperutah.gov), at least 24 hours prior to the meeting.

# MEMO



To: Planning Commission

From:

Date: 2025-07-10

Re: Action Item: Approve Planning Commission Meeting Minutes for May 8, 2025  
(Administrative Action)

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Comments:

ATTACHMENTS:

[Draper PC Mtg Draft Minutes.pdf](#)

**MINUTES OF THE DRAPER CITY PLANNING COMMISSION MEETING HELD ON THURSDAY, MAY 8, 2025, IN THE DRAPER CITY COUNCIL CHAMBERS**

**PARTICIPATING:** Andrew Adams, Chair  
Lisa Fowler, Vice-Chair  
Commission Member Susan Nixon  
Commission Member Kendra Shirey  
Commission Member Mary Squire  
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  
Lori Stout, Administrative Assistant  
Paul Geilman, Planning Coordinator  
Maryann Pickering, Planner III  
Brien Maxfield, Senior Engineering Manager  
Spencer DuShane, Assistant City Attorney (electronic attendance)

**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. Public Hearing: Victoria 2 Lot Subdivision Plat Amendment Request. (Administrative Action)**

On the request of Solid Construction Group, representing property owners Bill and Shannon Moedl, a Subdivision Plat Amendment Request for 1.16 acres, located at 12542 S. 900 East, known as Application 2024-0197-SUB. Staff contact: Maryann Pickering, (801) 576-6391, [maryann.pickering@draperutah.gov](mailto:maryann.pickering@draperutah.gov).

City Planner, Maryann Pickering, presented the Staff Report along with related maps. She stated that the subject property is located on the corner of 900 East and 12500 South. The Land Use is Residential Medium-Density with a current zoning of RA2, which indicates a half-acre or 20,000 square foot minimum lot size. The proposed Plat Amendment is a two-lot subdivision. It is a Plat Amendment because it is part of an older subdivision. Both proposed lots meet the minimum standards for RA2 zone. The intention is to build on the newly created lot. The proposed new development will be required to meet the current RA2 zoning standards. Some existing buildings will need to be removed before the plat is recorded. The Commission viewed a map of the proposed and existing lots and identified the location of the historic site in relation to the proposed development. They also viewed the location where access will be built off of 12500 South. One

public comment was received that was emailed to the Commission Members earlier in the day. Staff received no further inquiries on the notice that was sent out.

The applicant, Morgan Lovato from Solid Construction Group, was present. She reiterated the desire to split the current lot into two via the Plat Amendment. Future development has not been planned and is pending the outcome of tonight's decision.

Commissioner Fowler reported that feedback was received from a neighbor who keeps animals on their property near where the new home will be developed. She wanted assurance that potential buyers will be made aware of this pre-existing condition as there are smells associated with animals. The neighbor was concerned that the new occupants could potentially file a complaint. Ms. Lovato explained that the lots are separate and will be used as the owners of each choose. The buyer will be advised of the situation ahead of purchasing.

Commissioner Nixon asked why Lot 4 on the new Plat Map does not have a Public Utility Easement ("PUE") on the west boundary. Ms. Pickering reported that the Code only requires a PUE on the front, back, and one side of a lot.

Chair Adams opened the public hearing.

*Susan Isbell* identified herself as the owner of Lot 2 (of the DeVearl Decker Subdivision) and stated that she is the owner of the animals mentioned previously. She purchased the property three years earlier and has made considerable improvements to her property that are not reflected on the map. She shared multiple concerns including the very small size of the lot for such a large home along with the minimal setback, which will differ from other lots in the neighborhood. She noted that this area was intended to preserve the general sense of the area, which has existed for a long time. Her area is new but it has the same space use. She was also concerned with the narrow access and construction equipment running along her boundary, which is the longest single affected boundary. She noted that her property will be the most impacted.

*David Walbeck* reported that he lives on the east side of the subject property. He shared concerns that what is proposed is a very large home on a very small property, which will remove all privacy from his backyard. It will also impact his view of the mountains. He had concerns with water drainage and stated that the applicants intend to use clay which does not absorb water well. They plan to place a small ditch on the property line that will not accommodate the runoff from the house. He believes the proposed development will devalue his property and there will be problematic logistics after the home is built.

There were no further public comments. Chair Adams closed the public hearing.

In response to questions raised, Ms. Lovato stated that with regard to the soils conditions, it is standard process to obtain a geotechnical report of existing conditions so that the Engineer can properly address those issues and ensure suitability. Senior Engineering Manager, Brien Maxfield, addressed the geotechnical process and stated that it is part of the subdivision process. An investigation has already taken place for this property where soil conditions have been outlined as

well as the bearing strength of the soil. With regard to drainage, the City has specific drainage requirements that the Civil Engineer has to design to. The design and plans for that drainage system have been reviewed and found that they comply with City standards.

In response to a question raised by Commissioner Fowler, it was confirmed that there is no house plan. Ms. Lovato stated that there are no public, engineering, or architectural plans for a house. They only have preliminary renderings that perhaps a neighbor has had access to. Commissioner Fowler stated that some neighbors have expressed concern about privacy and asked if consideration would be given to a rambler-style home instead of a two-story. Ms. Lovato stated that could be considered as there is no current development plan. She noted that it is important for the neighbors to be comfortable.

Commissioner Nixon commented that the zoning and code requirements have been met. With regard to the size of the home, there is a maximum footprint allowed based on the zoning.

Commissioner Fowler stated that because all the requirements have been met, the Commission does not have grounds for denial.

**Motion:** Commissioner Fowler moved to APPROVE the Subdivision Plat Amendment, as requested by Solid Construction for the Victoria 2 Subdivision Plat Amendment, Application 2024-0197-SUB, based on the following findings:

**Findings:**

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

**Conditions:**

1. Compliance with all requirements of the Draper City Engineering, Public Works, Building, Planning, and Fire Divisions throughout the development of the site and the construction of all buildings on the site, including permitting.
2. All structures on the property that would not be in compliance with zoning standards must be removed prior to obtaining the signature of approval from the Zoning Administrator on the final plat and prior to the recordation of the mylar.
3. All requirements of the geotechnical report must be satisfied throughout the development of the site and the construction of all buildings on the site.
4. Approval of a subdivision plat amendment shall be rendered null and void if the plat is not recorded within one (1) year from the date of approval or construction of the required landscaping and infrastructure has not commenced. This time period may be extended by the Planning Commission for up to one additional six (6) month period for good cause shown. The subdivider must petition in writing for an

**extension prior to the expiration of the original one (1) year. See DCMC Section 17-9-070.**

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

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

<b>Commissioner</b>	<b>Yes</b>	<b>No</b>	<b>Abstained</b>	<b>Not Participating</b>	<b>Absent</b>
Chair Adams			X		
Fowler	X				
Squire	X				
Ogden					X
Nixon	X				
Shirey	X				
Fidler, Alternate	X				
Shah, Alternate				X	
Green, Alternate					X

**B. Public Hearing: Essence Integrative Wellness and Aesthetics Home Occupation Conditional Use Permit Request.  
(Administrative Item Action)**

On the behalf of Shanda Maxfield, Representing Essence Integrative Wellness and Aesthetics a Conditional Use Permit for a personal care service home occupation on approximately 0.11 acres, located at 11886 S. Poultry Dr. Known as Application 2025-0001-USE, Staff Contact: Paul Geilman, (801) 576-6554, paul.geilman@draperutah.gov.

Planning Coordinator, Paul Geilman, presented the Staff Report and stated the proposal is a home-based practice specializing in medical-grade skin care treatments and injections including chemical peels, Botox, filler injections, as well as telehealth appointments for weight loss injections. The site is on the west side of the freeway just off Poultry Drive. There is a rear-loaded garage onto an alley with the front of the home on Poultry Drive. The existing Land Use is designated Residential Medium-High Density and is zoned R3. There is a 19' x 13' foot on-site parking pad located north of the garage. Access is off the alley and clients will enter through the rear of the building and descend the stairs into the basement office. The entire business area encompasses approximately 200 square feet. The potential detrimental impacts include increased traffic, odors, noise, and on-street parking. The potential impacts are mitigated by the on-site parking provision limiting the number of customers, staggering appointment scheduling, the containment of odors and noise within the building, and daytime business hours.

The applicant, Shanda Maxfield, reported that she is a Nurse Practitioner and has lived on the property for 28 years. Her intent is to keep the home residential in nature with potentially three to five patients per day, two days per week. Her clientele is mostly friends and family.

Commissioner Fowler asked if the gate on the property will be opened for client use. Ms. Maxfield stated that it is a powered gate and will be open during business hours.

Chair Adams asked for more details about the potential for odor from the business. Ms. Maxfield stated that the odor could potentially come from the chemical peel process, but it will be contained to inside the dwelling. A health inspection was completed as a part of Ms. Maxfield's due diligence and no issues were found. The inspector indicated that a health inspection was not required.

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

Commissioner Fowler stressed the need to keep clients from parking on the street due to the narrowness of it and ensuring that the applicant sees only one client at a time. Chair Adams felt that staggering clients and providing pad parking will mitigate potential problems.

**Motion:** Commissioner Fowler moved to **APPROVE** the Home Occupation – Conditional Use Permit Request as requested by Shanda Maxfield representing Essence Integrative Wellness and Aesthetics, PLLC, for a Personal Care Service Home Occupation, Application 2025-0001-USE subject to the following:

**Finding:**

1. The application meets the criteria for approval found in DCMC Section 9-5-080(E), and DCMC Chapter 9-34, and reasonable conditions have been imposed that will mitigate the anticipated detrimental effects of the proposed use.

**Conditions:**

1. That all requirements of the Draper City Engineering, Public Works, Building, Planning, and Fire Divisions are satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
2. That the hours of operation be limited to 9:00 am to 6:00 pm Monday through Friday.
3. That customers shall be by appointment only and that appointment times shall be staggered to allow for customers to leave the property before the next customer arrives.
4. That all customers shall park on-site in the designated parking space shown on the approved site plan and shall not park on the street or in the alleyway.

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



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

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

**C. Public Hearing: Jackson Office Building Site Plan Request.  
(Administrative Action)**

On the request of Riley Young of Mint Architecture, representing Marc Jackson, a request for site plan approval for a new office building on approximately 2.38 acres located at approximately 11757 South 700 East. Known as Application 2024-0306-SP, Staff contact: Maryann Pickering, (801) 576-6391, [maryann.pickering@draperutah.gov](mailto:maryann.pickering@draperutah.gov).

Ms. Pickering presented the Staff Report and displayed Vicinity and Aerial Maps. The applicant has combined two separate properties into one large lot located at 11757 South 700 East. The map is in the process of being updated by the County to reflect the change. Land Use and Zoning designations are both Neighborhood Commercial. A two-story office building is proposed on the vacant site with the applicant having incorporated the 10% natural deviation for parking. Conditions of approval were added to include additional trees to be planted within the landscape buffer and minor modifications to the Lighting Plan. There is existing fencing on the south property line with new fencing to be built on the north and east property lines.

Ms. Pickering reported that previously an office building was approved on the site, but the building was never constructed. The property was later sold after which the City received a request for a rezone for a self-storage facility. That application was eventually withdrawn. The proposed layout was presented with access off 700 East. Approval for the access was obtained from the Utah Department of Transportation (“UDOT”) who controls the road. The footprint of the proposed building shows parking along the sides and rear of the building. The landscaping plan indicates a water retention area. It was noted that there is a need for additional trees in the buffer area. The ratio is 1 tree per 400 square feet. Street trees are not allowed by Code to be planted in park strips of less than five feet. Because the park strips are 4 ½ feet, the street trees will be planted within the required 15 feet of the front property line. It was noted that some trees near the entrance will need to be removed. Light poles on the site were intended to reduce the overall lighting on the site. The applicant has an After Hours Lighting Plan and will dim the lights at night to meet the Code requirements. Several inquiries were received by staff after the public notice was sent but no comments were submitted in writing.

Commissioner Fowler asked about the property to the north. Ms. Pickering stated that there is a home adjacent to the north. About 18 months earlier, the applicant requested a rezone from Residential to Neighborhood Commercial. Currently, he uses the property to play ball with his children. The applicant lives in Sandy City but intends to develop an office building at some point in the future. It was noted that the applicant will have to go through the Site Plan Process at that time. It was clarified that no one lives in the home.

Commissioner Nixon asked for clarification regarding the fencing requirements. Ms. Pickering stated that fencing is required only on the south and east property lines although a partial fence exists on the north property line. Fencing is not required on the north and west property lines because the adjacent property is zoned the same as the subject property.

Chair Adams asked if the pre-cast wall was erected between the residential neighborhood and commercial zone. Ms. Pickering stated that the homes behind the subject property is part of the Sunset Ponds neighborhood and the wall runs the entire length of the property.

The applicant, Riley Young from Mint Architecture, was asked if the pre-cast wall runs the entire length of the south side of the property. Mr. Young's understanding was that it does. If that is not the case, they will add onto the fence. Chair Adams asked about the condition of the wall. Ms. Pickering stated that the City requirement is that the wall be structurally sound. If the wall is damaged during construction it will need to be repaired.

Chair Adams opened the public hearing.

*Annette Gamero*, a Sunset Pond resident, stated that her property is the furthest property to the east. She clarified that the pre-cast wall does not run the full length of the property but converts to vinyl. The back of the subject property drops significantly in elevation and there could be challenges for the developer to mitigate such as water run-off. She commented that there is a lot of standing water on the subject property during the rainy season. The trees on the south border are "garbage" trees that leave debris everywhere. They attract rodents and other animals and she was very opposed to the developer considering those trees as part of their tree allotment. She asked about the responsibility of the new owner when the new trees begin dropping debris into the neighboring yards as there have been problems in this regard with the previous owners. Ms. Gamero stated that her fencing was damaged because of the trees on the subject property. She remarked that it is imperative that the existing mess be cleaned up.

*Kevin Luetzgerodt* lives near the middle of the pond retention area in the neighborhood and is new to the community. He was concerned with the groundwater control on the proposed site. He stated that "everything does go back there" and shared concern that the water will end up on neighboring residential properties because of asphalt blocking the flow of the water on the proposed site. He noted that he has a dead tree hanging over into his property from the subject property. He contacted the realtor to no avail. He noted that the pre-cast wall only covers a few houses and the rest have vinyl fencing. The footing of the pre-cast wall slopes back into the wetlands and the wall is not vertical. He was interested to know when the development is expected to begin.

*Terry Clark* lives in the fifth house down and was also concerned about the swampiness of the area. She was pleased to see that a detention basin was designed, but stated that the residents need reassurance that the person who designed it considered the entire area beyond the subject property and understands water issues.

*Seth Burgess* shared similar concerns and stated that there is already a parking issue in the Sunset Ponds neighborhood. He referenced the allowed practice of residents parking on 700 East. He was concerned that the proposed development will eliminate some of that parking, especially if a turn lane into the office building entrance is planned. He pointed out that there are two “garbage trees” (Cottonwoods) on the subject property that are leaning onto his fence and they drop debris into his yard. The fence leans into the property there because of the fence footers in the wetland and the trees lean on his fence the other way. He stated that there have been up to five feet of standing water on the subject property and he assumed that that water was responsible for flooding his basement. Mr. Burgess stated that the drainage and lighting are of concern. He noted that if the applicant dims the lights at night, that will likely be sufficient.

