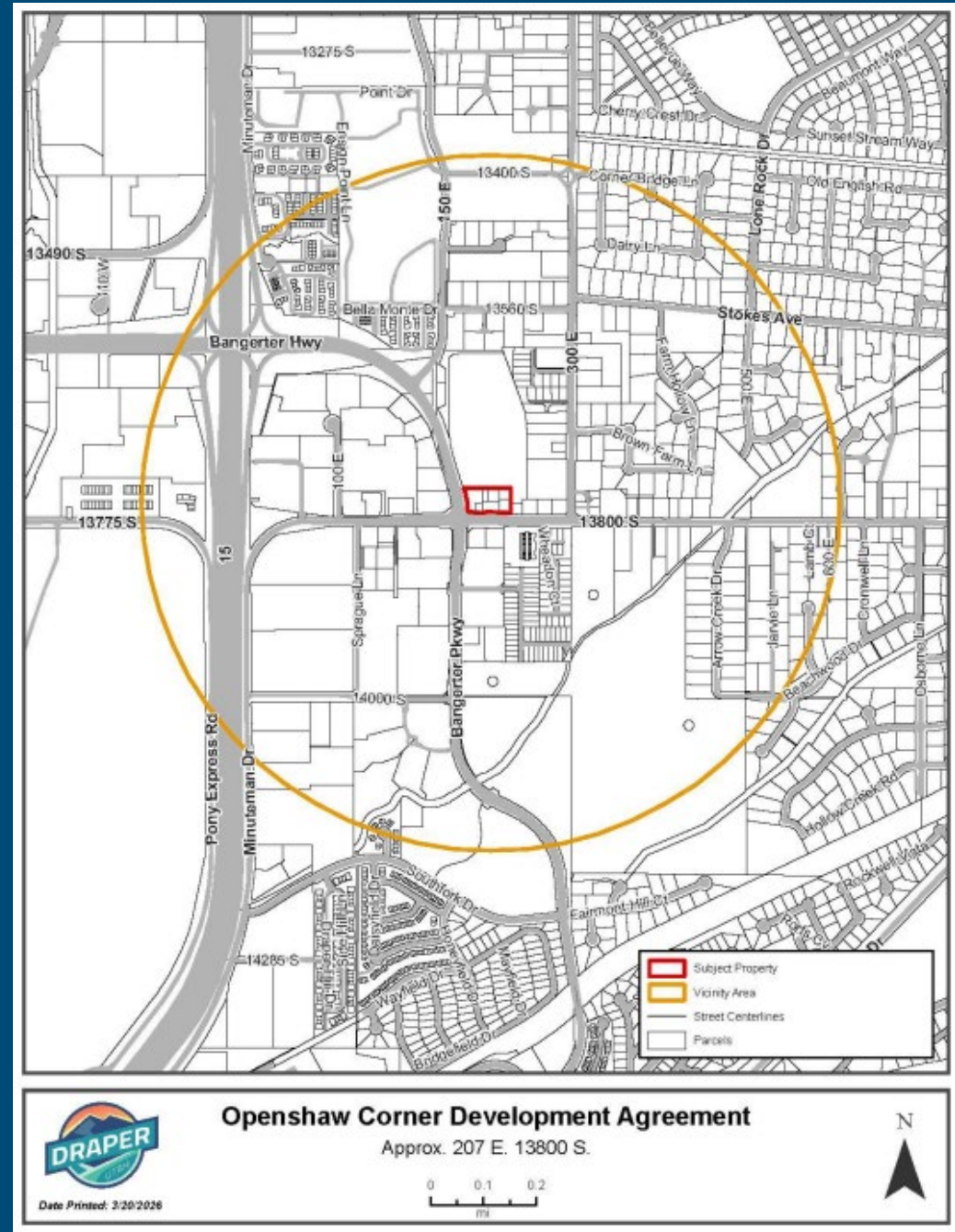


Openshaw Corner Development Agreement

Todd Draper, AICP

