

MINUTES OF THE DRAPER CITY PLANNING COMMISSION MEETING HELD ON
THURSDAY, JULY 10, 2025, IN THE DRAPER CITY COUNCIL CHAMBERS

PARTICIPATING: Commission Member Gary Ogden, Temporary Chairperson
Commission Member Susan Nixon
Commission Member Kendra Shirey
Alternate Commission Member Laura Fidler
Alternate Commission Member Shivam Shah

EXCUSED: Andrew Adams, Chair
Lisa Fowler, Vice-Chair
Commission Member Mary Squire
Alternate Commission Member Christine Green

STAFF: Jennifer Jastremsky, Community Development Director
Todd Draper, Planning Manager
Nick Whittaker, City Planner
Todd Taylor, City Planner
Lori Stout, Executive Assistant
Brien Maxfield, Senior Engineering Manager
Spencer DuShane, Assistant City Attorney

6:31 PM Business Meeting

In the absence of Chair Andrew Adams and Vice-Chair Lisa Fowler, Community Development Director, Jennifer Jastremsky, called the meeting to order at 6:31 PM and instructed the Commissioners to elect a Temporary Chairperson for the evening.

Motion: Commissioner Nixon moved that Commissioner Gary Ogden be named as Temporary Chairperson.

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

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Commissioner Ogden assumed the Chair and conducted the remainder of the meeting.

1. Items for Commission Consideration.

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

Motion: Commissioner Nixon moved to APPROVE the May 8, 2025, Planning Commission Meeting Minutes, as presented.

Second: Commissioner Shah 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
Nixon	X				
Shirey	X				
Ogden	X				
Fidler, Alternate	X				
Shah, Alternate	X				
Green, Alternate					X

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

Motion: Commissioner Shirey moved to APPROVE the May 22, 2025, Planning Commission Meeting Minutes, as presented.

Second: Commissioner Nixon seconded the motion.

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

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

**C. Public Hearing: Fratto Farms Commercial Land Use Map Amendment and Zoning Map Amendment Requests.
(Legislative Item)**

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 South. Known as applications 2025-0101-MA and 2025-0102-MA. Staff Contact: Nick Whittaker, (801) 576-6522, Nick.Whittaker@Draperutah.gov.

City Planner, Nick Whittaker, presented the Staff Report and displayed the Vicinity Map showing the location of the property. The applicant is requesting a change from the current land use designation of Residential Medium-Density to Neighborhood Commercial. The surrounding properties are currently zoned Neighborhood Commercial. The current zoning designation of the subject property is RA2 (Residential Agricultural). The applicant is requesting a change to CN (Neighborhood Commercial). The adjacent properties to the west and south are designated Neighborhood Commercial. Mr. Whittaker reported that the purpose of the RA2 zone is to foster low-density with little impact on the surroundings and municipal services to preserve the character of the City's rural areas and promote and preserve conditions that are favorable to large lot family life, including the keeping of limited numbers of animals and fowl. The predominant use in the zone is to be detached single-family dwellings protected from encroachment by commercial and industrial uses. The purpose of the CN zone is to provide areas where convenience, buying outlets, and small trade areas may be established to serve surrounding residential neighborhoods. The zone is intended to promote a combination of retail and service facilities that, in character and scale, meet the day-to-day needs of nearby residents. A photo of the property was displayed.

Mr. Whittaker reported that the applicant came before the Planning Commission on March 27, 2025, requesting higher density housing in the area. At that time, the Planning Commission forwarded a negative recommendation to the City Council, and the applicant chose not to proceed to the City Council at that time. The applicant is now presenting a new application.

Commissioner Shah asked about the types of uses that would be allowed on the property. Ms. Jastremsky referenced the Code, which lists many potential uses that are permitted as part of

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the CN zone. Mr. Whittaker pointed out that this is a common zone in the area. Commissioner Shah asked if there had been discussion about a potential Development Agreement. Mr. Whittaker was not aware of any. It was noted that the properties to the west of the subject property are zoned Neighborhood Commercial. The zoning in the area serves as a transition from commercial to residential and offers the lowest impact commercial.