*Annette Gamero* asked how close the new trees will be to the fence.

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

Chair Adams reiterated that the current zoning allows for the proposed use. Water drainage was also an issue. The Site Plan was referenced where the pink L-shaped area in the rear was identified as a retention basin. Senior Engineering Manager, Brien Maxfield, reported that all of the runoff water will be collected on-site and the poor nature of the soil in the swampy area will be addressed by adding structural material on top. The basin will have embankments and collect water. It will have no drain. He estimated the depth to be 1 to 1½ feet. Because the basin covers a large area, the water will be spread out. A question was raised regarding whether the proposed basin was being considered an improvement to the site because of water concerns. Mr. Maxfield confirmed that similar to a subdivision, a geotechnical study was required. Part of that addresses groundwater issues. Previously, the property was bowl-shaped and water was collected from all around. The proposed retention basin will be landscaped and retain the bowl effect without the swampiness. It was reported that it was designed by a professional engineer.

The Landscape Plan was referenced. Mr. Young addressed questions regarding which trees will be kept and which will be replaced. He stated that all of the existing trees will be removed along the south side. New trees will be planted five to six feet from the new fence. The vinyl fence will be replaced with a new concrete fence. The owner will make sure that the cement fence is structurally sound. A question was raised as to whether the fencing must be cement or if it can be constructed from another material. Ms. Pickering clarified that the Code requires pre-cast cement fencing between residential and commercial properties.

Commissioner Fowler commended the applicant for the overall project design. Where the building is located toward the north, they have left an ample tree and vegetation buffer between the building and the neighborhood.

Chair Adams clarified that residents of Sunset Ponds have had use of parking along an area of 700 East to mitigate the parking issues in the subdivision. Mr. Young stated that no turn lane will be required into the property but they will need to improve the UDOT road in front of the new development. Full curb, gutter, and sidewalk will be installed on the street. It was unknown whether this could potentially prevent on-street parking.

In response to a question whether the City dictates the types of trees that can be planted, Ms. Pickering stated that there is a prescribed list of tree species from which developers can choose from for the street trees. For other trees on the site, there are no restrictions. The timeline for beginning construction will be within one year of approval. Mr. Young stated that the owner is anxious to get started.

**Motion:** Commission Member Shirey moved to APPROVE the Site Plan Request of Riley Young of Mint Architecture, representing Marc Jackson, Application 2024-0306-SP, a request for site plan approval for a new office building on approximately 2.38 acres located at approximately 11757 South 700 East based on the following:

**Findings:**

1. The site plan reflects the full development of the property.
2. The site plan 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. When in compliance with the included conditions, 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 utilities concerns.

**Conditions:**

1. That all requirements of the Draper City Engineering, Public Works, Building, Planning, and Fire Divisions are satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
2. That all requirements of the geotechnical report are satisfied throughout the development of the site and the construction of all buildings on the site.

3. That a revised lighting plan that complies with the outdoor lighting design and illumination standards of DCMC Section 9-20 be submitted for review and approval by staff prior to land use approval of a Building Permit.
4. That the Long-Term Storm Water Maintenance Plan (LTSWM) is submitted to and approved by the Engineering Division prior to issuance of a Building Permit.
5. Submit a right-of-way (“ROW”) dedication instrument for review and acceptance of the Engineering Division prior to issuance of a Building Permit.
6. The applicant shall submit revised landscape, and irrigation plans at the time of the Building Permit for review and approval by planning staff prior to land use approval for the Building Permit. The revised plans must have a total of 68 trees in the landscape buffer and the required street trees.

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

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

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

**2. Adjournment.**

**Motion:** Commissioner Fowler moved to ADJOURN. The motion passed with the unanimous consent of the Commission.

The meeting adjourned at 7:21 PM.

# MEMO



To: Planning Commission

From:

Date: 2025-07-10

Re: Action Item: Approve Planning Commission Meeting Minutes for May 22, 2025  
(Administrative Action)

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Comments:

ATTACHMENTS:

[Draper PC Draft Minutes 052225.pdf](#)

**MINUTES OF THE DRAPER CITY PLANNING COMMISSION MEETING HELD ON THURSDAY, MAY 22, 2025, IN THE DRAPER CITY COUNCIL CHAMBERS**

**PARTICIPATING:** Lisa Fowler, Vice-Chair  
Commission Member Susan Nixon  
Commission Member Gary Ogden  
Commission Member Mary Squire  
Alternate Commission Member Laura Fidler

**NOT PARTICIPATING:**  
Alternate Commission Member Christine Green  
Alternate Commission Member Shivam Shah

**EXCUSED:** Andrew Adams, Chair  
Commission Member Kendra Shirey

**STAFF:** Jennifer Jastremsky, Community Development Director  
Todd Draper, Planning Manager  
Lori Stout, Administrative Assistant  
Brien Maxfield, Senior Engineering Manager  
Spencer DuShane, Assistant City Attorney

**6:33PM Business Meeting**

In the absence of Chair Andrew Adams, Vice-Chair Lisa Fowler called the meeting to order at 6:33 PM and welcomed those present.

**1. Items for Commission Consideration.**

- A. Action Item: Approve Planning Commission Meeting Minutes for March 13, 2025.**  
**(Administrative Action)**  
Approval of Planning Commission Meeting Minutes for March 13, 2025.

**Motion:** Commissioner Nixon moved to **APPROVE** the March 13, 2025, Planning Commission Meeting Minutes, as presented.

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

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

Commissioner	Yes	No	Abstained	Not Participating	Absent
Chair Adams					X
Fowler	X				

Squire	X				
Ogden	X				
Nixon	X				
Shirey					X
Fidler, Alternate	X				
Shah, Alternate				X	
Green, Alternate				X	

**B. Public Hearing: Kimball Junction Zoning Map Amendment, Land Use Map Amendment, and Development Agreement Request.  
(Legislative Action)**

On the Request of Mike Winters, Representing Edge Homes, for a Zoning Map Amendment from RA1 and RA2 Zones to the RM2 Zone, a Land Use Map Amendment from the Residential Low/Medium Density Designation to the Residential High-Density Designation, and a Development Agreement to Set a Density Range for Approximately 20 Areas of Land located at 600 East Kimballs Lane. Applications 2025-0092-MA, 2025-0091-MA, and 2025-0090- DA. Staff contact is Jennifer Jastremsky, 801-576-6328, [jennifer.jastremsky@draperutah.gov](mailto:jennifer.jastremsky@draperutah.gov).

Community Development Director, Jennifer Jastremsky, presented the Staff Report and stated that the 20-acre property is located across the street from the Kimballs TRAX Station at 11800 South and 700 East. The aerial view shows that the property is comprised of the Olabarri Farm and a couple of adjacent homes. The Land Use Map identifies a Residential Low/Medium Density designation that allows one to two units per acre. The request is to change the Land Use Map designation to Residential High Density, allowing up to 12 units per acre. The Zoning is RA1 and RA2, which allows for one-half and one-acre lot sizes. They are residential/agricultural and horse properties. The request is to rezone the properties RM2, which allows up to 12 units per acre.

The Development Agreement calls for a density of 25 to 27 dwelling units per acre, which is an increase from the RM2 zoning. On the 20-acre site, 540 units would be allowed. The Development Agreement does not include a Concept Plan or Design Standards, as is typical. In lieu of the Concept Plan, the Development Agreement specifically calls out that the City and Developer will collaboratively develop a Concept Plan for the project that will conform to the future Station Area Plan requirements.

A provision is included that allows the project area to be expanded if additional property is acquired, understanding that in the future, any additionally acquired property would be required to be added to the Development Agreement by means of an Amendment. The term of the Agreement would be until the end of 2032 or project buildout. The Agreement sets forth the objectives for the Station Area Plan, which is required by the State for properties that are adjacent to all public transit TRAX and FrontRunner Stations. Ms. Jastremsky reported that the City has a Station Area Planning process in the works for this station. One is being done for the FrontRunner and one for the Kimballs Lane and Crescent View Stations. There have been several meetings with stakeholder groups including residents, property owners, and business owners in the area. An Open House is



scheduled on June 5, 2025, from 5:30 PM to 7:00 PM to gather additional feedback from the public on the process as it goes forward. The Development Agreement addresses the objectives set forth by the State for the Station Area Plan and calls for the developer and the City to create a Concept Plan that will work for both parties while complying with Station Area Plan standards.

The Station Area Plan Objectives were identified as follows:

Objective 1: Increase the availability and affordability of housing including moderate-income housing. The Development Agreement calls for for-sale units and a Public Private Partnership with the City to create 30 Workforce Housing units. These will be set aside for public servants such as city employees, school teachers, and first responders. It will include a \$30,000 purchase discount on the overall price from each party (the Developer and the City) resulting in a \$60,000 reduction of the market price for the buyer. Additionally, there will be an emphasis on helping people who qualify for Utah State's First-time Home Buyer's Assistance Program which further reduces the cost by \$20,000, making these units more affordable.

Objective 2: Promote sustainable environmental conditions. The Development Agreement specifies reducing water demand by installing water-wise landscaping and clustering landscaping.

Objective 3: Enhance access to opportunities. The property is next to a public transit station and will provide access to the hospital, shopping, the Juan Diego school campus, and employment along the TRAX line.

Objective 4: Increase transportation choices and connections. As the property is near the station, residents will be encouraged to use TRAX, which will provide easy walking routes for residents living nearby. In addition, the developer will support and invest in transportation infrastructure to include pedestrian and bicycle facilities within the area.

Vice-Chair Fowler confirmed that State law requires the City to consider what is being built next to public transit stations and asked what radius area near the track must be considered. She asked if the City could work collaboratively with the Developer or if that would be considered a conflict of interest. Ms. Jastremsky reported that the radius area around the station is one-half mile and these properties are located within that distance. She confirmed that the City needs to consider these developments in concert with the Station Area Plan objectives. She also confirmed that the City can work with the Developer and the Applicant has been a part of the Stakeholder Committee for the Station Area Plan.

Vice-Chair Fowler reported that there has been public concern regarding increased traffic from potentially 500 new dwellings. She asked Ms. Jastremsky to comment on traffic management going forward. Ms. Jastremsky identified the proposed access points on a map displayed. In addition to the two proposed access points on Kimballs Lane, there will be several proposed additional access points on other streets including 11900 South. Given the proposed density, any development will require a Traffic Study to analyze the impact of increased traffic that may help determine where the access points should be.

Commissioner Ogden asked where the City's funding will come from, which will provide the \$30,000 for Workforce Housing. Ms. Jastremsky reported that they will use Redevelopment Agency ("RDA") funds, which can only be used for certain things such as workforce housing.

Commissioner Ogden commented on the difficulty of making a recommendation without having data from a Traffic Study in hand with the impact of such a large development in such a small area. Senior Engineering Manager, Brien Maxfield, stated that the Developer is obligated to mitigate any traffic concerns identified. It would be a fairly intensive Traffic Study based on the proposed number of units. The City will not allow development to begin if traffic impacts are not mitigated. Mr. Maxfield stated that typically mitigation is needed when a threshold of 100 peak-hour trips is reached. With 500 units, that level will be reached very quickly.

With regard to Workforce Housing provisions, Ms. Jastremsky reported that the Development Agreement states that the City will make a good-faith effort to contribute up to \$30,000 per unit toward the purchase price, preferably using RDA funds. The Developer will provide a \$30,000 credit per unit to be applied to purchase price reductions or mortgage interest rate buy-downs. The City and Developer will seek to maximize eligibility for the State's First Time Homebuyers Assistance Program which will provide a \$20,000 grant to qualified buyers. While the funding is not guaranteed it is a good-faith effort. Commissioner Nixon was familiar with a similar housing funding benefit utilized in another city and stated that it is a great program. There is a narrow window to qualify but a lot of people need it.

Paxton Guymon identified himself as In-House Counsel for the Applicant, Edge Homes. The application was filed by Mike Winters who is their in-house professional engineer. Mr. Guymon was present with Steve Maddox, one of the founders/owners of Edge Homes. With respect to the Workforce Housing component identified in the Agreement, Edge Homes is obligated to provide \$30,000 and the City is encouraged to provide the same amount for 30 of the homes. The goal is for the Developer, City, and State to collectively provide a complete discount on pricing so that those who would otherwise be priced out of the market will now have the opportunity to buy one of the 30 designated homes. If the Developer can provide a discount on more than 30 homes, they will. Only townhomes and condominiums are being proposed, NOT apartments. Typically, apartments are constructed around public transit areas. Edge Homes is committed to homeowner occupancy and will NOT sell to investors, nor will they rent the homes.

Edge Homes is committed to meeting all requirements for the Station Area Plan in a way that protects the City and Developer through the use of guardrails. These guardrails include the development of a new zone through changing the current designation to RM2 because Draper City has no existing zone for this type of property. In addition, the designation of a density category that works is 25 to 27 units and provides protection from the State potentially mandating apartments or higher density requirements.

Traffic impact is inevitable in a new development. Edge Homes is committed to implementing any measures necessary to mitigate areas of difficulty discovered in the traffic analysis. It was confirmed that the Commission received the letter from Steve Waldrip. Mr. Guymon stated that Mr. Waldrip has been appointed as the Senior Housing Advisor to the Governor and he works to

implement housing strategies for transit-oriented areas. Mr. Waldrip states in the letter that he has reviewed the proposed project and finds it to be the type of project the State needs and supports for the following reasons:

1. It will be a 'For Sale' project rather than a 'For Rent' project which aligns with the State's goal to increase owner-occupied home ownership.
2. The density parameters are reasonable and appropriate for a TRAX station development. It was noted that they often encourage higher density than this in transit-oriented projects.
3. The housing products, townhomes, and condominiums are more attainable with price points that provide a wider range of homeownership opportunities.
4. The Workforce Housing commitments that Edge Homes has agreed to fulfill align with the state's goal of assisting public employees, school teachers, and first responders to become homeowners instead of being priced out of the market.
5. Providing 500 to 540 housing units in the area will inevitably increase the ridership levels of the underutilized TRAX station on 700 East.

Mr. Guymon stated that with the new development taking place downtown, people want to visit without having to deal with traffic. He commented that the burden of complying with City laws is the responsibility of Edge Homes. He referenced the following from the Development Agreement.

- Page 5 - Section 2 Development of the Project  
"Development of the project shall be in accordance with the City's vested laws, the City's future laws to the extent they are applicable, the Plan, and this agreement."
- 2.3 - The Developer acknowledges that the development of the maximum residential units and every other aspect of the plan requires that each development application comply with the City's vested laws, including without limitation, the City's geologic hazards requirements. Mr. Guymon explained that if approved, a new RM2 zone will be created with a new density category that will allow the Developer to design the project.

Mr. Guymon reported that Edge Homes will not only develop the property but complete the vertical buildout. Edge Homes is committed to its success.

