

**MINUTES OF THE DRAPER CITY PLANNING COMMISSION MEETING HELD ON THURSDAY,
NOVEMBER 20, 2025, IN THE DRAPER CITY COUNCIL CHAMBERS**

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

EXCUSED: Alternate Commission Member Laura Fidler
Commission Member Susan Nixon
Commission Member Gary Ogden
Alternate Commission Member Shivam Shah
Traci Gundersen, City Attorney
Spencer DuShane, Assistant City Attorney

STAFF: Jennifer Jastremsky, Community Development Director
Todd Draper, Planning Manager
Nick Whitaker, City Planner
Paul Geilman, Planning Coordinator
Lori Stout, Executive Assistant
Brien Maxfield, City Engineer
Mike Barker, City Manager
Kennady Smith, Administrative Assistant

6:30 PM Business Meeting

Chair Andrew Adams called the meeting to order at 6:32 PM and reported that Item 1C had been continued to a date uncertain.

1. Items for Commission Consideration.

**A. Public Hearing: Elite Esthetics Conditional Use Permit Request.
(Administrative Action)**

On the request of Dustin Haas Representing Elite Esthetics and Draper Land Company No. 2, a Conditional Use Permit to approve the Trade/Vocational School Use in the CO2 zone for this location at approximately 66 East Wadsworth Park Drive (approximately 3.15 acres), Known as Application 2025-0253-USE, Staff Contact: Paul Geilman, (801) 576-6551, paul.geilman@draperutah.gov.

Planning Coordinator, Paul Geilman, presented the staff report and displayed the vicinity, aerial, land use, and zoning maps. The subject property is designated Community and Neighborhood Commercial and zoned CO2 Professional Office. The adjacent parcel to the south was recently

connected through a cross-access parking easement, which increased the available parking for the site.

The applicant requested a Conditional Use Permit ("CUP") to allow the Trade/Vocational School Use to operate a master esthetics program. Business hours would be Monday through Saturday, from 8:00 a.m. to 5:00 p.m. Peak onsite personnel were expected to be 26 individuals, including students, staff, and clients. Clients would be appointment-based, and class schedules would be rotated to limit the number of personnel on-site. Including the cross-access easement, there were 5.44 parking stalls available per 1,000 square feet.

In response to Commissioner Fowler's question about parking, Mr. Geilman reviewed the aerial map. He indicated that the location of the cross-parking easement was previously owned by the Utah Department of Transportation ("UDOT"). The owner of the subject property recently acquired the parcel and recorded the cross-parking easement to ensure adequate parking. Per Draper City Municipal Code ("DCMC") §9-25, the required parking for the Trade/Vocational School is one space per 1.25 students. The space is 5,810 square feet and was allotted approximately 31 spaces, so adequate parking was available.

Chair Adams invited the applicant Dustin Haas to speak. The Commission did not have any questions for the applicant.

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

Motion: Commissioner Fowler moved to APPROVE the Conditional Use Permit, as requested by Dustin Haas representing Elite Esthetics, application 2025-0253-USE, based on the following Findings for Approval and subject to the conditions listed in the Staff Report dated November 6, 2025.

Findings for Approval:

1. The proposed use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or will be injurious to property or improvements in the vicinity.
2. The proposed use is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood and the community.
3. The proposed use complies with the regulations and conditions specified in Section 9-5-080(E) of the Draper City Municipal Code.

Second: Commissioner Shirey seconded the motion.

Vote on Motion: 4-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. Public Hearing: Sunshine Preschool Home Occupation Conditional Use Permit Amendment Request.

(Administrative Item)

On the request of Jennifer O'Neal, representing Sunshine Preschool, an Amendment to a Conditional Use Permit for operation of a Limited Preschool on approximately 1.61 acres located at 11501 South 700 West, known as Application 2025-0239-USE, Staff Contact: Nick Whittaker, (801) 576-6522, Nick.Whittaker@draperutah.gov.

City Planner Nick Whittaker presented the staff report and displayed the vicinity, aerial, land use, and zoning maps. The subject property was designated Residential Low-Medium Density and zoned RA1. A Home Occupation CUP to operate a limited preschool at this location was approved by the Planning Commission in 2017, and the applicant requested an increase in the number of students per session to 16 and add one employee.

In September 2025, DCMC § 9-3-040 was amended to increase the maximum number of pre-elementary students per session from 10 to 16. The new definition was as follows:

Limited Preschool: *A home occupation facility where, as a principal function, educational instruction is provided during not more than two (2) sessions per day for up to sixteen (16) pre-elementary school aged children age three (3) to six (6) per session during customary schooling hours.*

Mr. Whittaker reviewed the site plan and photographs. He noted that the home is set back on the property and is accessed via a circular driveway that allows parents to queue for drop-offs

and pick-ups without stopping on the roadway. Preschool is taught in one room of the home, with two sessions each day. An employee parking stall was also provided.

Potential impacts included:

- Additional students are being dropped off and picked up.
- Employee vehicles, parking, and related traffic.

Proposed mitigation:

- No more than 16 students per class.
- All student drop-off and pickup will take place on the property.
- An off-street parking stall is provided for the additional employee.