The applicant, Troy Dana, reported that he owns the subject property and resides on Cherry Creek Lane in Draper. He was before the Commission in March; at which time he presented a residential zone to help buffer the Commercial. It was not received well by the Commission; however, he had subsequent conversations with members of the City Council. He referenced the Land Use Map and stated that 12200 South will be filled in more with Neighborhood Commercial going forward. He opined that Neighborhood Commercial will have the lowest impact on the neighbors. Mr. Dana indicated that his earlier proposal could have included a park and townhomes but was not supported by the neighbors and he has since put forward a new plan. The majority of the City Council members he spoke to seemed to support Neighborhood Commercial in the area. Mr. Dana indicated that he had worked with the neighbors and held a neighborhood meeting to discuss his proposed plans. More neighbors were present tonight than attended his neighborhood meeting. He had read letters of opposition that were submitted but noted that none of the neighbors reached out to him personally despite his efforts to work with them. He recognized that people dislike change but observed that Draper is not a small town anymore and stated that if the neighbors want to live in a small town they can move.

Mr. Dana stated that the intent is to build office condo flex space that is similar to what exists in the Town Center. He noted that the Commission will hear a lot of emotion from the public speakers tonight but he has been respectful in his approach. If the Commissioners visit the neighborhood, they will see that anything that is developed will likely be an improvement to what exists now. He was aware of the height and setback restrictions and had spoken with staff about what can be developed. What is proposed will be attractive and match what already exists. He noted that there is existing commercial development adjacent to his property and along 12200 South.

Commissioner Ogden opened the public hearing.

Kimberly Henrie reported that she lives near the subject property. Some residents were at the neighborhood meeting and were very clear about how they feel about what is proposed. She asked the Commission to consider development from a broader perspective rather than on a case-by-case basis. There are over 30 residences in the neighborhood, and regardless of whether they are rentals, people have lived in them for a very long time. The neighbors value the rural nature of the area and would like to preserve it. Developers are waiting for people to sell to request zoning changes, which is unfair to the residents. She encouraged the Commission to pause and complete the study that was initiated in March 2025 to look at the train station system. She asked that it be done comprehensively. She commented that residents are not afraid of change but want it to make sense for everyone and not just the developer.

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Dave Hansen gave his address as 12107 South 800 East and expressed opposition to the proposal. He stated that the existing commercial areas are on arterial roads and not surface streets. What is proposed will encroach into the neighborhood. While there may always be growth on 700 East and 12300 South, they do not need to continually encroach into a neighborhood that is well established. The residents have no intention of leaving and do not support the proposed change. He did not support changing the zoning and potentially risk businesses coming into the neighborhood that do not belong.

Jeremy Thomas gave his address as 12143 South 800 East. While he appreciated Mr. Dana reaching out to the neighbors, adequate notice of the neighborhood meeting was not provided. Mr. Thomas stated that nearly all of the residents on the street own their homes. While he recognized that change happens, he saw no reason to change the zoning. He did not support commercial or higher-density residential development in the area. He felt that the developer should only be able to build what the current zoning allows. He wanted things to be left the way they are.

Cindy Romero gave her address as 729 East 12200 South and has owned her home for 46 years. She has seen change during that time and acknowledged that 12200 South is very busy. She suggested that the City address the intersection of 12200 South and 700 East immediately, as it is difficult to get out onto the road. It is dangerous, and some bushes extend into the street and block the view of drivers. Ms. Romero has no intention of selling her home and has several family members living with her. Mr. Dana's request is not conducive to the neighborhood, which already has enough traffic. She commented that now is not the time to add more intensity. Ms. Romero stated that Mr. Dana deceived her by indicating that he would like to develop residential and then changed the plan to townhomes. Mr. Dana had threatened that he would do a homeless camp. She felt he has been trying to bully the neighbors.

Lois Duncan gave her address as 12138 South 800 East, where she has lived for six years. When she bought the property, it was rundown and they have worked to improve it. It is a quiet street that many use because it is not as busy as 700 East. She hoped it will remain a peaceful place that people can enjoy. There is wildlife in the area. Ms. Duncan spoke with Mr. Dana in her home and he initially told her he was going to build his home there with an office for his business and was happy at that time to have him be their neighbor. She does not support the change to high density or commercial. She did not see a need for more businesses in the area but supported more single-family residential homes with neighborly people that will enhance the neighborhood.