Commissioner Squire asked Mr. Guymon how he would respond to people who claim that the incentives offered will only increase the price of the homes. If that is the case, she claimed that this effort still keeps people out of the housing market. Mr. Guymon stated that their goal is to sell the products and maximize the sale price. They release the price points that will be available to the general public and show how a \$30,000 discount is being given off that amount. Commissioner Squire asked if Edge Homes is prepared to take major traffic mitigation measures

for this project. Mr. Guymon confirmed that Edge Homes will not be walking away from the project because of traffic. They are committed to finding solutions to mitigate traffic impacts to the satisfaction of the City Engineer.

Commissioner Squire asked staff about the impact of the Traffic Study on project outcomes. Her understanding was that once a Traffic Study is completed and mitigation is proposed, the applicant must accept and act to mitigate as proposed. Senior Engineering Manager, Brien Maxfield, explained that the Traffic Study is done as part of the Site Plan and Subdivision Review process. Any mitigation efforts will be part of that approval.

Ms. Jastremsky explained that as part of the Station Area Planning process, they are looking at traffic concerns and there will be homes and businesses added to the area that will have an impact. One of the objectives set by the State for the Station Area Plan is affordable housing. They will concentrate on areas that can be developed or redeveloped. They want to preserve existing neighborhoods while meeting the intent of the State. The Planning Commission will review any Site Plan applications that come forward.

Vice-Chair Fowler opened the public hearing.

*Christian Cole* gave his address as 11963 South 645 East. Existing traffic concerns were acknowledged as well as issues that can be addressed now to alleviate future problems such as double yellow lines on 11900 South. Motorists turn left out of the subdivision even though they are not supposed to, but it is difficult. Mr. Cole stated that his road does not have an approved turnaround because the intent was to complete a Traffic Study later. He now speaks weekly with the Fire Marshal about how a fire truck can access 645 East due to the lack of a turnaround. He asked that all impacts be addressed in advance. Mr. Cole stated that Mr. Guymon wants to trade one hour of traffic at the TRAX station for a special event downtown in exchange for heavy traffic the rest of the time. Mr. Cole did not want to see an additional 2,000 vehicles in the area and reported that earlier in the day he went to the post office near his home and the roundabout was completely backed up. As a result, he rode a scooter because it is faster than driving. While he was happy to help people in the community, he supported helping local residents by constructing a sidewalk on 700 East. He spoke on behalf of five other families who were unable to be present.

*Clair Barrus* reported that he resides in the Cranberry Hill subdivision and has experienced the difficulty of trying to turn left from 700 East onto Kimballs Lane while having the arm of the TRAX signal come down. He estimated that there are currently 118 homes in Cranberry Hill and asked if there will be more opportunities for the public to comment. Vice-Chair Fowler stated that there will be an upcoming Station Area Plan Meeting where the public can speak. Mr. Barrus urged citizens to come with their neighbors to future meetings.

*Candi Brim-Bagley* stated that she and her neighbor, *Mary Jane Johnson*, live at the end of 11900 South, which is not a thru street. The road in front of their homes is a private dirt road. She asked how their street is shown as an access point when it is a dead end.

*Mary Jane Johnson* is a 50-year resident. Her street is a private lane and they have the right-of-way to it. She appreciated the efforts to help people purchase homes but would prefer a much lower density. She was glad that they are trying to help out school teachers, she was one. She felt that 540 homes was far too many and reiterated the need for a Traffic Study.

*Nelson Glassett* gave his address as 12000 South 545 East. He commented that the challenge is that people moved to Draper years ago for the open space. That has changed over time. He saw no reason for a Traffic Study and stated that on his street, speed bumps were installed in an effort to slow down traffic. He pointed out that 11900 South does not access anything. He understands that growth is imminent, but the number of homes being proposed is not the Draper of old. Mr. Glassett stated that people do not use TRAX because it is slow. He asked that the Commission not force housing in the area just to benefit the developer. He was confident that most of the residents present are opposed to what is being proposed.

*Bob Askew*, a 30-year resident, resides at 700 East and 11900 South. He was well aware of the traffic patterns and rides his bike at all times of the day. He considered it disrespectful for Edge Homes to come before the Commission without any information on traffic mitigation. He felt that a Traffic Study should be done before any further planning takes place. With regard to whether the proposed units will increase TRAX ridership, the people who live in the units will not be able to get to the TRAX station without a pedestrian bridge. There was mention of the \$20,000 the State provides. For 540 units, that would equate to \$16 million. He questioned whether that was realistic and what the price range of the homes will be.

*Gerald Lee Romney* lives at 12300 South and 700 East in the Salt Creek Condos. He was concerned that the area near his home is congested by 50 units in a small area. The streets cannot support that high of density. Traffic on 700 East is terrible and based on recent development, it appears that there has been no planning. He stated that the streets in his condominium development are private and must be maintained by the residents. Unfortunately, many use his street as a shortcut, which was never the intent. He asked about the price of the proposed units and questioned whether they will truly be affordable housing.

*Benjamin Mutuku* reported that he lives at 11721 South Kimball Junction. He provided email links to his research that he asked be made part of the record. The zoning density comparisons were for the RA1, RA2, and RM3 zones. The Developer is seeking to develop at 25 to 27 units per acre, which is nearly double the allowable density. He hoped that a Traffic Study would be required as part of the planning process and stated that it must be done during peak hours. Mr. Mutuku stated that 500 units equates to about 2,000 car trips per day. Access and safety issues were of concern as traffic on the surrounding streets will become unbearable. Crime and maintenance were also of concern. The Draper City General Plan calls for 12 units per acre and what is proposed is double that. He addressed precedent and public trust and stated that similar rezones have been denied or withdrawn in Draper City when there has been conflict with the neighborhood. He suggested that be considered.

*Colby Paul* gave his address as 544 East and 11900 South. He was very disappointed that the applicant came in without having completed a Traffic Study when every public comment has been

about traffic concerns. He commented on the horrible traffic he faces when trying to get to Harmon's grocery store on 700 East. The only access point will be at 11900 South. Edge Homes has also not completed an Environmental Survey as there are geese, deer, and local wildlife on the property. Mr. Paul wanted assurance that the homes for which incentives are being offered will be sold to the right people. He was disappointed that proper precautions were not taken to study the zoning before conducting the public hearing.

*Ralph Broderick* gave his address as 626 East 12100 South and is a 43-year resident. He moved to Draper to be in the country and was surprised by the number of apartments and townhomes that have been built within a one-mile radius of his home. He worked in construction for many years and knows Edge Homes well. The buildings they will build will look exactly like an apartments with the same floor plans. The only difference is that they will be a for-sale product, which does not benefit the residents. His biggest concern was traffic. He urged the Commissioners to visit the area and notice the traffic. Most streets are two-lane roads that can never be widened. Each Commissioner was voted in by the residents and he suggested that they study the concept before making a decision. He also asked that the Commissioners look at the cost of the units. He questioned whether most people will be able to afford them, even with the incentives offered. Mr. Broderick recognized that development will happen but asked that the Commission evaluate it and cut the density in half. He wants to live the remainder of his life in comfort and safety.

*Lisa Austin* lives in the development north on Kimballs Lane where there is a combination of townhomes and single-family homes. Stated that she briefly worked for Draper City. It took her a very long time today to make the turn from 700 East onto Kimballs Lane to get home in the afternoon. A large number of people drive to Juan Diego each day where there is non-stop traffic. She commented on the parking that will be needed for the proposed units and asked where it will be located. If there is insufficient parking, people will park on the street. Ms. Austin addressed the TRAX situation and looked forward to using it when she purchased her home. She found that it is not safe or clean. On more than one occasion she was approached by a homeless or threatening person. She sees the TRAX train every morning and it is typically empty. Many now work from home and no longer commute. She stated that the proposed \$30,000 incentive is insignificant at less than 10% of the units the developer is proposing to build. She recognized the need for affordable housing but suggested it be done the right way and include more people.

*Mike Fullwood* gave his address as 515 East 12000 South. He acknowledged that the Commissioners have a difficult job but stated that citizens want consistency. When he built his home, he could not get approval until he purchased more land and met the City's parameters for acreage. His neighbor was not allowed to split her lot because the flag lots were not allowed. High density was also not allowed but eventually allowed someone down the street to do it. What is proposed now, is a very high-density project. Mr. Fullwood stated that this TRAX station is underperforming, which is why the project is proposed. He did not support destroying a neighborhood to increase TRAX ridership. TRAX doesn't work for the reasons stated previously. Mr. Fullwood stated that as a police officer, he knows that the highest crime in the City takes place near the TRAX station. The second highest crime rate occurs in high-density areas like the one proposed. The first month after the TRAX station opened there was a residential burglary, vehicle

burglaries, a stabbing, and a death. While the State is pushing the proposed development, it is ultimately at the discretion of the Planning Commission.

*Lynette Kimotho* lives on Kimballs Lane. She commutes to the University of Utah and was excited to ride TRAX. She found that ultimately it is safer and easier to drive. She stated that there have been thefts in her neighborhood and issues with homeless. She asked them to consider what type of community they want and encourage more home ownership but in a safe and efficient manner. She urged the Developer to build in a sustainable manner without compromising the nearby residents and rethink the density.

*Pat Dunn* reported that he lives on 11900 South. He understands that growth is inevitable but asked the Commissioners to take a hard look at what is proposed. He considers Edge Homes to be equitable and ethical and they do what they say they will do. Ultimately, they supply and sell products that consumers want. Mr. Dunn's daughter lives on Kimballs Lane and is looking for affordable housing. This may be her only option. He asked that the Commission slow down and think carefully about the decisions they are making and not look to the State of Utah just because they put a TRAX station in. He urged the Planning Commissioners to "Keep Draper Draper" and consider whether the City is overbuilt. He urged the Commission to work with Edge Homes and help them do the right thing.

*August Brodges*, who resides on 11900 South, took exception to the verbiage use by Mr. Guymon, recalled that Mr. Guymon talked a lot about affordable housing as a goal, which can change. He corrected an earlier comment and stated that the affordable units represent 6% of the proposed units. He stated that something as simple as the proposed zone change will have a significant impact. He also noted that there is a lot of wildlife in the area that should be protected.

*Melarie Wheat*, a Cranberry Hill resident, drives her children to Draper Elementary School through the area every morning. The intersection at Kimballs Lane and 700 East needs work as there is far too much traffic there. Adding more traffic will only exacerbate the problem. She recognizes that more affordable housing is needed but the high density proposed does not fit in the area, which is primarily single-family homes. Duplexes or townhomes would make more sense. She has seen multiple accidents on 12000 South and 700 East and turning right on 11900 South is very difficult.

*Lindsay Hyatt*, a Cranberry Hill resident, agreed with the comments made. She asked that the plan incorporate more green and open spaces. People buying these types of homes will likely be young families and it is important for children to spend time outside.

*Shanna Austin*, a Sawback Lane resident, agreed with the traffic concerns and was confused as to why this is the only option being offered. It seemed that Edge Homes has already entered the community and is preparing to move forward with development. She agreed that affordable housing is important but was concerned that open areas are disappearing. Ms. Austin stated that Edge Homes has a rocky history with Draper and was concerned by their approach. She stated that the units will look like apartments and did not feel that many options were being offered. She commented on the wildlife in the area and hoped to protect it.

*Paula Glassett* gave her address as 545 East 12000 South and urged the Commissioners to witness the traffic for themselves. She noted that there is not enough room to widen the roads to allow for the proposed development. Densities of 25 to 27 units per acre do not represent Draper City's values. She asked that the Commission look at the development on 300 East and 11800 South where the developer wanted very high density next to one-acre lots. A transition was needed and she asked that the developer consider the desires of the neighbors.

*Jason Wong*, a Cranberry Hill resident, asked the Commissioners to think about what comes after this. There has been a lot of conversation about traffic and mitigations and he asked what they will look like. He noted that any mitigation will have to be significant. Expressed his feeling that the roadway widening would end up tearing out homes.

*Jennifer Sturzenegger*, a 12000 South resident, commented on the TRAX station and stated that the guards go down when the light is still green, which is scary. She asked that the lights turn red beforehand. Since the TRAX station opened, she has seen more people under the influence of drugs walking down the street than she did when she lived in California. Many neighbors installed locks on their mailboxes so that their mail is not stolen.

There were no further public comments. Vice-Chair Fowler closed the public hearing.

Vice-Chair Fowler clarified that Planning Commission Members are appointed and not elected. They make recommendations to the City Council who in this case will make the final decision. The public will have an opportunity to comment to the City Council at its June 3, 2025 meeting.

Mr. Guymon commented on the Traffic Study and stated that it is based on two key components consisting of an analysis of the existing traffic counts without the new project and an analysis of the projected traffic counts after buildout. A meaningful Traffic Study cannot be performed until a Concept Plan is in place. For that reason, they need to know what density will be allowed. Mr. Guymon stated that Edge Homes will comply with the Traffic Study requirements. He reported that 700 East is a Utah Department of Transportation ("UDOT") road and there are already serious discussions taking place about widening it. No one present was qualified to say what mitigations will or will not work. For that reason, Edge Homes hires professional Traffic Engineers to provide solid, qualified feedback. He referenced a comment that their condominium projects are nothing more than apartments. He claimed that is untrue and stated that what is proposed is half the density of an apartment project. He reported that the adjoining property was approved for 50 units per acre.

Mr. Guymon reported that the State has mandated that a Station Area Plan be in place for high-density development. The professional hired to advise the City has indicated that the density will be at least 20 units per acre. Edge Homes will work with the City and the Traffic Engineers to identify the very best traffic mitigations.

Mr. Guymon commented that on the western edge, there is property owned by the Olabarris' that Edge Homes will be buying and developing. The largest property owner is Juan Diego School. He stated that a letter was submitted by Joe Colosimo who is the representative for Juan Diego and



one of the owners of the management group. Mr. Colosimo supports the project and four-story condominium buildings adjacent to his property line. It was noted that there is a 50-foot buffer between the property line and the housing. He did not object to the proposed density of 25 to 27 units per acre and wants to make sure the building heights are less than 60 feet high. He also supports a for-sale product rather than rentals. Mr. Colosimo wanted his teachers to have an opportunity to participate in the Workforce Housing Program.

Mr. Guymon recognized that zoning decisions are not easy or popular. They are not based on popularity and are made by the City. He asked that the Commission allow Edge Homes to move forward and design a project the City will be proud of. Mr. Guymon stated that they stand behind their products even when they are not legally obligated to.

Commissioner Fidler asked Mr. Guymon to address the comment regarding 11900 South becoming a private lane as opposed to being owned by the City. Mr. Guymon stated that it is not a private lane with the City owning many parcels on 11900 South. Some properties that border 11900 South have property lines that extend to the middle of the road, which is not uncommon. Edge Homes, however, is not proposing using an ingress or egress point on 11900 South. The intent is to use it for emergency egress only. A pedestrian and vehicular culvert crossing is proposed to connect the two sides as well. 11900 South will not be used except in the event of an emergency where there will be crash gates. Mr. Guymon stated that the Development Agreement is intended to set the zoning and the density. Details will have to be worked out. The Developer wants to keep the option open to acquire additional property if needed.