In response to a question from Commissioner Fowler, the applicant, Jennifer O'Neal, stated that classes would be conducted in the walk-in basement, which is accessed through a separate entrance on the south side of the home. She spoke with all nearby property owners, and all 14 had signed a letter of support for the change. The letter was entered into the record.

Commissioner Fowler asked if the employee was being added due to licensing requirements. Ms. O'Neal reported that State guidelines regarding student-to-teacher ratios were confusing as State Code provided both a single required number and tables that vary requirements based on student age, but the preschool would meet all State requirements.

Chair Adams opened the public hearing.

Lane Hughes reported that he lives directly across the street from the subject property. The preschool has no negative impact on the neighborhood. Ms. O'Neal's driveway is very long, and there has never been an issue with cars stopping on the road. He believes the preschool is an asset to the community.

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

Motion: Commissioner Squire moved to APPROVE the Amendment to the Home Occupation Conditional Use Permit, as requested by Jennifer O'Neal representing Sunshine Preschool, Application 2025-0239-USE, based on the following Findings for Approval and subject to the conditions listed in the Staff Report dated November 7, 2025.

Finding for Approval:

1. The proposal complies with the standards for approval found in DCMC Section 9-5-080(E), and potential negative impacts are mitigated through the imposition of reasonable conditions.

Second: Commissioner Shirey seconded the motion.

Vote on Motion: 4-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				

C. Public Hearing: Highpointe Office Building II Site Plan and Deviation Requests. (Administrative Item)

On the request of Riley Young of Mint Architecture, representing Highpointe Partners, LLC, Site Plan and Deviation Requests for the construction of a new office building on approximately 1.02 acres located at approximately 193 East Highland Drive. Known as Applications 2024-0350-SP and 2024-0217-VAR. Staff Contact: Maryann Pickering, (801) 576-6391, maryann.pickering@draperutah.gov.

The above item was continued to a date uncertain.

D. Public Hearing: Bangerter Crossroads Land Use Map and Zoning Map Amendment Requests. (Legislative Items)

On the request of Duaine Rasmussen representing Tom Lloyd and Lloyd's TLC Limited, an amendment to the Land Use Map to the Regional Commercial Designation and a Zoning Map Amendment to the CR (Regional Commercial) Zone for approximately 17.88 acres located at approximately 13782 South 300 East, known as Applications 2025-0064-MA and 2025-0065-MA, Staff Contact: Todd Draper, (801) 576-6335, todd.draper@draperutah.gov.

Planning Manager, Todd Draper, presented the staff report and displayed the vicinity, aerial, land use, and zoning maps. The subject property was located between Bangerter Highway, 150 East, 300 East, and 13800 South, and was currently vacant. Portions of the property were designated Residential Medium Density, Residential Low-Medium Density, and Community

Commercial. Current zoning was RA1, Residential Agricultural. The applicant proposed amending the land use to Regional Commercial and zoning to CR, Regional Commercial. Mr. Draper noted that the concept site plan included parcels that would be considered in Item 1E.

Characteristics of the Regional Commercial land use designation included a wide range of regional retail and entertainment uses, master-planned commercial centers, big box centers, and upscale office buildings in locations with exceptional transportation access to major highways.

The CR zone is appropriate for areas where a combination of destination-oriented business, retail, commercial, entertainment, and related uses may be established to serve both residents and nonresidents of the City. Typical uses include large-scale master-planned commercial centers with outlying commercial pads, big box stores, and offices. Permitted uses include banks, bars, convenience stores, gas storage and sales, grooming and veterinary services, general retail, restaurants, personal care, offices, medical, and hotels. Conditional uses include higher education facilities, trade or vocational schools, auto and truck equipment storage, car washes, and limited vehicle repair.

Mr. Draper reported that public comments received in response to the application had been forwarded to the Planning Commission.

Commissioner Fowler stated that when the Planning Commission last discussed the property, the developer suggested that a hotel might be constructed on the property. She expressed concern about allowing multistory buildings so close to residential areas. Community Development Director Jennifer Jastremsky reported that the maximum building height in the CR zone is 45 feet or three stories. Residential buildings in the RA1 zone can be a maximum of 35 feet tall. Chair Adams clarified that the Planning Commission was considering land use and zoning amendments, not approving a site plan. As such, they needed to consider all permitted uses in the zone to ensure none conflicted with surrounding zoning.

In response to a question raised by Chair Adams, Ms. Jastremsky stated that the last application for the property was received in 2020. That applicant requested the creation of a Commercial Special District for primarily office uses.

Commissioner Squire asked if a Development Agreement was anticipated. Mr. Draper reported that a Development Agreement was not part of the application.

The applicant, Duaine Rasmussen of Castlewood Development and property owner representative, stated that Tom Lloyd had owned the property for approximately 15 years. Several proposals were brought forth during that time, including the 2020 proposal referenced by Chair Adams, which included three- and four-story office buildings. They had since engaged in conversations with several potential retail tenants, but no leases had been signed. The

rezoning application was submitted because they could not lease the property until it was properly zoned. They anticipated negotiating and entering into a Development Agreement with the City. No three-story buildings were planned, and that stipulation could be included in the agreement.