Jerry Thomas lives directly east of the subject property and has been a resident since 1998. Mr. Dana's first proposal was for 24 housing units, which was not appropriate based on the size and location of the property. Mr. Thomas expressed his opposition to commercial development and while he realizes that development is inevitable, his desire is to keep the neighborhood residential in nature. The proposed project will result in more traffic, noise, and light pollution that will be detrimental to the neighborhood. Mr. Thomas stated that he believed the property was recently rezoned for one-quarter-acre lots, which Mr. Dana knew when he purchased the property. He reiterated that not everyone on the street rents their home. Under the current zoning, the applicant could likely build eight homes on the property and make a profit. Mr. Thomas reiterated

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that the residents do not want commercial and that the City would have had a reason to zone the property the way it is currently zoned. He asked that the Commission deny the request.

Jim Duncan gave his address as 12138 South 800 East and mentioned that he was unable to attend the neighborhood meeting. He had also requested a copy of the plat from Mr. Dana, which was never received. Mr. Duncan reported that he purchased his property five years ago, where there was an existing home-based business. He hoped to operate his business there as well but his request was denied even though his neighbors did not object. The family member of a neighboring property owner objected to his request and Mr. Duncan eventually sold his business. At the time, the City indicated that his request was denied to protect the neighborhood, maintain the integrity of the neighborhood, and limit traffic. Since then, a developer informed Mr. Duncan that he could build eight homes on his property and make a profit. Mr. Duncan saw no reason to change the zoning. He doubted that Mr. Dana would want what he is proposing around his own home.

Scott Bugay gave his address as 12114 South 800 East and reported that he purchased his home three years ago. The home was built in 1909. He identified his property on the map displayed and stated that there is an outbuilding with a marker from 1866. The area was the original homestead and was where all the chicken coops were. The home has been remodeled and is well-loved and historic. The current zoning is RA2, which is intended to preserve the character of the City's semi-rural areas. He questioned the need to modernize everything and suggested they instead allow six houses to be developed on the property while preserving the rural nature of the community. Mr. Bugay also commented on the heavy traffic on 700 East.

Jeremy Henrie, a neighborhood resident, commented that Fratto Farms would be great as a barn with farm homes, but not as a commercial development. He was not opposed to Mr. Dana and understands what he is trying to do. He recognized that the City is changing but this development is in the middle of a neighborhood. All who have spoken disagree with what Mr. Dana is proposing and would like the existing zoning to remain. He commented that high-density residential or commercial is not conducive to the area. He mentioned that you can't go back and that these kinds of decisions are huge.

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

Mr. Dana reiterated that the City Council is looking at the entire triangle area between the two train stations. The area that will potentially change on 12200 South may be more conducive to Neighborhood Commercial over time. He acknowledged that a lot is happening in the area. He stated that the existing zoning has not been changed for a very long time. He stated that it is untrue that eight homes can be developed there and claimed that there is a one-half-acre minimum lot size. Similar developments have not been popular. He stated that there is more value in the property if it is developed properly.

Mr. Dana reported that he has lived in Draper for 25 years, and the mink and chicken farms were torn down by the Jordan School District. He was sorry but felt that the triangular area is no longer unique. He agreed that there is heavy traffic on 800 East and 12200 South, primarily due to the proximity to 700 East. His goal was to develop something with minimal impact on the

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neighborhood while working with the City Council and the neighbors. It is not feasible for neighbors to expect the area to remain as it is forever. He is proposing a decent-looking building that people can buy to run various types of businesses. He pointed out that there are similar uses directly across the street and next door. He reiterated that commercial already exists in the area. With regard to a claim that he deceived a property owner, he stated that he does not need permission to develop a drug rehab center. He remarked that he never proposed that, but it is something that could be done. He instead would like to develop something that is of benefit to the City and allows him to make a return on his investment. He stated that he cannot make a profit by building just four homes. He reiterated that he bought the property knowing it was RA2 with the intent to try and change the zoning.

Commissioner Nixon asked if the property has always been zoned RA2. Mr. Dana confirmed that he purchased it knowing the zoning was RA2, but also knowing that the zoning would need to be changed for a project to be successful. Mr. Whittaker confirmed that under the current zoning, the property can accommodate four lots.

Commissioner Shirey asked about the plan that is under review of the area and what the City is doing. Ms. Jastremsky stated that they are talking about the Station Area Plan. This area falls within a one-half mile radius of the Kimballs TRAX station. The Station Area Plan specifically looks at properties that are ripe for redevelopment. There is no proposal to include this property as part of the draft plan.