Commissioner Squire remarked that they often consider worst-case scenarios when evaluating requests. On the list of potential scenarios is the idea of turning 11900 South into a site for ingress and egress for this property. Whatever can be done at this stage will better alleviate community concerns, recognizing that some things cannot be done until later. Answering questions in advance can go a long way to building bridges with residents. Mr. Guymon recommended that the Commission forward a recommendation to the City Council with recommended conditions.

Commissioner Squire asked about the provision for green space within the project plans. Mr. Guymon responded that it was included in the original draft of the Development Agreement but removed in response to feedback from City Manager, Mike Barker. Once the density is known they can add open and green spaces back in.

A question was raised as to whether anything has been formalized between the developer and Juan Diego. Mr. Guymon stated that Mr. Colosimo sent a letter by email and Edge Homes responded that they accepted all of the conditions. It was noted that all of the properties are currently privately owned. In response to a question, Mr. Guymon stated that they expect the price of the condominium units to be in the low \$400,000 range and are similar to products in other communities.

He indicated that the City Council took a field trip to the Herriman Town Center to see an existing project. They were pleased with the design and architectural features and liked that they had meaningful gathering areas outside of the buildings. Mr. Guymon stated that they would consider

more than 30 workforce housing units. He suggested that the Commission propose that the Developer and City Council negotiate a higher percentage of workforce housing than 30 units.

With regard to the anticipated mix of condominium and townhome units, Mr. Guymon stated that it will depend on the density that is approved. They have come up with a new townhome design that is popular but he expected there to still be more condominiums than townhomes. He expected there to be 320 condominium units and 180 townhomes. That, however, will depend on what is done in terms of site planning. The feedback they have received is that residents prefer three-story condominium buildings along Kimballs Lane rather than four-story. The four-story condominium building will be 56 feet high.

Vice-Chair Fowler discussed the concerns related to parking, particularly with the apartments and condominiums near the FrontRunner Station. Parking there is lacking and cars and trailers park up and down the road. The current parking allotment required for this project is 1½ parking stalls per unit. She suggested more be considered there to prevent overflow onto Kimballs Lane. Mr. Guymon commented that the parking count and plan best captured in the Site Plan. He noted that one of the most effective ways to slow down traffic is to provide diagonal parking.

Ms. Jastremsky talked about the State-adopted Station Area Plan requirement and reiterated that the City must meet that requirement. The City receives its authority from the State. One of the Station Area Plan objectives addressed earlier involved increasing the availability and affordability of housing, including moderate-income housing. State law specifies what a municipality may consider when implementing those actions. Providing density is necessary to facilitate the development of moderate-income housing and providing for affordable costs of living in connection with housing, transportation, and parking. The State did not set a density limit.

The properties that will be developed as part of the Station Area Plan will not include single-family homes. Edge Homes has been involved in the Station Area Plan with the Stakeholder Committee. The process includes determining what types of housing are appropriate in different areas. With the Station Area Plan process, there will be multi-family development. While the Commission is used to looking at vacant properties and determining what is appropriate for the neighborhood, that is not true in this case. Ms. Jastremsky reported that the City's Town Center Station Area Plan has been adopted and in conjunction, the City Council looked at what properties are appropriate for more density. Reductions in height adjacent to existing neighborhoods and landscape buffers were also considered to help soften the transition from existing neighborhoods.

Commissioner Squire asked if the Development Agreement currently states that the applicant will have to abide by any of the mitigation measures put in place in the Station Area Plan. Ms. Jastremsky explained that the Development Agreement does not set any standards but specifies that the City and Developer will work toward a Concept Plan within the Station Area Plan process.

Assistant City Attorney, Spencer DuShane, reported that he is charged with acting as an advisor to the Planning Commission, arguing issues on appeal, and drafting agreements. The Station Area Plan is required by the State from which the City derives its powers. Mr. Waldrup's letter stated

that the ideal density would be 70 units per acre. In addition, there is no owner occupancy requirement in State Statute. The City has worked with Edge Homes to cooperatively draft the Development Agreement. Every agreement the City enters into includes a clause that both parties have worked on drafting the agreement together. The intent is to ensure that it is fair, equitable, and compliant with State Statute. State law specifies that a recommendation shall be forwarded to the City Council, which will meet on the matter again on Tuesday, June 3.

Mr. DuShane clarified that what is proposed is moderate-income housing and not low-income housing, which are different. Federal and State programs are in place to help individuals with low-income housing needs. Moderate-income housing plans are designed to address the gap between those who can afford housing and those who qualify for low-income housing. Some in the State do not qualify for low-income housing but still cannot afford a home. The State has developed a moderate-income strategy, which is what the Station Area Plan is trying to address. The plan can work with higher density. Citizens who do not support this stance should address it with their Legislators. Mr. DuShane stated that Cal Roberts, for example, is an advocate. He noted that many of the sponsors of the Station Area Plan Bill do not live in areas where there are stations.

Mr. DuShane reported that he had worked at the Division of Wildlife for four years and considered himself to be somewhat of an expert to answer wildlife questions. He stated that the two biggest problems with deer in the State are CWD and Brucellosis, which are two diseases that spread within deer populations. City deer are especially prone to CWD. He explained that geese can live in any environment and due to aquatic habitats running through the project area, the geese will remain untouched and continue to thrive. Other animal species in the project area are already quasi-adapted to suburban living and will be fine.

Mr. DuShane reported that the issue of traffic mitigation at this stage is premature because there is not yet a Site Plan. When a Developer creates a negative impact on a City, he is responsible to mitigate the detrimental impacts. That means that the Developer can be responsible for dedicating more space for roads. The City can require the Developer to widen or develop additional roadways, depending on the traffic impact. City Code also requires a Traffic Study as part of the Site Plan. Mr. DuShane did not recommend the Commission make decisions that are based purely on public clamor. Additional conditions could be added as desired by the Commission that the City Council can choose to accept or reject. The Commission was encouraged to look at the plan and determine whether it complies with State Statute.

Commissioner Nixon asked for a review of what median income in Draper City means. Ms. Jastremsky stated that moderate-income housing is based on the Area Median Income ("AMI") for Salt Lake County. To be considered, a family would earn about 80% of AMI. Low-income affordable housing is generally calculated for families earning about 30% of AMI. In Salt Lake County the AMI is \$115,000. To qualify for moderate-income housing, a family's income in Salt Lake County would need to be about \$85,000. Commissioner Nixon asked for information about the Fire Code requirements for 500 units. It was confirmed that there must be at least two accesses with a distancing standard between them. Mr. DuShane recommended that this question be tabled until there is a Site Plan.

In response to a question, Mr. Maxfield confirmed that UDOT owns 700 East, which is on the State's Master Plan to be widened. It is supposed to be a four-lane road similar to what is north of 11400 South. That same section is supposed to extend to 12300 South. Comments or complaints can be submitted to the UDOT Traffic Center or its online portal. Comments regarding arms and guards at TRAX stations can be made by contacting the Utah Transit Authority ("UTA").

Commissioner Nixon commented that one month ago, the Planning Commission, City Staff, and City Consultants participated in a workshop where they discussed Station Area Plans. It was the unanimous opinion of those present that high density should be located around TRAX stations. The State has mandated that. She felt that those areas are appropriate for high density. This plan reduces density from what it could potentially be to what the City feels is much more manageable.

Commissioner Nixon recalled that one of the landowner/stakeholders for the station at 12300 South and 900 East wanted a density of 50 units per acre. She commented that it could be much worse if left to the discretion of the State.

Commissioner Squire commented on the erosion of local control over zoning issues. She urged citizens to follow how legislators are voting. The Legislature is packed with people who do not want cities to have control. Often it results in a lack of control on the part of the Planning Commission. She was very upset by the way the Legislature has handled some issues by taking it out of the hands of local government. Additional conditions to be added to a motion made were discussed.

**Motion:** Commissioner Squire moved to forward a **POSITIVE** recommendation to the City Council for the Development Agreement as requested by Mike Winters, representing Edge Homes, Kimball Junction Density Allocation, Application 2025-0090-DA, based on the findings for approval listed in the staff report dated May 13, 2025 together with the following additional or modified findings and the Planning Commission requests that the City Council do their best and negotiate in good faith with the applicant to achieve the following:

1. Negotiate appropriate height restrictions by considering neighboring properties.
2. Consider allocating more units beyond 30 to workforce housing.
3. Consider larger landscape buffers and fencing than required by city code.
4. As long as property does not change, we would ask for 11900 South to remain emergency only access, and that meaning if there are no other properties acquired by the applicant on 11900 S.
5. Consideration for more parking that what the code requires.

**Finding for approval:**

1. The Development Agreement complies with DCMC Section 9-5-200(C) and (D) and provides for a density range on the property while still allowing the

**City and applicant to work together to create a site plan that best meets the interests of the community and applicant.**

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

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

<b>Commissioner</b>	<b>Yes</b>	<b>No</b>	<b>Abstained</b>	<b>Not Participating</b>	<b>Absent</b>
Chair Adams					X
Fowler	X				
Squire	X				
Ogden	X				
Nixon	X				
Shirey					X
Fidler, Alternate	X				
Shah, Alternate				X	
Green, Alternate				X	

**Motion:** Commissioner Ogden moved to forward a **POSITIVE** recommendation to the City Council for a Zoning Map Amendment, as requested by Mike Winters, representing Edge Homes, for a rezone from RA1 and RA2 to RM2, Application 2025-0092-MA based on the following:

**Findings for approval:**

- 1. The Zoning Map Amendment is consistent with the goals, objectives, and policies of the City's General Plan.**
- 2. The Zoning Map Amendment is consistent with the standards of any applicable overlay zone.**
- 3. Adequate facilities and services will be available 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.**
- 4. The Zoning Map Amendment will not materially affect the existing Station Area Planning efforts underway with respect to the Utah State Code requirements of 10-9a-403.1.**

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

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

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

**Motion:** Commissioner Nixon moved to forward a **POSITIVE** recommendation to the City Council for the Land Use Map Amendment, as requested by Mike Winters, representing Edge Homes, to amend the designation from Residential Low/Medium Density to Residential High Density, Application 2025-0091-MA based on the following:

**Finding:**

1. The land use map amendment is appropriate and complies with the requirements of DCMC Section 9-2-020(F) and Utah State Code 10-9a-404.

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

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

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

**C. Public Hearing: 136 Center CSD Text Amendment.  
(Legislative Item)**

On the Request of John Bankhead, Representing AREP III DD Land Owner, LLC, a Text Amendment to the 136 Center CSD Zone, located at Approximately 13697 South 200 West, Known as Application 2024-0397-TA, Staff Contact: Nick Whittaker, 801-576-6522, Nick.Whittaker@draperutah.gov.

**(Application to be continued to a date uncertain)**

The above item was continued to a date uncertain on the agenda.

The commissioners took a short break and the meeting was called back to order at 9:07 pm

## **2. Annual Training.**

Required Annual Planning Commissioner Training on Powers and Duties – Presentation by City Staff.

Mr. DuShane reviewed cases that came out of the Supreme Court in 2022 and 2024. Enabling laws were discussed. The following quote was shared, “The authority to regulate land use through zoning ordinances is conferred on municipalities by the State through enabling statutes, and consequently, cities must strictly comply with the statute delegating them the authority to act.” The Commission was commended for its work on the Station Area Plan.

Mr. DuShane encouraged the Commissioners to read the enabling statutes, which also spell out the Planning Commission’s duties and powers as follows:

- Makes recommendations for the General Plan, which includes the Station Area Plan, and land use regulations including subdivisions and ordinances.
- Makes amendments to the existing land use regulations.
- Fills an advisory role to the City Council.
- Participates in drafting and recommending the General Plan.
- Administer applicable provisions of Title 9 and Title 17 including issuing Conditional Use Permits (“CUP”).

Specific cases were reviewed with the first being Springdale Lodging vs. Town of Springdale. A developer submitted an application for rezone from residential to commercial and the Planning Director made some regrettable statements. The developer later goes to the Town Council after the denial and submits a different application than the one presented. The proper procedure would be to go back before the Planning Commission in the same form. In this case, the opportunity to be heard must fully comply with the requirements of the constitutional due process counterpart. The court determined that the case does not rise to the level of a constitutional due process protected right to speak but based on the Code, it must follow the same logic. The prevalent use of the term “opportunity to be heard” supports the notion that the common understanding of the term involves the opportunity to make one’s case before presenting information in an argument in a meaningful way.

The next case discussed was South Weber City vs. Cobblestone Resort, LLC, which involves CUPs and short-term rentals. Cobblestone bought a property with a pool with the intent of expanding it and renting it as a short-term rental. It was never expanded but the owners began renting it out right away. The ordinance for South Weber requires a CUP for short-term rentals in any zone and a Business License. Cobblestone obtained the necessary license and the CUP and the Planning Commission imposed conditions. Within one month, Cobblestone was in violation three times and the Planning Commission voted to revoke the CUP. The City Council held a meeting where they questioned whether the Planning Commission has the authority to revoke a

CUP. The City Council then decided to revoke the CUP as well. Once revoked, police showed up at the property due to an incident involving renters who were fighting. During the tussle a firearm was discharged. The City then went to the court and got an injunction to prevent further rentals of the property. Cobblestone argued that the rental was a continuously maintained non-conforming use and should be allowed to continue.

Under Draper City Municipal Code, it is the job of the Zoning Administrator to revoke a CUP. Any conditions imposed should be clear, enforceable, and objective.

Other Business:

Todd Draper, Planning Manager, let the Commissioners know that the recently adopted Draper Town Center Station Area Plan had been certified by the Wasatch Front Regional Council (WFRC) earlier in the day.

### **3. Adjournment.**

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

The meeting adjourned at 9:24 PM.



# MEMO



To: Planning Commission

From: Nick Whittaker

Date: 2025-07-10

Re:

Public Hearing: Fratto Farms Commercial Land Use Map Amendment and Zoning Map Amendment Requests (Legislative Items)

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## Comments:

These applications are requests for approval of a Land Use Map Amendment to change the current land use designation from Residential Medium Density to Neighborhood Commercial and a Zoning Map Amendment to change the current zoning designation from RA2 (Residential Agricultural) to CN (Neighborhood Commercial) for approximately 2.03 acres located on the north side of 12200 S. at approximately 791 E. 12200 S. The applicant is requesting that the changes be approved so that the applicant can develop the subject property for commercial use.

## **Land Use Amendment**

### Findings for Approval:

1. The proposed land use map amendment is consistent with goals, objectives, and policies of the city's general plan.
2. The proposed land use map amendment is harmonious with the overall character of existing development in the vicinity of the subject property.
3. The proposed land use 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.
5. The proposed land use map amendment complies with DCMC Section 9-2-020(F).
6. The legislative body may adopt any amendment to the general plan land use map that the legislative body considers appropriate.