Mr. Rasmussen indicated that the concept site plan that was included in the meeting packet was no longer valid. They intended to create a retail district anchored by a major tenant that would provide jobs and generate considerable property and sales tax revenue. Although he understood that there had been speculation regarding that anchor tenant, it could not be announced until a deal was finalized. The anchor tenant would drive the final site plan.

Mr. Rasmussen stated that no major retail tenant would approve the development without significant modifications to the current traffic conditions. A traffic impact study commissioned in 2022 and recently updated considered both current conditions and those created by the site's future development. The improvements identified in the study had been designed and approved by relevant City and State departments, and Mr. Lloyd had secured \$3.45 million to fund their construction. The improvements would move forward regardless of the outcome of the rezoning request.

The following improvements were planned:

- A third northbound lane will be installed on Bangerter Parkway from 13800 South to 150 East.
- 150 East and Bangerter Parkway:
 - Permissive, protected left turn phasing will be added at the northeast and southwest approaches.
 - Southeast-bound dual left turn lanes will be constructed with accompanying receiving lanes.
 - A northwest-bound right-turn pocket will be added.
- 13800 South and Bangerter Parkway:
 - Striping will be added for a dual westbound left-turn lane heading south.
 - A dedicated, protected right-turn lane will be added from 13800 South onto Bangerter Highway.
- A dedicated right-turn lane may be added from 300 East onto 13800 South.

UDOT authorized a new signal on Bangerter Parkway midway between 150 East and 13800 South to allow traffic to turn left into the site as part of an agreement with the land owner when the Bangerter Highway / I-15 interchange was upgraded years ago. Vehicles could not turn left out of the site at this signal.

Commissioner Squire stated that the Planning Commission prefers a Development Agreement for this type of application because, when a property is rezoned, all compliant uses must be approved without modification. The subject property was in a unique area due to the number

of adjacent housing units, and she did not believe that City Code alone could adequately mitigate potential impacts on those residents. As a result, she was hesitant to recommend approval of the rezone without a Development Agreement in place. The proposal would have a significant impact. She was pleased with the amount of work already completed to mitigate traffic concerns, but there were other issues that needed to be addressed.

Chair Adams noted that Development Agreements take a lot of time and effort and are typically very specific. He asked whether the applicant could negotiate with the potential tenant before rezoning the property. Mr. Rasmussen stated that he believed they were far enough into the process to complete negotiations before rezoning, if necessary. He suggested that rezoning could be approved subject to completion of a Development Agreement.

In response to a question raised by Commissioner Fowler, Mr. Draper clarified that the process typically begins with a Land Use Map Amendment, followed by a Zoning Map Amendment. The Site Plan and/or Development Agreement is typically approved next. Development Agreements sometimes accompany Land Use and Zoning Map Amendments, but those agreements are usually fundamental and require multiple amendments.

Commissioner Squire stated that she believed it was essential to have a Development Agreement in place for this property first because some adjacent homes have minimum setbacks and could be negatively impacted by potential uses. In response to a question from Chair Adams, she agreed that a simultaneous Development Agreement would assuage her concerns.

In response to a question raised by Chair Adams, Ms. Jastremsky stated that amendments were more typical when they come in with a rezone than with site plan submission. The Planning Commission must first review a Development Agreement that amends the City Code before the City Council considers it.

Commissioner Fowler agreed with Commissioner Squire that a Development Agreement was necessary. However, she was uncertain if it should be required at this stage. Commissioner Squire stated that the Commission would be obligated to approve a site plan that complies with the zone without requiring a Development Agreement.

Commissioner Shirey asked why the developer chose to submit the application at that time rather than waiting until the Development Agreement had been drafted. Mr. Rasmussen stated that he believed the Land Use Map Amendment and Zoning Map Amendment were different issues, and approving the land use change would assure the tenant that their use would be allowed. He understood the Commission's concerns and believed a basic Development Agreement outlining setbacks, height, landscaping, fencing, lighting, etc., could be drafted quickly. However, his preference was to present the item to the City Council. They were moving

forward with the road improvements to show their commitment to cooperating with the city and its residents.

Chair Adams stated that the subject property was currently zoned RA1, but he questioned whether anyone would build homes compliant with that zoning. He believed it was more likely that any residential development would be on small lots, so the property would need to be rezoned regardless. He asked if the proposed commercial zoning was best for the area. Commissioner Shirey stated that the landowner had no interest in residential development on the property, so it would be some commercial development. She believed the area of concern was along 300 East, where the property abuts residential areas, not Bangerter Highway. Channing Hall is on 150 East, and there are crosswalks down the street from the subject property; she did not believe a grocery store and the associated traffic were appropriate for the area.

In response to a question from Chair Adams, Mr. Draper restated that the 2020 rezoning request was for a Commercial Special District.

City Manager Mike Barker reminded the Planning Commission that they could make as many recommendations as necessary to the City Council, and they had raised valid concerns. However, the City Council was the final approval authority and would bear the burden of that decision.