Commissioner Nixon referenced the areas in red on the Land Use Map and why the area just west of the subject proposed property, going north, intersects the block. Mr. Whittaker stated that it is a transitional area from Commercial to Residential. Ms. Jastremsky stated that for the residential, they are looking at the mid-block. This section looks primarily at development along 700 East. Commissioner Nixon stated that the two homes directly west are very small and on less than one acre. Ms. Jastremsky clarified that the minimum area for the zone pertains to the size of the zoning district and not the specific property.

Mr. Whittaker pointed out that there are different types of commercial land uses in the general vicinity of the subject property, and Mr. Dana's request is for smaller-scale commercial land use. Normally, Neighborhood Commercial areas serve as buffers between residential and higher-density and commercial areas. Ms. Jastremsky reported that on the Land Use Map, the western half of the block is shown as Neighborhood Commercial and the eastern half is shown as Medium-Density Residential. The areas that have been developed as Commercial have been zoned Commercial.

Commissioner Shah perceived Mr. Dana to be a developer who is working with the neighborhood to preserve it. He understood that negotiations take time and suggested Mr. Dana be given more time to come up with a different solution. Commissioner Shah was opposed to very high density in the area and would prefer Neighborhood Commercial as a pass-through between residential and other commercial.

Commissioner Shirey expressed concern with an area that has been identified for Commercial. This area seemed to be an attempt in the broader plan to preserve the rural feel. She was concerned about utilizing a piecemeal approach. She had serious concerns with delving into that area with a piecemeal approach.

Commissioner Nixon commented that of all the items that the Planning Commission reviews, Land Use and Zoning Map Amendments are the most difficult. She reported that the Planning Commission makes recommendations to the City Council, which makes the final determination.

Planning Manager, Todd Draper, clarified that the Planning Commission previously forwarded a recommendation on another application from the applicant to City Council, but that application was not heard by the Council and is on hold. Statements made about discussions with the City Council were private discussions held outside of a public meeting. This is the second application. Only the current application was being considered tonight.

Chair Ogden acknowledged that this is a difficult decision due to the current condition of the property and because there are homes to the west of a commercial property. The result will be for the homes to be bookended by commercial properties.

Commissioner Shah asked the applicant if he would like more time to develop a plan. Mr. Dana stated that he discussed the issue with the City Council, who seem to agree that Neighborhood Commercial is coming as a result of the TRAX station. Mr. Dana stated that the neighbors have been very clear with respect to what they do and do not want. The City Council prefers to see a controlled height and type of office building rather than other development.

Commissioner Nixon remarked that Mr. Dana knew what the zoning was when he purchased the property.

Motion: Commissioner Shirey moved to forward a NEGATIVE recommendation to the City Council for denial of the Land Use Map Amendment, as requested by Troy Dana, Application 2025-0101-MA, based on the following:

Findings for Denial:

1. **The proposed land use map amendment is not consistent with the 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.
7. Concerns and purpose behind the negative recommendation is that we don't believe what is being proposed is consistent with the goals and objectives of the general plan or harmonious with this area that appears based on the land use map to be a carve out to retain this more rural residential within the community of Draper. That's not to say it won't change in the future, but we are not prepared with the clean lines that we have, once we start going there the dominos will fall, and we aren't prepared today to do that.

Second: Commissioner Nixon seconded the motion.

Vote on Motion: 3-to-2 in favor.

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

Motion: Commissioner Shirey moved to 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:

1. The proposed zoning map amendment is not consistent with the 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.**
5. **Concerns and purpose behind the negative recommendation is that we don't believe what is being proposed is consistent with the goals and objectives of the general plan or harmonious with this area that appears based on the land use map to be a carve out to retain this more rural residential within the community of Draper. That's not to say it won't change in the future, but we are not prepared with the clean lines that we have, once we start going there the dominos will fall, and we aren't prepared today to do that.**

Commissioner Shirey emphasized that the same reasoning for the negative recommendation for the Land Use Map amendment was applicable to the negative recommendation for the Zoning Map amendment.

Second: Commissioner Nixon seconded the motion.

Vote on Motion: 3-to-2 in favor.

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

2. Other Business.

- 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.