#### Findings for Denial:

1. The proposed land use map amendment is not consistent with goals, objectives, and policies of the city's general plan.
2. The proposed land use map amendment is not harmonious with the overall character of existing development in the vicinity of the subject property.
3. The proposed land use map amendment will adversely affect adjacent property.
4. There are not 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.
5. The proposed land use map amendment does not comply with DCMC Section 9-2-020(F).
6. The legislative body may reject any amendment to the general plan land use map that the legislative body considers appropriate.

#### **Zoning Map Amendment**

#### Findings for Approval:

1. The proposed zoning map amendment is consistent with goals, objectives, and policies of the city's general plan.
2. The proposed zoning map amendment is compatible with the subject properties existing Land Use Designation and 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.

#### Findings for Denial:

1. The proposed zoning map amendment is not consistent with goals, objectives, and policies of the city's general plan.
2. The proposed zoning map amendment is not compatible with the subject properties existing Land Use Designation and is not harmonious with the overall character of existing development in the vicinity of the subject property.

3. The proposed zoning map amendment will adversely affect adjacent property.
4. There are not 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.

ATTACHMENTS:

[Fratto farms commercial.pdf](#)



## Development Review Committee

1020 East Pioneer Road

Draper, UT 84020

June 25, 2025

**To:** Draper City Planning Commission  
Business Date: July 10, 2025

**From:** Development Review Committee

**Prepared By:** Nick Whittaker, MCMP, Planner II  
Planning Division  
Community Development Department  
801-576-6522, [nick.whittaker@draperutah.gov](mailto:nick.whittaker@draperutah.gov)

**Re: Fratto Farms Commercial – Land Use Map and Zoning Map Amendment Requests**

Application No.: 2025-0101-MA & 2025-0102-MA

Applicant: Troy Dana

Project Location: 791 E. 12200 S.

Current Zoning: RA2 (Residential Agricultural, 20,000 ft<sup>2</sup> min. lot size)

Acreage: 2.03 Acres (Approximately 88,427 ft<sup>2</sup>)

Request: Request for approval of a Land Use Map Amendment to change the current land use designation from Residential Medium Density to Neighborhood Commercial and a Zoning Map Amendment to change the current zoning designation from RA2 to CN (Neighborhood Commercial).

### **BACKGROUND AND SUMMARY**

These applications are requests for approval of a Land Use Map Amendment to change the current land use designation from Residential Medium Density to Neighborhood Commercial and a Zoning Map Amendment to change the current zoning designation from RA2 to CN for approximately 2.03 acres located on the north side of 12200 S. at approximately 791 E. 12200 S. (Exhibits C and D). The applicant is requesting that the changes be approved so that the applicant can develop the subject property for commercial use.

The subject property is located within the Draperville Plat, Lots 1 and 8 in their entirety within Block 23. The Draperville Plat is unique in that it numbers each individual block and



then further divides each block into numbered lots. A single-family home which fronts onto 12200 S and two (2) storage sheds were built on the property in approximately 1955. A detached garage was added to the property in 1976. Additional accessory structures were added to the property between approximately 2002 and 2004.

## ANALYSIS

### *General Plan and Zoning.*

Table 1	General Plan and Zoning Designations	Exhibit
Existing Land Use	Residential Medium Density	Exhibit E
Current Zoning	RA2	Exhibit F
Adjacent Zoning		
East	RA2	
West	RA2 and CN (Neighborhood Commercial)	
North	RA2	
South	CN	

The Residential Medium Density land use designation is characterized as follows:

### *Residential Medium Density*

LAND USE DESCRIPTION		
<b>CHARACTERISTICS</b>	<ul style="list-style-type: none"> <li>• Preservation of large tracts of open space, rather than open space contained primarily in individual subdivision lots</li> <li>• Variations and mixing of lot sizes, setbacks, and residential development forms</li> <li>• Minimal fronting of homes on major streets</li> <li>• Provision for trails that allow interconnectivity to other existing or proposed trails</li> <li>• Discourage "piecemeal" infrastructure installation</li> <li>• Trees and abundant landscaping, encouraging low water use and native plants</li> </ul>	
<b>LAND USE MIX</b>	Primary <ul style="list-style-type: none"> <li>• Single-family detached homes</li> </ul>	Secondary <ul style="list-style-type: none"> <li>• Parks</li> <li>• Churches</li> <li>• Schools</li> <li>• Open Space</li> </ul>
<b>DENSITY</b>	<ul style="list-style-type: none"> <li>• Density range: 2-4 dwelling units per acre</li> </ul>	
<b>COMPATIBLE ZONING</b>	<ul style="list-style-type: none"> <li>• Residential Agricultural (RA2)</li> <li>• Single-family Residential (R3)</li> <li>• Single-family Residential (R4)</li> <li>• Master Planned Community (MPC)</li> </ul>	
<b>OTHER CRITERIA</b>	<ul style="list-style-type: none"> <li>• Preservation of environmental features usually requires a master-planned or cluster development. Increased densities within these areas would be allowed only with compliance to specified performance standards and impact mitigation measures</li> </ul>	

According to Draper City Municipal Code (DCMC) Section 9-8-020 the purpose of the RA2 zone is to, *“foster low density development with little impact on its surroundings and municipal services; to generally preserve the character of the city's semirural areas; and to promote and preserve conditions favorable to large lot family life, including the keeping of limited numbers of animals and fowl. The predominant use in these zones is intended to be detached single-family dwellings, protected from encroachment by commercial and industrial uses.”*

Land Use Map Amendment. The applicant has requested the Neighborhood Commercial land use designation for the subject property (Exhibit G). The proposed designation is compatible with the requested zoning designation of CN (Exhibit H). The Neighborhood Commercial land use designation is described as follows:

*Neighborhood Commercial*

LAND USE DESCRIPTION	
CHARACTERISTICS	<ul style="list-style-type: none"> <li>• Small-scale commercial land uses that serve local residents in adjacent neighborhoods</li> <li>• Minimal impact in predominantly residential areas</li> <li>• Well-landscaped street frontages</li> <li>• Limited traffic access points and pedestrian access from surrounding residential areas</li> <li>• Don't overcrowd commercial lots; i.e., require adequate setback and landscape buffers</li> <li>• Screened parking and adequate ingress and egress to parking areas</li> <li>• Adequate drainage</li> <li>• Low noise standards</li> </ul>
LAND USE MIX	<ul style="list-style-type: none"> <li>• Small-scale commercial</li> <li>• Planned retail</li> <li>• Office</li> </ul>
COMPATIBLE ZONING	<ul style="list-style-type: none"> <li>• Neighborhood Commercial (CN)</li> <li>• Institutional Care (IC)</li> <li>• Commercial Services (CS)</li> </ul>
LOCATION	<ul style="list-style-type: none"> <li>• Adjacent to neighborhood</li> <li>• Along local roads</li> </ul>

Zoning Map Amendment. The applicant has requested the CN zoning designation for the subject property (Exhibit H). According to Draper City Municipal Code (DCMC) Section 9-8-020, the purpose of the CN zone is to *“provide areas where convenience buying outlets, having small trade areas, may be established to serve surrounding residential neighborhoods. This zone is intended to promote a combination of retail and service facilities which, in character and scale, meet day to day needs of nearby residents.”*

The CN zone requires a minimum zoned area of 1 acre. The subject property is 2.03 acres in size and abuts additional CN zoned property to the west, which complies with the

minimum area requirement for the CN zone.

### Criteria for Approval

#### Land Use Map Amendment:

The Land Use Map amendment request falls under DCMC Section 9-2-020(F) because the Land Use Map is part of Draper City's General Plan. That section lists the following criteria for a General Plan amendment as:

*Plan Amendment: All plan amendments shall be in accordance with Utah Code Annotated 10-9a-404, as amended and, unless requested by the city's legislative body, shall follow the procedures as outlined in Draper City Municipal Code 9-5-060(D). That section is noted as follows:*

- D. Procedure: Zoning text and map amendments shall be considered and processed as provided in this subsection:
  - 1. A complete application shall be submitted to the office of the Zoning Administrator in a form established by the administrator along with any fee established by the city's schedule of fees. The application shall include at least the following information:
    - a. The name, address and telephone number of the applicant and the applicant's agent, if any.
    - b. The name and address of every person or company the applicant represents.
    - c. The requested amendment and reasons supporting the request.
    - d. If the proposed amendment requires a change in the zoning map, the application shall include:
      - (1) An accurate property map showing present and proposed zoning classifications;
      - (2) All abutting properties showing present zoning classifications; and
      - (3) An accurate legal description and an approximate common address of the area proposed to be rezoned.
    - e. If the proposed amendment requires a change in the text of this title, the application shall include chapter and section references and a draft of the proposed text.
  - 2. After the application is determined to be complete, the zoning administrator shall prepare a staff report evaluating the application.
  - 3. The Planning Commission shall schedule and hold a public hearing on the application as provided in sections 9-5-040 and 9-5-045 of this chapter. Following the public meeting, the Planning Commission shall recommend approval, approval with modifications, or denial of the

proposed amendment and shall submit its recommendation to the City Council for review and decision.

4. The City Council shall schedule and hold a public hearing on the application as provided in sections 9-5-040 and 9-5-045 of this chapter. Following the public hearing, the City Council may approve, approve with modifications, or deny the proposed amendment.

#### Zoning Map Amendment 9-5-060(E)

A Map Amendment is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard. However, in making a recommendation to the City Council, the Planning Commission should consider the following factors in Section 9-5-060(E)(1) of the DCMC:

##### *1. Map Amendments:*

- a. Whether the proposed amendment is consistent with goals, objectives and policies of the city's general plan;*
- b. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;*
- c. Whether the proposed amendment is consistent with the standards of any applicable overlay zone;*
- d. The extent to which the proposed amendment may adversely affect adjacent property; and*
- e. The adequacy of 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.*

In reviewing the applicant's requests, surrounding land uses and intensities should be considered, as both the south and west sides of the subject property abut the CN zone. The commercial development adjacent to the property is more intense than the medium density presently called for on the subject property which may make commercial development more feasible or desirable. The applicant has provided statements (Exhibits G and H) asserting that the proposed CN zoning would harmonize with other developments near the subject property. In making the requests, the applicant however did not directly identify any specific goals, objectives, or policies from the City's General Plan that the proposals would be consistent with.

## **REVIEWS**

Planning Division Review. The Draper City Planning Division has completed their review of the Land Use Map and Zoning Map Amendment submissions. Comments from this division, if any, can be found in Exhibit A.



Engineering and Public Works Divisions Review. The Draper City Engineering and Public Works Divisions have completed their reviews of the Land Use Map and Zoning Map Amendment submissions. Comments from these divisions, if any, can be found in Exhibit A.

Building Division Review. The Draper City Building Division has completed their review of the Land Use Map and Zoning Map Amendment submissions. Comments from this division, if any, can be found in Exhibit A.

Fire Division Review. The Draper City Fire Marshal has completed his review of the Land Use Map and Zoning Map Amendment submissions. Comments from this division, if any, can be found in Exhibit A.

Legal Division Review. The Draper City Attorney has completed his review of the Land Use Map and Zoning Map Amendment submissions. Comments from this division, if any, can be found in Exhibit A.

GIS Division Review. The Draper City GIS Division has completed their review of the Land Use Map and Zoning Map Amendment Submissions. Comments from this division, if any, can be found in Exhibit A.

Noticing. Notice has been properly issued in the manner outlined in the City and State Codes.

## **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission review the request, receive public comment, and make a recommendation to the City Council based on the findings and criteria for approval, or denial, as listed within the staff report.

## **MODEL MOTIONS**

### **Land Use Map Amendment**

Sample Motion for Positive Recommendation – I move that we forward a positive recommendation to the City Council for the Land Use Map Amendment, as requested by Troy Dana, application 2025-0101-MA, based on the findings for approval listed in the Staff Report dated June 25, 2025.

Findings for Approval:

1. The proposed land use map amendment is consistent with goals, objectives, and policies of the city's general plan.

2. The proposed land use map amendment is harmonious with the overall character of existing development in the vicinity of the subject property.
3. The proposed land use 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.
5. The proposed land use map amendment complies with DCMC Section 9-2-020(F).
6. The legislative body may adopt any amendment to the general plan land use map that the legislative body considers appropriate.

Sample Motion for Modified Positive Recommendation – I move that we forward a positive recommendation to the City Council for the Land Use Map Amendment, as requested by Troy Dana, application 2025-0101-MA, based on the findings for approval listed in the Staff Report dated June 25, 2025 and as modified by the following additional findings:

1. (List additional findings for approval...)

Sample Motion for Negative Recommendation – I move that we forward a negative recommendation to the City Council for the Land Use Map Amendment, as requested by Troy Dana, application 2025-0101-MA, based on the findings for denial listed in the Staff Report dated June 25, 2025.

Findings for Denial:

1. The proposed land use map amendment is not consistent with goals, objectives, and policies of the city's general plan.
2. The proposed land use map amendment is not harmonious with the overall character of existing development in the vicinity of the subject property.
3. The proposed land use map amendment will adversely affect adjacent property.
4. There are not 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.
6. The proposed land use map amendment does not comply with DCMC Section 9-2-020(F).
5. The legislative body may reject any amendment to the general plan land use map that the legislative body considers appropriate.

### **Zoning Map Amendment**

Sample Motion for Positive Recommendation – I move that we forward a positive recommendation to the City Council for approval of the Zoning Map Amendment, as requested by Troy Dana, application 2025-0102-MA, based on the following findings for approval listed in the Staff Report dated June 25, 2025.

Findings for Approval:

1. The proposed zoning map amendment is consistent with goals, objectives, and policies of the city's general plan.
2. The proposed zoning map amendment is compatible with the subject properties existing Land Use Designation and 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.

Sample Motion for Modified Positive Recommendation – I move that we forward a positive recommendation to the City Council for the Zoning Map Amendment, as requested by Troy Dana 2025-0102-MA, based on the findings for approval listed in the Staff Report dated June 25, 2025 and as modified by the following additional findings:

1. (List additional findings for approval...)

Sample Motion for Negative Recommendation – I move that we forward a negative recommendation to the City Council for denial of the Zoning Map Amendment, as requested by Troy Dana, application 2025-0102-MA, based on the following findings for denial listed in the Staff Report dated June 25, 2025.

Findings for Denial:

1. The proposed zoning map amendment is not consistent with goals, objectives, and policies of the city's general plan.
2. The proposed zoning map amendment is not compatible with the subject properties existing Land Use Designation and is not harmonious with the overall character of existing development in the vicinity of the subject property.
3. The proposed zoning map amendment will adversely affect adjacent property.
4. There are not 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.

## DEVELOPMENT REVIEW COMMITTEE ACKNOWLEDGEMENT

We, the undersigned, as duly appointed members of the Draper City Development Review Committee, do acknowledge that the application which provides the subject for this staff report has been reviewed by the Committee and has been found to be appropriate for review by the Draper City Planning Commission and/or City Council.