Chair Adams opened the public hearing.

Matt Smith gave his address as 329 East Brown Farm Lane and expressed concern about the impact of traffic on area neighborhoods. The project would add significant traffic to an already strained corridor. One study estimated over 10,000 new daily trips funneled through very few access points, guaranteeing spillover into residential areas. The two traffic studies rated key intersections as "F". When intersections fail, drivers find different routes. Residential areas become bypass routes for shoppers, delivery trucks, and gas-station traffic, and residents face more noise, speeding, blocked driveways, and reduced safety for children. Queue lengths were already extreme; up to 700 feet on 300 East and over 1,000 feet on 13800 South. The proposed improvements were designed to help the store, not the residents, which would put more pressure on neighborhoods without preventing cut-through traffic or preserving the residential character. He believed it was about the integrity of Draper's Master Plan. Changing 17 acres of RA1 zoning and residential land use designations to Regional Commercial, the City's most intense commercial zoning, directly contradicted that promise. RA1 exists to preserve Draper's semi-rural character. Families to the north and east live on large lots where children play outside, and the streets stay quiet at night. Introducing a regional shopping center would fundamentally change the neighborhoods forever. He supports economic growth, but the Master Plan did not say growth at any cost or that residential areas should be sacrificed because a parcel is one of the last available. Draper succeeded because it had respected zoning

transitions and protected established neighborhoods. The Planning Commission was not only voting on a zoning change but also on whether the Master Plan mattered and whether Draper would continue to honor its commitments to residents or allow incompatible commercial creep into established neighborhoods. He urged the Commission to protect the Master Plan and neighborhoods by denying the request.

Carolyn Phippen gave her address as 363 East Brown Farm Lane. A point made by City Council members was that the project was about maximizing sales tax revenue, but government was not created for that purpose. The United States is not an economy but a nation, and Draper is a community where people purchased properties based on the promise of the Master Plan. Properties are not purchased with zero encumbrances, and the subject property was purchased with one-acre residential zoning. That did not mean it could never change, but it did mean that the community had the right and responsibility to make decisions about how it changes. If polled, she did not believe Draper residents would list tax revenue as a priority. She thought it was important to remember what a community is. While a community has the ability and right through elected officials to make zoning changes, it always comes at a cost. One of the biggest costs was the traffic issue. Other property owners' right to utilize their properties efficiently would be impacted by rezoning the property from one-acre residential to commercial. There are a lot of brand-new million-dollar homes on small lots on 300 East, and this development would hurt all residential property owners' property values.

Rosemary Thomas stated that her family had lived on Brown Farm Lane for 23 years. They had watched the area grow and understood that change is part of a healthy city, but growth must be done thoughtfully, especially when new commercial projects are proposed next to long-established neighborhoods. The proposal did not align with what Councilman Mike Green said in his most recent Facebook post: "Land should be zoned with a use matching the development pattern around the existing property." Her primary concern was the protection of 300 East and the transition from the new development to an already established neighborhood and brand-new homes. It was increasingly becoming a busy residential street, and allowing any access into the proposed development from 300 East would create more traffic problems. Once commercial or high-density traffic was introduced onto 300 East, it would no longer function as a neighborhood street. It would become a cut-through from the proposed development, directly affecting safety, livability, and property values. She urged the Commission to require no access point onto 300 East at any time. Additionally, if a commercial was approved next to existing residential areas, the buffer and berm must be meaningful, not symbolic. They needed a substantial landscape berm and an actual buffer to allow commercial development while protecting the neighborhood's quality and integrity. Zoning should reflect the character and history of the surrounding area, and residential neighborhoods have defined that part of the city. A zoning change should enhance that fabric, not disrupt it. Compatible land use, adequate buffering, and protected access are the foundation of responsible planning. She asked the Commission to prioritize long-term neighborhood stability by requiring no entrance or

connection to 300 East, a substantial berm and buffer to shield existing homes, and zoning that aligns with the area's established residential character.

Christina Kesler-Day gave her address as 448 East Brown Farm Lane and indicated that she has owned the property for 22 years. The subject property was purchased with the understanding that it was zoned residential. Still, the owner had repeatedly brought forward proposals to change its zoning, which indicated that he bought the property with the understanding that he would eventually be able to get what he wanted. They had gone to the State Legislature and UDOT and tried to appease residents by saying they would address the traffic issues, but they were not listening. It was not just the traffic issues. It was that people live there, there are small children on the streets, and they did not want significant commercial development in the area or their property values to decrease because lights are shining into their backyards. Draper City made Master Plans to address this, and should listen to its citizens who pay property taxes. They do not want this development, and she hoped the City Council would listen because the property owner did not care.

Stephanie James stated that her family is new to the neighborhood and lives in Rockwell Square across the street from the subject property. There are times when cars are at a standstill on 13800 South. Ambulances come down the road at least once each day, and she was concerned about how the additional traffic would affect their ability to get into the neighborhoods. She agreed with her neighbors that the property should be residential, not commercial.