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City Planner, Todd Taylor, reported that the Moderate-Income Report is submitted to the State annually and is due on August 1, 2025. The Moderate-Income Housing Plan is Chapter 4 of the General Plan. An outline was provided to the Commission Members prior to the meeting. Mr. Taylor clarified that he is presenting last years numbers as staff is still calculating the number for this year's report. Those calculations will be done in time for the report to be submitted. The City is reporting on the number of entitled units that have not received a building permit as of May 1, 2025. Last year, there were 4,194 entitled units that had not received the building permit as of May 1, 2024. One of the items to be reported on is the number of entitled units that have received Will-Serve letters. Last year, 299 units of the 4,194 received Will-Serve letters, but had not received the building permit. The City also reports on Accessory Dwelling Units ("ADU"). In 2024, the total number of ADUs that had been recorded was 35. Six received a building permit, and 10 ADU permits were issued.

Strategy E is a new strategy this year after a General Plan Amendment was adopted last year to change the strategies related to impact fees to this strategy, which is related to reducing regulations for Internal ("I-ADU") or Detached ("D-ADU") ADUs. This strategy was adopted in 2024 and followed up with a text amendment that was adopted in November of 2024. The text amendment changed the Code to allow property owners to live in the main unit or the ADU to provide more flexibility. It also reduced the minimum lot size for people requesting I-ADU deviations.

Strategy F involves the zoning or rezoning for higher density or moderate-income residential in commercial or mixed-use zones near major transit, commercial centers, or employment centers. This year, the City brought forward the Draper Town Center Station Area Plan that was adopted by the City Council in March of 2025 and certified by the Wasatch Front Regional Council ("WFRC") in May. Staff provided the Station Area Plan to the City's consultant who is leading the Comprehensive Code Update. The consultant was asked to incorporate the standards in the plan into either a new zoning district or an existing zoning district. The Comprehensive Code Update will come back before the Planning Commission and City Council for adoption in the future.

Mr. Taylor reported that Staff is also working on the other Station Area Plans, including Kimball's Lane, Crescent View, and the Draper FrontRunner. That effort began in March, and stakeholder interviews took place in April. Design charettes and an open house were held in June, as well as an online survey. Next Tuesday will be a joint Planning Commission/City Council Workshop to review the results of the online survey and the preferred concepts created by the City's Consultant for the Station Areas. Due to the need for adoption by the end of the year and WFRC's meeting schedule, staff is considering bringing them before the Planning Commission for a recommendation at the end of August and to the City Council for adoption at the beginning of September.

Strategy G involves amending land use regulations to allow for higher density and moderate-income residential development in commercial or mixed-use zones near major transit corridors. This strategy will be achieved through the Comprehensive Code Update, which is looking to include new development standards for missing middle housing, creating new zones that may provide the option for more density or mixed-use, and looking at development standards. Staff is

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also looking to include language on density bonuses for affordable units based on new State law. The project is still underway, and Staff is currently involved in a second review of the draft chapters received, which include the overlay districts, master planned communities, and the use standards.

Strategy J implements zoning incentives for moderate-income units in new developments. Staff is looking at achieving this strategy also as part of the comprehensive Code Update. Mr. Taylor mentioned the City has been working on other methods to increase moderate-income units through workforce housing partnerships. This last year, the City entered into an agreement with Ivory Development to create seven workforce housing units in the Big Willow development for City and school district employees. To date, two of the units have been occupied. The pricing range of the housing units was \$390,000 to \$475,000. Mr. Taylor reported that the Development Agreement that was approved for Kimball Junction included a minimum of 30 units of workforce housing from Edge Homes.

Strategy W involves the development of a Station Area Plan and is a repeat of Strategy F.

Strategy O involves partnering with an entity to construct moderate-income housing. This was completed in 2023, at which time the City Council adopted a resolution and the City entered into an agreement with Salt Lake County. The agreement runs through 2027.

The final part of the report is the State seeking feedback and recommendations in an effort to understand what types of support would be helpful to the community. Last year, the City asked for housing supply data, planning technical assistance, case studies for strategies, and for the State to provide examples of where and how these strategies are working in Utah and to allow each jurisdiction more flexibility to find solutions that work for their unique circumstances.

Additional Business:

Ms. Jastremsky reported that the next regular meeting is scheduled for July 31, 2025. A Joint Session with the City Council is scheduled for Tuesday, July 15, 2025, at 5:30 p.m. Dinner will be served.

3. Adjournment.

Motion: Commissioner Shirey moved to ADJOURN.

The meeting adjourned at 7:55 PM.