**Brien Maxfield**

Digitally signed by Brien Maxfield  
DN: C=US,  
E=brien.maxfield@draperutah.gov,  
O=Draper, OU=Public Works -  
Engineering, CN=Brien Maxfield  
Date: 2025.07.03 09:03:28-06'00'

Draper City Public Works Department

**Todd A. Draper**

Digitally signed by Todd A.  
Draper  
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CN=Todd A. Draper  
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Draper City Planning Division

**Don Buckley**

Digitally signed by Don Buckley  
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City Fire Department, OU=Fire Marshal, CN=Don  
Buckley  
Date: 2025.07.01 08:45:33-06'00'

Draper City Fire Department

Draper City Legal Counsel

**Matthew Symes**

Digitally signed by Matthew Symes  
DN: C=US,  
E=matt.symes@draperutah.gov,  
O=Draper City Corp., CN=Matthew  
Symes  
Date: 2025.06.30 15:55:45-06'00'

Draper City Building Division

## EXHIBIT A DEPARTMENT REVIEWS

REVIEWS ARE NOT MEANT TO BE AN ALL INCLUSIVE LIST OF POSSIBLE COMMENTS OR CONDITIONS.

### Planning Division Review.

1. No additional comments.

### Engineering and Public Works Divisions Review.

1. The change in zone from residential / agricultural half acre (RA2) to neighborhood commercial (CN) which is proposing to change from the gross permitted residential density of four residences to the proposed commercial uses where traffic loading and peak traffic contributions would be increased, but not quantifiable without knowing the proposed use. The commercial uses typically represent a significant increase in potential demand on the local streets and utilities. The fronting streets to the subject site are 12200 South and 800 East, both local streets in this area. The nearest classified street, typically the direction of travel, is 700 East, owned by Utah Department of Transportation (UDOT) and is classified as an arterial with the highest vehicle capacity. Based on the capacity of the fronting public streets, 12200 South and 800 East, the increase in density represents additional traffic. Mitigation measures would be analyzed with a proposed use. Typically, a use where 100 peak hour trips are generated triggers the need to have a traffic impact study (TIS) completed to analyze mitigation requirements. The size of the subject parcel and the potential number of trips generated from a parcel of this size does not automatically trigger a TIS. There are no public frontage improvements on either fronting public streets and will be a requirement of any site development.
2. Connectivity with the subject parcel to public rights-of-way could be to both 12200 South and 800 East, local streets. Access onto either fronting street would be permitted potentially by a driveway or private street. Accesses are required to meet Draper City standards as outlined in our Master Transportation Plan and city code. Any development will need to be evaluated for access location due to the required spacing from the intersection of 800 East and 12200 South. Access is evaluated at the time of a site plan or subdivision application.
3. There are no existing storm drainage facilities fronting the subject parcel. However, there are storm drainage facilities in the area, but there is no guarantee that those facilities are feasible to connect to from the existing site. Any future site drainage will be required to be addressed with any subdivision or site plan application and shall comply with the provisions of the development requirements within the DCMC.

4. Sanitary sewer facilities will be provided by Jordan Basin Improvement District. Any subdivision or site plan application will require a commitment to serve from the sewer district that facilities are adequate to provide service for the proposed uses.
5. Drinking water is provided by WaterPro to the subject parcel. Any subdivision or site plan application will require a commitment to serve from WaterPro that facilities are adequate to provide service for the proposed uses.

Building Division Review.

1. No additional comments.

Fire Division Review.

1. No additional comments.

Legal Division Review.

1. No additional comments.

GIS Division Review.

1. No additional comments.

**EXHIBIT B**  
**LEGAL DESCRIPTION**

LOTS 1 & 8 BLK 23 DRAPERVILLE



EXHIBIT C  
VICINITY MAP

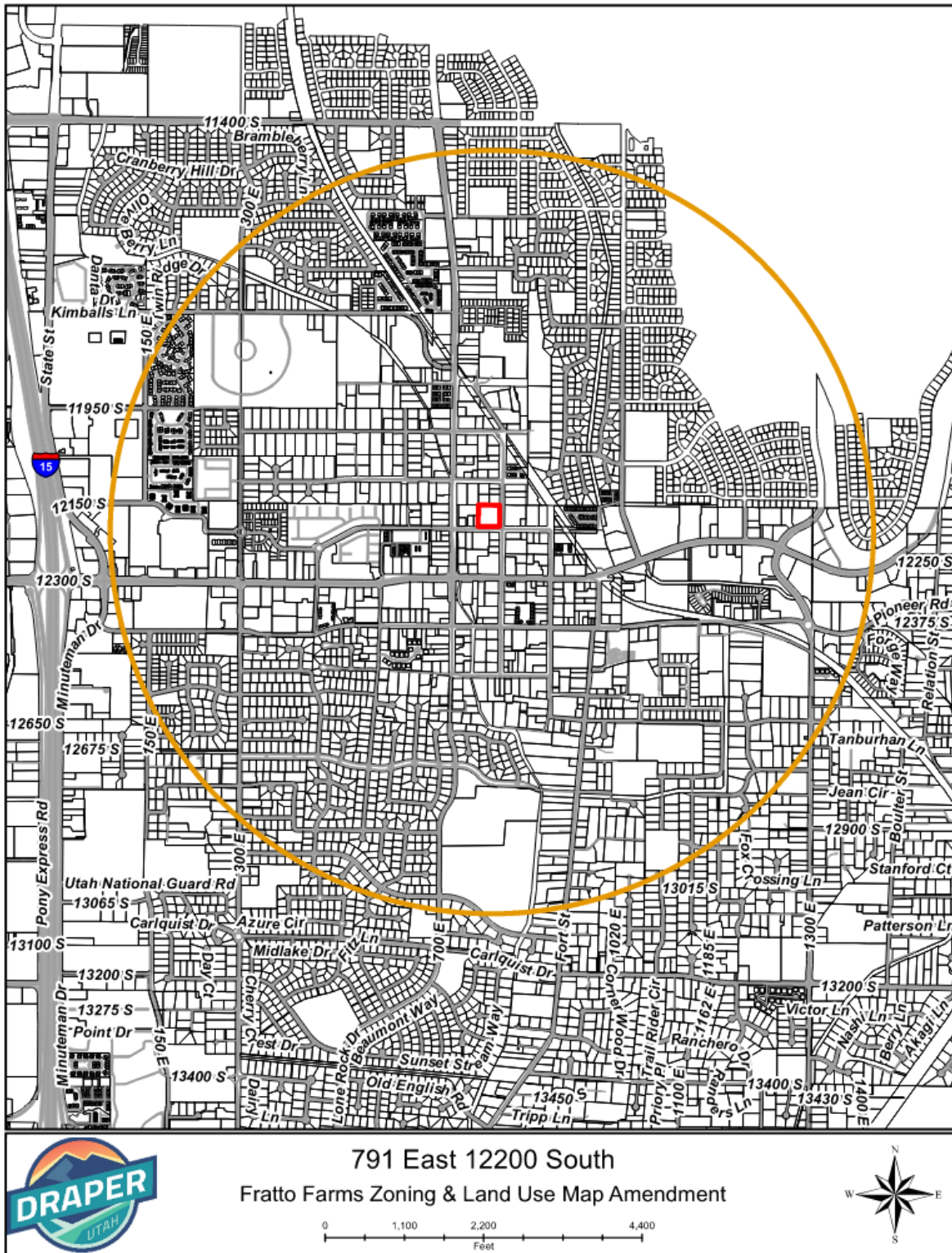
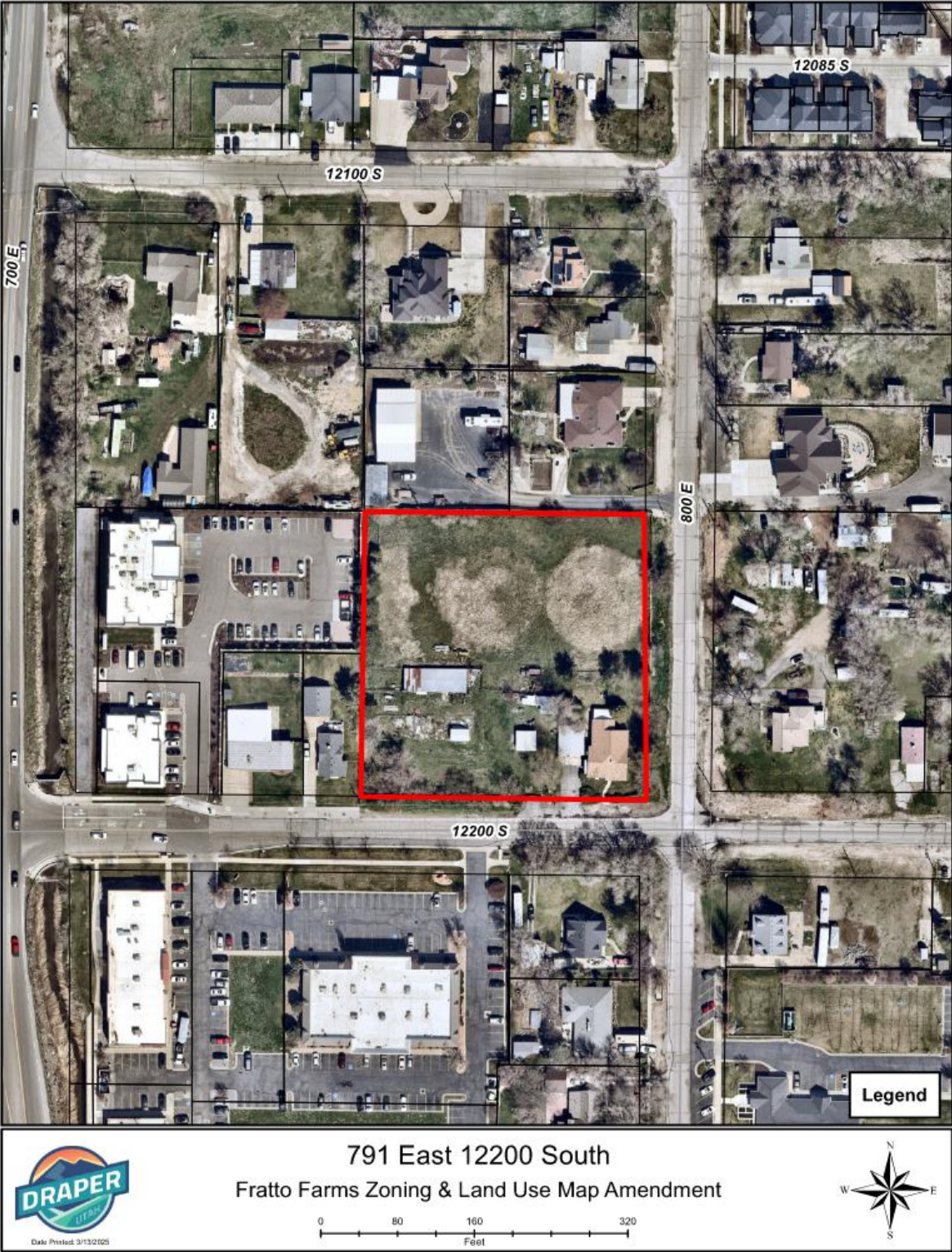
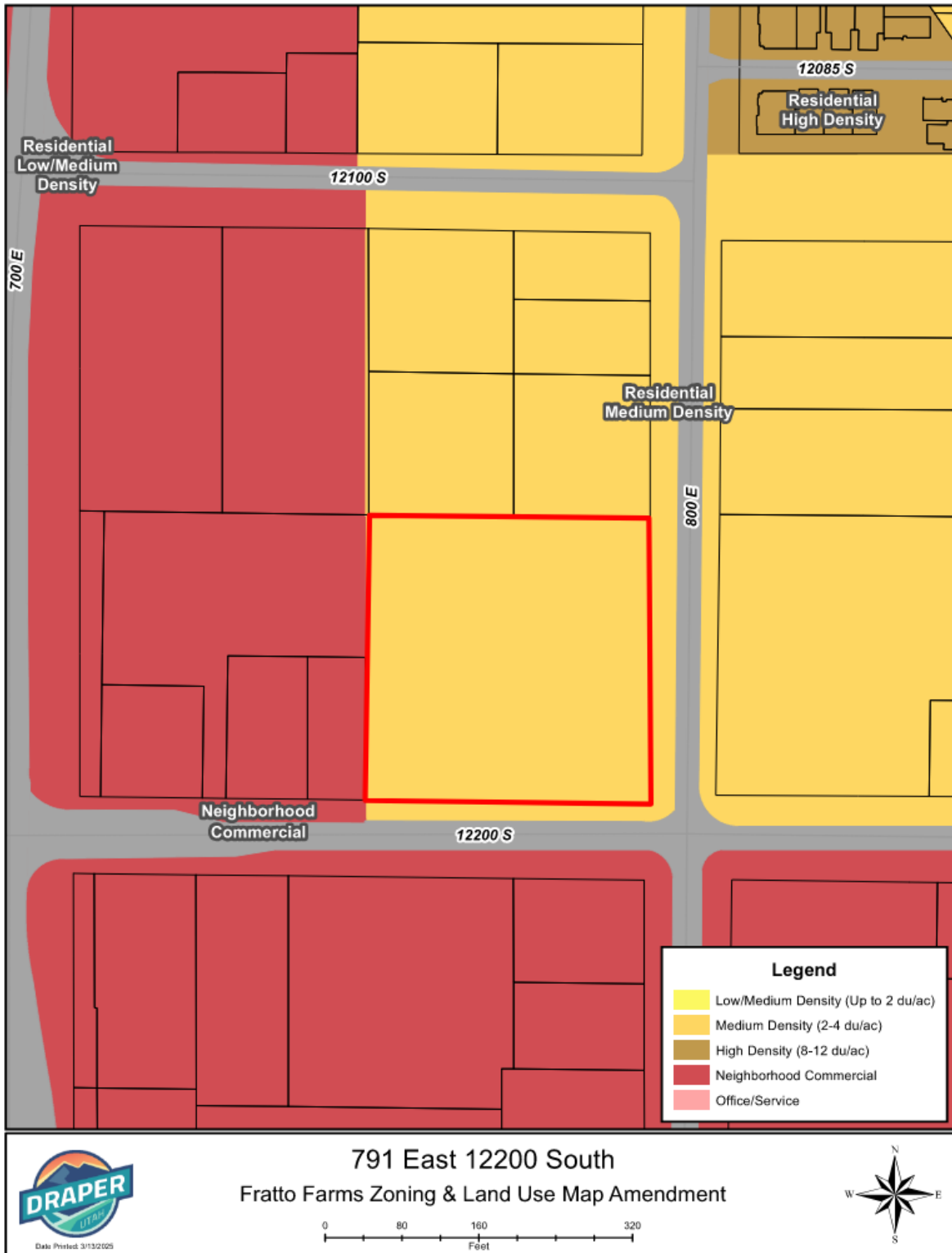