Lee Holliday stated that he lives in one of the new homes on Concord Farm Lane. He was not opposed to the development but agreed that there should be a Development Agreement. Traffic had an "F" rating, and something needed to be done, but he did not believe residential zoning worked for the property. Berming or masking could be used to blend the development into the community, but he lived very close to the property and would likely shop there.

Bob Clark stated that he had lived on 300 East for eight years and previously lived on 500 East. The subject property was zoned residential, and he purchased his home due to that zoning. The difference between the last proposal for the property and the current one was that traffic had gotten worse. Traffic coming out of Draper was a bigger problem, as it backed up past 13800 South during rush hour, and he did not believe rezoning the property to allow commercial development would help that problem. He thought it should retain residential zoning because residential developments create less traffic.

Nick Smith stated that he lives on Fort Street. The City would be trusting UDOT to fix the traffic problems, but they had failed many surrounding communities, and he did not believe they would solve the issues. A massive development was planned that would bring in a lot of tax dollars, and he did not think the proposed development was best for the community.

Oliver Herrera stated that he lives near 12300 South. Draper residents face annual increases in taxes and fees, and many of them wanted to know whether the project would be meaningful in offsetting those costs. He asked which economic studies, revenue forecasts, or comparative land-use evaluations were used to determine that a second store would be a good anchor on the same block as an existing one, and whether the public had access to those studies.

Darci Anderson stated that she lives in a four-story condominium building at 248 East 13800 South that faces the subject property. It is already very challenging to turn left on 13800 South from the parking lot. The only other way out of the building is to go through the business parking lot to the west and exit onto Bangerter Parkway. Her parking lot is used as a cut-through, and she anticipated that the problem would be worse with commercial development. She asked how people would get to Chick-fil-A and the names of the two additional businesses in that development. A City Council member posted on Facebook that Smith's Grocery may open in the proposed development and would be leaving the location on 12300 South, regardless, so residents should consider the tax impact if they leave the city. She requested that the city not allow commercial development on the subject property. She agreed with Chair Adams that RA1 zoning may not be appropriate, but believed it should remain residential. People want to live in Draper but cannot find housing.

Larry Dixon agreed with other residents that the property should not be rezoned. He believes the city needs more housing, not more IKEAs and Walmarts. He did not know whether the City Planning Department recommended approval. Schools were losing students because they needed more housing. He did not trust big money and venture capitalists, as they would not look out for Draper's best interests. The city had a Master Plan, and he believed it should be followed. The property had been zoned residential for at least 20 years. It could be rezoned RA2 or RA3, but adding more IKEAs would cause more traffic issues.

Gus Bernardo gave his address as 13608 South Sher Lane and stated that he moved to Draper from Farmington four years previously because of Draper's beautiful parks and trails. His backyard abuts the property. He asked the Planning Commission to consider residents who live in the area. Commercial development would bring lights, traffic, and noise, and a grocery store would have trucks delivering merchandise. It would have a tremendous negative impact on residents. He has to wait up to 10 minutes to turn north on 300 East in the morning, and bringing more commercial to the area would devalue his property and decrease the area residents' quality of life. A grocery store would have extended business hours and get a lot more traffic in the area. He requested that the property remain zoned for residential use. He also did not know how to add a dedicated right-turn lane on 300 East because there is a house at that corner.

James Cotter stated that he lives near the intersection of 300 East and 13800 South. He had been angry since he found out about the proposal, as it contradicts the General Plan's goal of controlling density near established residential areas. He purchased his home knowing the

zoning. If the rumors were true, it felt like a slap in his face that his master bedroom may have a view of a loading dock with commercial trucks delivering products all day. He did not believe that would be a harmonious integration but rather a revolting mismatch. He was concerned that residents would be taken advantage of and asked for assurance that their quality of life would be maintained. He did not want lights shining into his living room. If Smith's were relocating, it would bring its problems to the area. He was not opposed to growth, but it needed to be the proper growth in the right places.

Mike Stout stated that he lives near the dog park. His family moved to Draper in 2010. His wife works at Channing Hall, and his children attended school there. They used to be able to get in and out without a problem, but now traffic is one of the biggest complaints in the area. Channing Hall had fewer students than in the past, perhaps in part because of how hard it is to get in and out of the school. Residents moved in thinking the subject property was zoned residential, and he thought someone would want to build homes on 0.50-acre lots there. The City Council treated rezoning as a foregone conclusion, but it was not, and the Planning Commission's recommendation meant something. He agreed with Commissioner Squire's point that rezoning the property would create a new legal standard and noted that Summit County requires a Development Agreement prior to rezoning.

Adele Lamb stated that her son lives near the proposed development. She had lived in Draper for over 30 years and had seen many changes, including those under the Master Plan. She asked the Planning Commission to remember that Draper consists of more than just the people who live next to the subject property, and many of them want more commercial amenities and restaurants in the City. There would be many more steps in the process, so she disagreed that it was a foregone conclusion and that the city would have no control after the decision. There would be many opportunities to impact design, traffic, etc. Draper is more than people who chose to build on roads that had been main arteries since they were paved. She felt bad for those residents and hoped that appropriate mitigation could be implemented, but she did not believe that only their happiness should be considered.