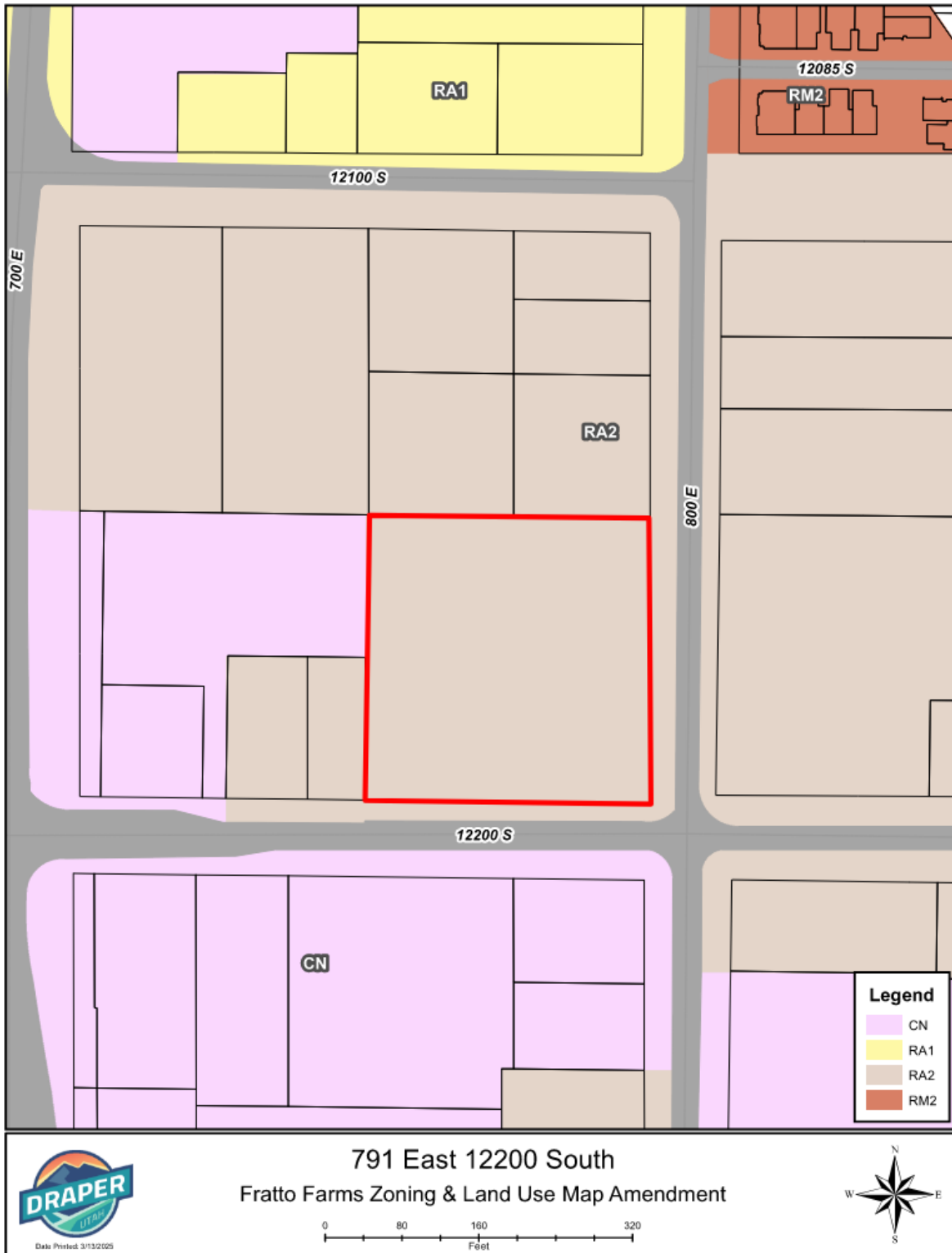
EXHIBIT D  
AERIAL MAP



# EXHIBIT E LAND USE MAP



# EXHIBIT F ZONING MAP



**EXHIBIT G**  
**APPLICANT'S RESPONSES – LAND USE MAP AMENDMENT**

## Fratto Farms Land Use Map Amendment

January 16, 2025

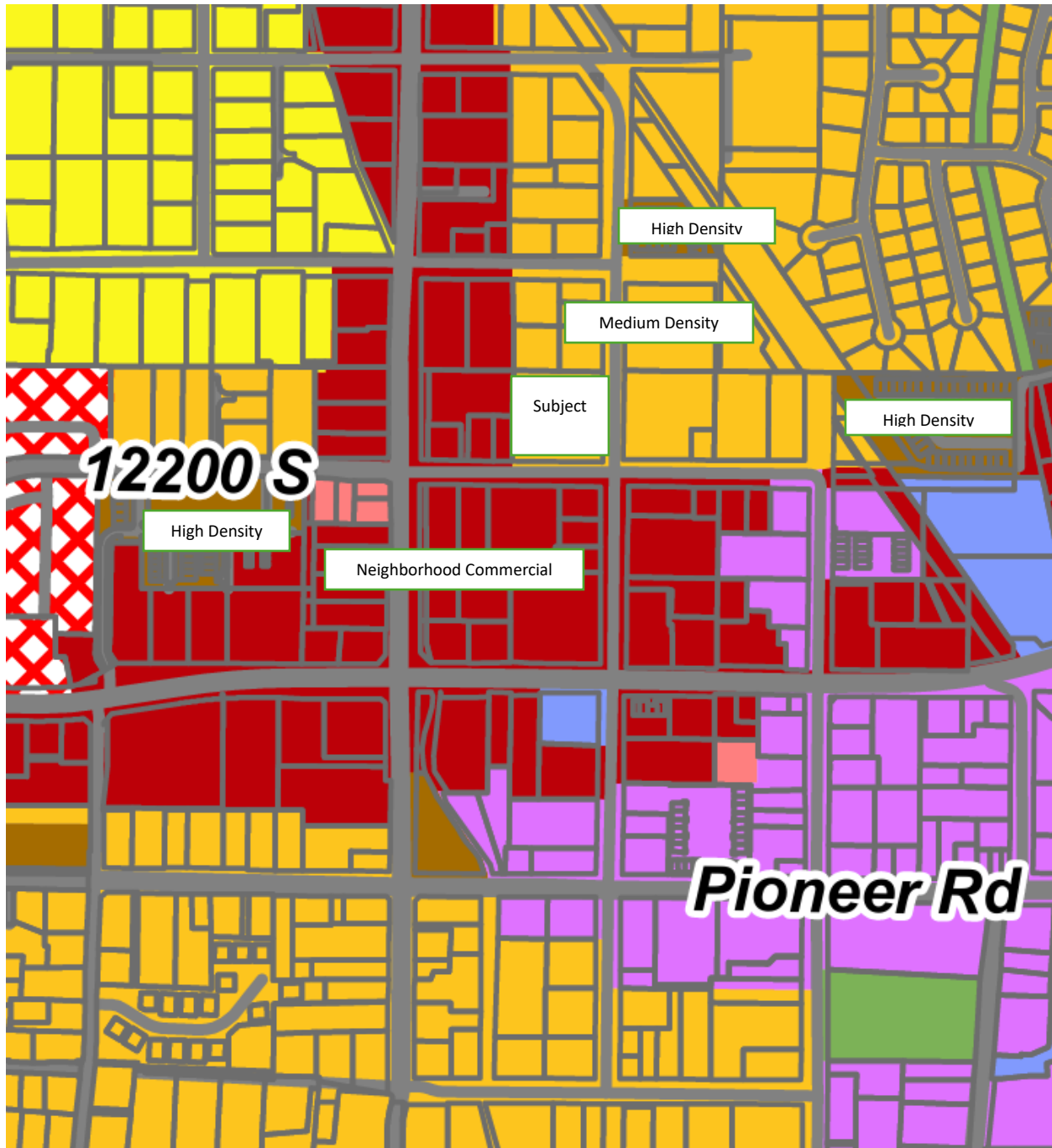
To whom it may concern;

We own the approximately 2 acres located on 791 E and 12200 S. We are requesting a Land Use Map Amendment from Low Medium Density to Neighborhood Commercial. This would be in harmony with the adjacent property as well as one across the street. We feel the use would be harmonious with the surrounding areas as our border to the west is adjacent to C3 commercial zone, our border to the south is across the street from C3 commercial zone, our border to the east is alongside 800 E, our border to the north is adjacent to residential home with a business on the property. This corner property has roadways for access along 12200 S and 800 E and will be more than sufficient to enter and exit the property. All utilities are in both 12200 S and 800 E and will be able to serve the new zoning and future development.

In speaking with several neighbors and members of the City Council, this use is likely the best use for the property.

We ask that you kindly consider this request and understand that the request is in line with the General Plan and future growth development.

## Land Use Map



The subject property is surrounded by Neighborhood Commercial and Medium Density Land Uses. We are requesting a Land Use Map Amendment from Residential Medium Density to Neighborhood Commercial. We feel the use would be harmonious with the surrounding areas as our border to the west is adjacent to CN commercial zone, our border to the south is across the street from CN commercial zone.

EXHIBIT H  
APPLICANT'S RESPONSES – ZONING MAP AMENDMENT

## Fratto Farms Zone Change

June 20, 2025

To whom it may concern;

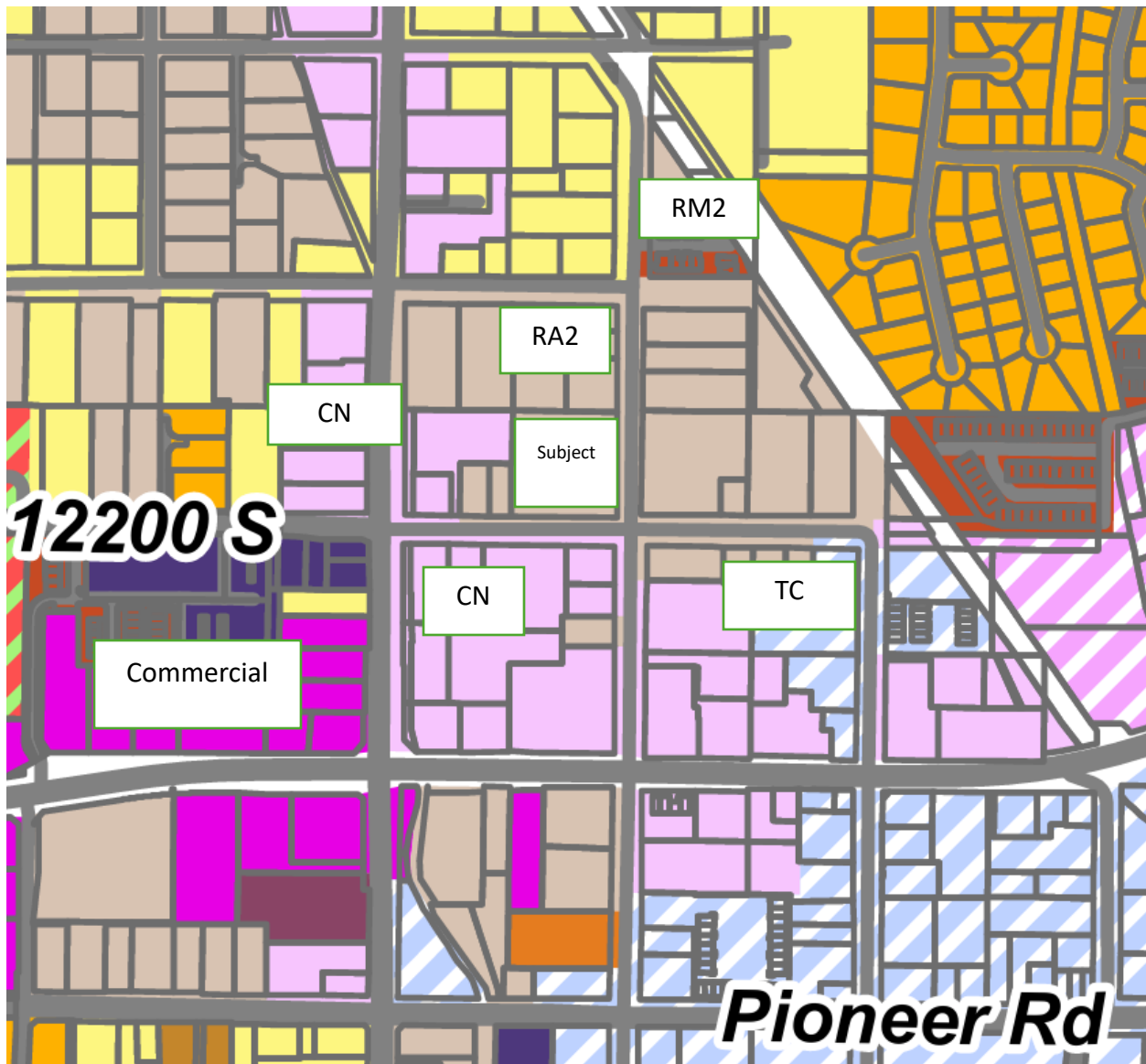
We own the 2 acres located on 791 E and 12200 S. We are requesting a Zone Change from RA2 to CN, Neighborhood Commercial. This use be in harmony with adjacent properties and surrounding properties. It would allow for construction of office condos that are similar in the area. We feel the use would be harmonious with the surrounding areas as our border to the west is adjacent to CN commercial zone, our border to the south is across the street from CN commercial zone, our border to the east is alongside 800 E, our border to the north is adjacent to residential. This corner property has roadways for access along 12200 S and 800 E and will be more than sufficient to enter and exit the property. All utilities are in both 12200 S and 800 E and will be able to serve the new zoning and future development.

In speaking with other property owners, they felt like they would support this zone change more than a zone change to higher density residential. We believe this land use request and future development is consistent with the General Plan in the surrounding area along 700 E being highly commercial.

We ask that you kindly consider this request and understand that the request is in line with the General Plan and future growth development.



## Zoning Map



The subject property is proposing CN Zone, changing from RA2. The subject property is adjacent to Neighborhood Commercial and Residential Zones. The subject property is located on the corner of a Commercial Zones and Residential Zones. The residential RA2 Zone is a minimum of 20,000 sf lots and the CN zone allows for neighborhood commercial. CN zone is surrounding the subject property and would keep it in harmony with neighboring properties and future growth in the area.

# MEMO



To: Planning Commission

From: Todd Taylor

Date: 2025-07-10

Re: Discussion Item: 2025 Moderate Income Housing Report (Work Session)

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## Comments:

Staff presentation and work session regarding the annual reporting requirements associated with implementation of the City's Moderate Income Housing Plan (MIHP). The reporting period is for actions taken between August 1, 2024 and July 31, 2025. Reporting is done online and is due to the Department of Workforce Services, Housing and Community Development Division by August 1, 2025.

An outline of the elements that the City will report on and a copy of the currently adopted MIHP are attached. Discussion will focus on actions that have been taken over the past year.

## ATTACHMENTS:

[Draper City 2025 MIHP Report Outline - PC.pdf](#)

## ATTACHMENTS:

[MIHP \(2024\).pdf](#)

## Draper City 2025 Moderate Income Housing Report Outline

### General Information:

1. Contact information and selection of correct report type.

### City Data:

1. Provide link to adoption ordinance, General Plan, and zoning map.

### Entitled Units:

1. Provide a count of entitled residential units that have not pulled a building permit as of 5/1/2025.  
(Optional) Less those units entitled through:
  - a. Overlay zone
  - b. Residential zoning
  - c. Received will serve letters
2. Describe any barriers to developing these units.