Robbie Staggs gave his address as 13598 Sher Lane. His two small children attend Willow Springs Elementary School. There was no crosswalk at the school, and people sped through the one at Stokes Avenue without stopping. He was concerned about traffic and how children can safely cross 300 East. He had spoken with the city about installing a High-Intensity Activated Crosswalk ("HAWK") signal, but was told it would be too expensive. Many parents drop their children off at Channing Hall because they do not trust that their children can safely cross 300 East. It was not a major thoroughfare until a few years ago.

Steve Bowler gave his address as 941 Tripp Lane and voiced support for the proposed development. He is a commercial real estate agent who specializes in shopping centers and was involved with bringing Harmon's, RC Willey, and Floor and Décor to Draper. He was sympathetic to the neighbors but believed noise, light, and traffic issues could be mitigated. It

was a prime property for retail development, which would bring tax benefits, services, and jobs to the City.

Teryl Clark gave her address as 13590 South 300 East and stated that she was also speaking for her 90-year-old neighbor, who cannot cross the street with her walker. Her neighbors cannot back out onto 300 East. It was explained to her that "D" and "F" grades are of great concern and indicate a significant problem. She read from DCMC §9-5-060(E)(2)(e) and stated that the development would be detrimental to public safety. She has to be very careful when her grandchildren visit because of the dangers of 300 East. She was also told that a light cannot be added between 13800 South and Bangerter Parkway because there must be one-half mile between signals.

McKay Nielsen gave his address as 13796 South Farm Vista Lane at the intersection of 13800 South and 300 East. He has to wear earplugs at night because of the traffic noise, and he did not believe the proposed solutions would resolve the issue. The applicant discussed adding a right-turn lane from 300 East onto 13800 South, but there are homes in the path of that lane. He did not want to be forced to sell his house so the project could move forward. If Smith's Grocery opened in the development, large semitrucks turning left onto 300 East would be problematic. He hoped that the Planning Commission would recommend denial of the application.

Kristen Thomas stated that she lives on Brown Farm Lane, and commercial traffic is heavier and more constant than residential traffic. To approve the amendment, the Planning Commission must find consistency with the General Plan, harmony with surrounding development, no adverse impacts on neighborhoods, and adequate facilities and services. The evidence in the Staff Report contradicted those findings. The plan called for residential and office services, and the neighborhoods around the site were residential. Traffic and adjacency impacts were clear, and infrastructure concerns remained unresolved. Those were not optional considerations but legal criteria that must be satisfied. No one present was against business or progress; it was simply the wrong project in the wrong place. Draper has appropriate commercial nodes, and this was not one of them. The Planning Commission had every factual and legal justification to recommend denial, and she respectfully asked that they reject the application. Her children used to attend Channing Hall, and their crossing guard was hit by a car on 300 East. The traffic is horrendous there. They frequently have to exit the neighborhood via the rear exit rather than turning left onto 300 East.

Fernando Luege stated he owns the property at 13720 South 300 East. He suggested that a significant buffer, such as a green belt or another street, be constructed between the subject property and the residential area. Even if the property were rezoned to higher-density residential, he believed a buffer would be beneficial.

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

Mr. Rasmussen understood the citizens' position, but he believed issues such as buffering could be addressed through a Development Agreement. He recognized that they did not think it was an appropriate use of the property, but that it was needed, and that the majority of concerns could be addressed. The traffic study was accepted as accurate by both the City and State, and those mitigations would significantly improve conditions.

Chair Adams asked if data was available about potential tax revenue. Mr. Rasmussen stated that he would provide revenue projections to the staff. If a retailer on 12300 South were to relocate, he believed another tenant would fill that space and generate additional sales tax revenue.

Commissioner Squire referred to comments about the traffic study and asked about the projected grading after improvements are installed and the project is completed. Mr. Rasmussen stated that the mitigated circumstances would increase the rating for the north access at 150 East to an "A", 150 East and Bangerter Parkway to "C", west access at Bangerter Parkway to "A", and 13800 and Bangerter Parkway to "C". The exit from Rockwell Square onto 13800 South was a problem that the mitigations would not resolve. Still, they would increase the level of service to "D". 300 East and 13800 South would increase to "B", and a traffic signal was planned for that intersection as a separate project.

In response to a question, Mr. Rasmussen reported that the traffic study was conducted initially in 2022. City Engineer Brien Maxfield stated that the improvements had been designed based on the 2022 study, and work would begin soon. The study could not be fine-tuned without knowing who the anchor tenant will be. Staff were confident that the increased level of service would make a noticeable difference. However, Draper cannot control interstate backups, and overflow traffic would remain an issue. Levels of service "E" and "F" indicate failure, and "D" is an acceptable level for an intersection. Mr. Rasmussen stated that the original study assumed a large grocery store that generates a large number of trips per day, as well as pass-by trips, based on existing traffic. He believed the subject property was a good site for retail development because it is on two major arterial collector routes.

In response to a question raised by Commissioner Fowler, Mr. Maxfield reported that citizens could make a Government Records Access and Management Act ("GRAMA") request to obtain the traffic study.