### Accessory Dwelling Units:

1. Provide the following data:
  - a. Total number of recorded ADUs in the City.
  - b. Total number of new building permits for ADUs from 8/1/2024-7/31/2025.
  - c. Total number of new ADU Permits granted from 8/1/2024-7/31/2025.
  - d. Total number of other permits or licenses issued for ADUs from 8/1/2024-7/31/2025.

### Feedback and Recommendations:

1. What types of support would be helpful to the community in supporting the implementation of the moderate income housing strategies?
  - Housing Supply Data
  - Housing Needs Data
  - Planning Technical Assistance
  - Model Ordinances
  - Case Studies for Strategies
  - Staff Resources
  - Reporting Technical Assistance
  - Guidebooks for Planning and Reporting
  - Education on Partnering with Nonprofits or Housing Authorities
  - Other

### Reporting on Strategies:

1. Provide the following for each selected strategy:
  - a. Reference the Implementation Plan for this strategy and list the benchmarks that were planned to be complete during the period of 8/1/2024-7/31/2025.
  - b. Describe each action taken to implement the strategy during this period.
  - c. Describe each land use regulations or land use decisions made to implement the strategy during this period.
  - d. What barriers were encountered in implementing the strategy?
  - e. Describe how the market has responded as a result of implementing the strategy.



# HOUSING

## *Chapter 4*



In 2019 the Utah State Legislature first passed legislation requiring cities to adopt a Moderate Income Housing Plan (MIHP) as part of their General Plan and select specific strategies and targets listed within the legislation to increase the number of moderate income housing units available for residents and employees within the municipalities' boundaries. In 2022 the Utah State Legislature made changes to the list of specific strategies and required all cities to amend their General Plans by October 1, 2022 to align with the updated strategies from the new list provided within the State Code. The State also required that the MIHP include five (5) year implementation plans for each selected strategy within the plan, and to provide an annual progress report to the Utah Division of Workforce Services each year. The enacted legislation prescribed a set number of strategies that each city must implement in order to be eligible for certain transportation funding, and an additional count that a city could choose to implement in exchange for receiving priority status for such funding.

Potential Strategies List from Utah State Code Section 10-9a-403(2)(b)(iii):

- (A) Rezone for densities necessary to facilitate the production of moderate income housing;
- (B) Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate income housing;
- (C) Demonstrate investment in the rehabilitation of existing uninhabitable housing stock into moderate income housing;
- (D) Identify and utilize general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the municipality for the construction or rehabilitation of moderate income housing;
- (E) Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones;
- (F) Zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers;
- (G) Amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed-use zones near major transit investment corridors;
- (H) Amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities;
- (I) Amend land use regulations to allow for single room occupancy developments;
- (J) Implement zoning incentives for moderate income units in new developments;
- (K) Preserve existing and new moderate income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or, notwithstanding [Utah State Code] Section 10-9a-535, establishing a housing loss mitigation fund;
- (L) Reduce, waive, or eliminate impact fees related to moderate income housing;
- (M) Demonstrate creation of, or participation in, a community land trust program for moderate income housing;
- (N) Implement a mortgage assistance program for employees of the municipality, an employer that provides contracted services to the municipality, or any other public employer that operates within the municipality;
- (O) Apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under [Utah State Code] Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing;
- (P) Demonstrate utilization of a moderate income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing;
- (Q) Create a housing and transit reinvestment zone pursuant to [Utah State Code] Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act;



- (R) Create a home ownership promotion zone pursuant to [Utah State Code] Part 10, Home Ownership Promotion Zone for Municipalities;
- (S) Eliminate impact fees for any accessory dwelling unit that is not an internal accessory dwelling unit as defined in [Utah State Code] Section 10-9a-530;
- (T) Create a program to transfer development rights for moderate income housing;
- (U) Ratify a joint acquisition agreement with another local political subdivision for the purpose of combining resources to acquire property for moderate income housing;
- (V) Develop a moderate income housing project for residents who are disabled or 55 years old or older;
- (W) Develop and adopt a station area plan in accordance with [Utah State Code] Section 10-9a-403.1;
- (X) Create or allow for, and reduce regulations related to, multifamily residential dwellings compatible in scale and form with detached single-family residential dwellings and located in walkable communities within residential or mixed-use zones;
- (Y) Create a first home investment zone in accordance with [Utah State Code] Title 63N, Chapter 3, Part 13, First Home Investment Zone Act and
- (Z) Demonstrate implementation of any other program or strategy to address the housing needs of residents of the municipality who earn less than 80% of the area median income, including the dedication of a local funding source to moderate income housing or the adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone be dedicated to moderate income housing.

As a municipality with a fixed guide-way public transit station, Draper City is required to implement strategy W from the list above; at least one (1) of the strategies G, H, or Q; and three (3) additional strategies for a total of five (5). The City can also choose to implement an additional one (1) strategy for a total of six (6) to receive priority consideration for certain transportation funding. With many strategies to select from, it is important to select strategies that balance the needs of the existing community with those of future residents and employees, particularly those with moderate incomes.

In an effort to assist the City in identifying defined targets that were measurable and reasonably achievable, Draper City engaged Zions Bank to conduct a housing assessment to help inform the Moderate Income Housing Plan elements of the 2019 General Plan. In 2022 Draper City again engaged Zions Bank to provide an update to the 2019 housing assessment to reflect the five (5) year implementation timeline (through the year 2027) as required by the new State legislation. A copy of the study is included as Appendix A and the data and general assessments are also considered as part of the overall Housing Plan.

The population of Draper City has grown by approximately 22.6% over the past decade, and 10% in the past five (5) years. The annual population growth trend is slowing, but continues to remain close to a rate of two-percent (2%) per year. Using uniform and reliable data in decision making and tracking the effectiveness of, and progress made, through programs and policies is vital. The following data and statistics are provided here as important benchmarks and considerations for use in evaluating and implementing plans related to the creation and retention of Moderate Income Housing.

#### Current Population:

Draper, UT	Amount	Notes:
Total Population 2021	51,749	US Census Quick facts 2021
Total Population 2017 / % increase from 2017-2021	47,043 / 10%	US Census Bureau
Total Population 2012 / % increase from 2012-2021	42,212 / 22.6%	US Census Bureau
Total Households	14,390	2020 American Community Survey 5-Year Estimates
Average Persons per Household	3.21	US Census Bureau
Estimated Households between 50% to 80% AMI	1,887	2019 Zion's Bank housing plan projection for 2023
Estimated Households between 30% to 50% AMI	648	2019 Zion's Bank housing plan projection for 2023
Estimated Households <30% AMI	961	2019 Zion's Bank housing plan projection for 2023

### Projected Population:

<i>Linear</i>	2023	2024	2025	2026	2027
(1%) Low:	52,789	53,317	53,850	54,389	54,933
(2%) Medium:	53,840	54,916	56,015	57,135	58,278
(3%) High:	54,901	56,548	58,244	59,991	61,791

<i>Linear</i>	2028	2029	2030	2031	2032
(1%) Low:	55,482	56,037	56,597	57,163	57,735
(2%) Medium:	59,443	60,632	61,845	63,082	64,343
(3%) High:	63,645	65,554	67,521	69,546	71,633

### Current Housing Stock:

Total Number of Housing Units	15,590		(H1) 2020 Decennial Census
Owner Occupied	12,129	77.8%	S1101 2020:ACS 5 Year Estimates Subject Tables
Rental	3,461	22.2%	S1101 2020:ACS 5 Year Estimates Subject Tables
Number of Total ADU's	13		City Data
I-ADU's	5		City Data
D-ADU's	8		City Data
ADU'S in review	27		City Data

### Fair Market Rent for Salt Lake City, UT HUD Metro FMR Area (Set by HUD):

	Efficiency/ Studio	One-Bedroom	Two-Bedroom	Three-Bedroom	Four-Bedroom
2021	\$829	\$1,001	\$1,204	\$1,690	\$1,892
2022	\$924	\$1,112	\$1,327	\$1,843	\$2,066

### Current Moderate Income Housing Availability and Need:

<i>(2022 AMI for a family of 4)</i>	<80% AMI	<50% AMI	<30% AM	
Gross Income (upper limit)	\$81,900	\$51,200	\$30,700	2022 HUD Income Limits Documentation System
Gross Affordable Rent [30% percentage of Gross Income minus \$300 for utilities]	\$1,748	\$980	\$468	Calculated
Estimated number of Housing units affordable to target Households	2,059	217	0	DP04 Selected Housing Characteristics 2020: ACS 5 year estimates data profiles

### Current Moderate Income Housing Availability and Need *(Continued)*:

(2022 AMI for a family of 4)	<80% AMI	<50% AMI	<30% AMI	
Approximate % of Housing units affordable to target Households	13.2%	1.4%	0%	Calculated
Approximate Additional units needed 2022	(213)	417	940	Calculated
Approximate Additional units needed 2027	(6)	488	1046	Calculated
Approximate Additional units needed 2032	201	559	1152	Calculated

### Projected Number of Target Households:

	2023	2024	2025	2026	2027
<80% AMI	1,887	1,928	1,970	2,011	2,053
<50% AMI	648	662	676	691	705
<30% AMI	961	982	1,003	1,025	1,046

	2028	2029	2030	2031	2032
<80% AMI	2,094	2,135	2,177	2,218	2,260
<50% AMI	719	733	747	762	776
<30% AMI	1,067	1,088	1,109	1,131	1,152

### Regulatory Environment:

The character of Draper City has historically been rural in nature consisting of large residential lots and integrated agrarian uses, many of which still remain. Current residents place significant public interest in maintaining the core character of the City as it contributes to protection of the high quality of life they enjoy. Recent changes to zoning regulations to allow for higher residential density, including specific adjustments to zoning near fixed transit stations that have allowed for increased residential development have made some progress in addressing Moderate Income Housing Needs. These have increased the total number of apartment units in the City significantly.



Public sentiment expressed during the creation of the 2022 update to the Moderate Income Housing Plan highlighted that a better balance between housing types used to providing Moderate Income Housing needs to be achieved. Changes to ordinances regarding the Accessory Dwelling Units (ADU's) in 2021 effectively ended the City's prior policy of not monitoring ADU's, and has done very little to increase the overall supply of Moderate income Housing Units. A change in the definition of a family in 2021 did lower barriers so that some less common household types could reside together without the risk of enforcement. Skyrocketing regional housing prices and rents, combined with slower wage growth, and historic inflation have exacerbated the demand for Moderate Income Housing and will likely exert additional pressure to increase the amount of available housing of all types within the City over the coming years.



## Plans to meet Moderate Income Housing Need:

Draper City has selected to implement the following strategies that the legislature has determined will encourage the creation of moderate income housing for residents and employees residing and/or working within the city.

- (E) Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones;
- (F) Zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers;
- (G)\* Amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed-use zones near major transit investment corridors;
- (J) Implement zoning incentives for moderate income units in new developments;
- (W)\* Develop and adopt a station area plan in accordance with [Utah State Code] Section 10-9a-403.1;
- (O) Apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under [Utah State Code] Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing;

\* Denotes required selections

## Implementation Plans:

Draper City has identified the following implementation measures for the selected Moderate Income Housing Strategies. These are based on current conditions and reasonably reliable data projections. The included timelines are for reference as a general guide only and are not able to account for all situations or barriers to implementation. They are intended to meet the intent of the Utah State legislature in that they represent, *"a reasonable opportunity for a variety of housing including moderate income housing, to meet the needs of people of various income levels living, working, or desiring to live or work in the community; and to allow people with various incomes to benefit from and fully participate in all aspects of neighborhood and community life"* and to, *"provide flexibility for the municipality to make adjustments as needed"*. The City may choose work on implementation in a different order than listed or may modify the timeframe for completion depending on funding and feasibility.



## Selected Strategies:

Year	Selection	Proposed 5 year Implementation Plans
		(E) Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones.
2024		Evaluate current ADU ordinance with respects to reducing the minimum requirements for D-ADUs and I-ADUs in specific circumstances and propose ordinance changes for adoption by the City Council. Specific examples may include changes to the deviation criteria to allow for more I-ADUs in prohibited areas and an allowance for additional flexibility regarding owner occupation of either unit.
2025		Create an ADU brochure to provide the public with easily accessible information on the requirements and process for permitting an ADU on their property as a part of efforts to educate and encourage residents to create more ADUs within the city.
2026		Continue to monitor and track application data regarding the creation of ADUs within the city. Adjust policies and procedures for processing applications as needed.
2027		Re-evaluate ADU ordinance to determine if additional modifications are warranted.

Year	Selection	Proposed 5 year Implementation Plans
		(F) Zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers.
2024		Begin implementation of the Town Center Station Area Plan by amending the zoning map as applicable.
2025		Continue the implementation of the Town Center Station Area Plan by amending the zoning map as applicable  Implement the updated Vista Station Area Plan. Amend zoning Map as applicable.

Year	Selection	Proposed 5 year Implementation Plans
		(G) Amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed-use zones near major transit investment corridors.
2023		Evaluate current mixed-use zones for potential to include increased density when located near major transit investment corridors, commercial centers, or employment centers where units will meet targeted affordability thresholds.  Evaluate the feasibility of creating a mixed use zone for targeted implementation near major transit investment corridors.
2024		Amend text of current mixed-use zones based on prior evaluation of opportunities.  Begin implementation of the Town Center Station Area Plan by amending the text of the zoning ordinance to increase residential densities as applicable.
2025		Continue implementation of the Town Center Station Area Plan by amending the text of the zoning ordinance as applicable.  Implement the updated Vista Station Area Plan. Amend text of the zoning ordinance to increase residential densities as applicable.

Selected Strategies *(Continued)*:

Year	Selection	Proposed 5 year Implementation Plans
		(J) Implement zoning incentives for moderate income units in new developments.
2026		Initiate a study regarding potential zoning incentives that could be granted that would have the effect of increasing the number of Moderate Income Housing units.
2027		Implement zoning incentives for developments that provide deed restricted Moderate Income Housing.
Year	Selection	Proposed 5 year Implementation Plans
		(W) Develop and adopt a station area plan in accordance with Section 10-9a-403.1.
2023		Complete and adopt the Town Center Station Area Plan. Plan creation process begun in 2022.
2024		Update existing Vista Station Area Plan and adopt changes as necessary for compliance with minimum requirements of Utah Code.
2025		Evaluate Kimballs Lane Station Area for potential Station Area Plan and/or waiver based on existing characteristics.  Evaluate 11400 S. Station area zoning and potential for a waiver based on existing characteristics.  Create and adopt additional Station Area Plans as applicable before December 31, 2025.
Year	Selection	Proposed 5 year Implementation Plans
		(O) Apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing.
2023 Through 2027		Draper City will continue to partner with other Cities and Salt Lake County in pooling CDBG funds for use regionally inclusive of funds utilized for affordable housing projects.