Commissioner Green stated that there was speculation regarding whether the store would be Smith's Grocery, and perhaps a different retailer would be seen in a more favorable light. Mr. Rasmussen stated that he was not authorized to discuss the names of the major tenants they were working with.

Commissioner Fowler stated that the Commissioners were not politicians. Their focus is on planning, and they can only make recommendations to the City Council.

Mr. Barker stated that the traffic studies he had seen were three years old and asked for the date of the study Mr. Rasmussen was referring to. Mr. Rasmussen clarified that he was referring to the 2022 study. Updates were in process on behalf of the potential tenants, but had not been completed.

Chair Adams referred to comments made about property values and taxes. The city needed more retail, and he did not know where else it could go. Things like property taxes affect affordability because, if the City is short on revenue, it has to come from either sales taxes or property taxes. Commissioner Squire noted that the Planning Commission's role was not to map out sales tax revenue; it was to plan and to plan smartly.

Commissioner Green reported that she lived in Sandy when the Walmart was built. There was a citizen campaign against it. However, it was well-planned, no property values were damaged, and the people behind the campaign now shop there regularly.

Chair Adams stated that Draper Crossing was similar to this property, as it is on a major roadway and has a residential neighborhood behind it. He lives near 300 East and understands residents' concerns. In response to his question about previous proposals, Mr. Maxfield reported that UDOT committed to mid-block access to the property when Bangerter Highway was extended, and that access was assumed in the previous application. Some proposals showed access from 300 East, and some did not. A Site Plan had not been submitted, so he did not know if that access would be proposed for this development. It was noted that access and many other aspects of the development could be specified in a Development Agreement.

Chair Adams reminded the public that the item would be heard by the City Council at its December 2, 2025, meeting, regardless of the Planning Commission's recommendation.

Motion: Commissioner Squire moved to forward a NEGATIVE recommendation to the City Council for the Land Use Map Amendment, as requested by Duaine Rasmussen, representing Tom Lloyd and Lloyd's TLC Limited, application 2025-0064-MA, based on the following Findings and Criteria for Denial listed in the Staff Report dated October 28, 2025.

Findings for Denial:

1. The proposed map amendment is not harmonious with the overall character of existing development in the vicinity of the subject property.
2. The proposed map amendment will adversely affect adjacent property.

3. 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.

Second: Commissioner Shirey seconded the motion.

Vote on Motion: 4-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				

Motion: Commissioner Squire moved to forward a NEGATIVE recommendation to the City Council for the Zoning Map Amendment, as requested by Duaine Rasmussen, representing Tom Lloyd and Lloyd's TLC Limited, application 20250065-MA, based on the following Findings and Criteria for Denial listed in the Staff Report dated October 28, 2025.

Findings for Denial:

1. The proposed map amendment is not harmonious with the overall character of existing development in the vicinity of the subject property.
2. The proposed map amendment will adversely affect adjacent property.
3. 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.

Second: Commissioner Shirey seconded the motion.

Vote on Motion: 4-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				

E. Public Hearing: Openshaw Draper 138 Land Use Map and Zoning Map Amendment Requests.

(Legislative Items)

On the request of Charlie Openshaw and Porter Openshaw an Amendment to the Land Use Map to the Regional Commercial Designation and a Zoning Map Amendment to the CR (Regional Commercial) zone for approximately 1.44 acres located at approximately 231 East 13800 South, Kkown as Applications 2025-0080-MA and 2025-0074-MA, Staff Contact: Todd Draper, (801) 576-6335, todd.draper@draperutah.gov.

Mr. Draper presented the staff report and displayed the vicinity, aerial, land use, and zoning maps. The subject property at the intersection of Bangerter Highway and 13800 South was currently undeveloped. The applicant proposed changing the land use designation from Community Commercial to Regional Commercial and zoning of OR and RA1 to CR. The purpose of the CR zone is to provide regional-scale retail, entertainment, and related uses.

No public comments had been received, but Mr. Draper indicated that the Planning Commission may want to consider the comments made with the previous application. Commissioner Squire noted that the property was included in the conceptual site plan reviewed with the application earlier. Mr. Barker stated that comments made on the previous application should not be considered because this was a separate application with separate considerations.

Steve Lovell spoke on behalf of the applicant and thanked Mr. Rasmussen for outlining the project's goal of creating a retail center. His client intended to be part of that retail center and would support a Development Agreement to mitigate concerns raised over that application. In response to a question from Commissioner Fowler, Mr. Lovell stated that the proposed access to the subject property would be shared with the prior applicant's site plan. Still, they preferred

to move forward with the amendment applications. All development on his clients' property would be contained within that property.

Chair Adams opened the public hearing.

Ben Jones stated that if the area were rezoned to CR, the surrounding parcels would inevitably follow because applicants would cite the decision as justification. That is how zone creep begins; commercial expansion inches deeper into residential corridors year after year. The City Zoning Map in Exhibit F shows how vulnerable the area would become if this single decision were made. Planning Commissions do not just look at this project, but at the following five to 10 applications that will be invited. Approving the application would set a precedent that would undermine neighborhood stability long beyond the applicant's construction timeline.

Kristen Thomas asked about access to the subject property if it were not developed with the previous application.

Mike Stout shared Ms. Thomas' concerns. Mr. Lovell indicated that they expected the other development to provide access, and as such, he believed it was an incomplete application. The subject property used to be one of the last places in Draper where herds of deer could live. If the application were approved, he believed it would give Mr. Rasmussen more power with the City Council to create a large retail center. He asked the Planning Commission to recommend denial.

Robbie Stagg agreed with his neighbors that approving the application would help Mr. Rasmussen's application be approved. Mr. Lovell did not give a definitive answer when asked if the applications should be joined, but they were working together to make the properties one large retail development.

Larry Dixon stated that the project did not seem to be part of the grand plan for how residents want Draper to grow. They were picking apart what was a good City plan, and it was a slippery slope to start piecemealing exceptions without a complete study. Months and months were spent creating the Master Plan, and he believed the city should stick with what it had.

Bob Clark stated that the city always says that its most important asset is its residents. The Planning Commission was talking about revenue, which he understood, but the residents were most important. The last time an application was submitted for the subject property, they wanted to build a car wash, but it was not allowed because there was already a car wash across the street. Now there was another carwash on the corner. The property had been zoned residential for years, and he believed that zoning should be retained. Bangerter Highway should be the cutoff for commercial development, and this property should not be an exception to the rule.

Lee Holliday stated that the Planning Commission should consider how any future residential development on this property would be accessed from 13800 South if rezoning was not approved.

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

Chair Adams noted that the applications involved different property owners with the same goal and that he believed they would be approved or denied together. Commissioner Squire stated that the Planning Commission was unanimous in its decision regarding the last application and asked if the same issues applied to this application.

Mr. Lovell stated that they were working with the other applicant, and shared access would mitigate some traffic concerns. However, the property was different. It was primarily zoned OR. They could submit a site plan application for an office building at any time, but they believed retail was a better fit for the property.

Commissioner Squire asked about access requirements at the intersection. Mr. Maxfield stated that the Transportation Master Plan considers access management. The busier the street, the farther apart the accesses must be, and the greater the required distance from intersections. Frontage improvements for the subject property contemplated shared access onto 13800 South, but access is not officially entitled until a site plan is reviewed and approved.

Commissioner Fowler stated that a prior application for a carwash placed the access at the eastern edge of the property. Chair Adams added that the access location would be similar if the property were not developed with the previous application. Mr. Maxfield clarified that zoning does not determine access points, but the information provided by the applicant contemplated a shared access at the eastern boundary of the property. Both properties had an entitled land use, and shared access would be required regardless of the disposition of the current applications.

Commissioner Shirey stated that the projects were connected, but the subject property was significantly different and would likely be zoned commercial at some point. Her primary concern was the impacts and transitions between residential and commercial properties, and that issue was less prominent with this property. However, based on the facts and their connection to the other application, she was in favor of a negative recommendation. After discussion, the Commissioners agreed to consider the applications together.

Motion: Commissioner Shirey moved that the Planning Commission forward a **NEGATIVE** recommendation to the City Council for the Land Use Map Amendment, as requested by Charlie Openshaw and Porter Openshaw, representing CJO Holdings, LLC and P&J Ventures, LLC, Application 2025-0080-MA, based on the following Findings and criteria for denial listed in the Staff Report dated October 28, 2025.

Findings for Denial:

1. The proposed map amendment is not harmonious with the overall character of existing development in the vicinity of the subject property.
2. The proposed map amendment will adversely affect adjacent property.
3. There are no adequate facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.

Second: Commissioner Green seconded the motion.

Vote on Motion: 4-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				

Motion: Commissioner Shirey moved that the Planning Commission forward a **NEGATIVE** recommendation to the City Council for the Zoning Map Amendment, as requested by Charlie Openshaw and Porter Openshaw, representing CJO Holdings, LLC and P&J Ventures, LLC., Application 2025-0074-MA, based on the following Findings and the criteria for denial listed in the Staff Report dated October 28, 2025.

Findings for Denial:

1. The proposed map amendment is not harmonious with the overall character of existing development in the vicinity of the subject property.

2. The proposed map amendment is not consistent with the standards of any applicable overlay zone.
3. The proposed map amendment will adversely affect adjacent property.

Second: Commissioner Fowler seconded the motion.

Vote on Motion: 4-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				

**F. Public Hearing: Pinnacle Towers Conditional Use Permit Amendment Request.
(Administrative Action)**

On the request of Todd Daoust representing Commscapes, Crown Castle International, and Pinnacle Towers, INC, a Conditional Use Permit Amendment for an existing wireless telecommunication facility on approximately 0.90 acres located at approximately 16211 South Minuteman Drive, known as Application 2025-0238-USE. Staff Contact: Todd Draper, (801) 576-6335, todd.draper@draperutah.gov.

The above item was continued to the December 11, 2025, Planning Commission meeting.

2. Other Business.

A. Coordination between City Staff and Planning Commission (as needed).

None.

3. Adjournment.

Motion: Commissioner Squire moved to ADJOURN.

The meeting adjourned at 8:58 PM.