City Council
April 7, 2026

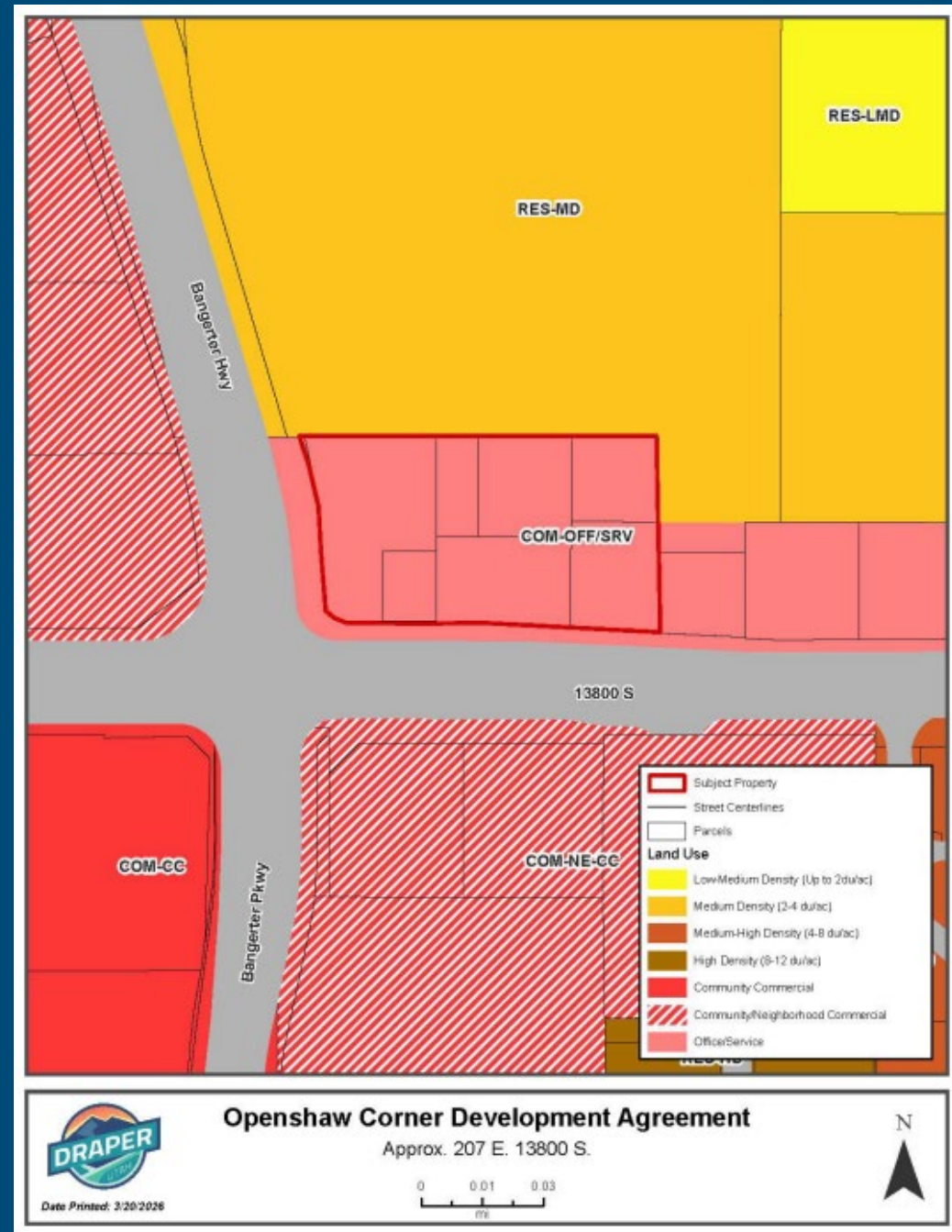
Vicinity Map



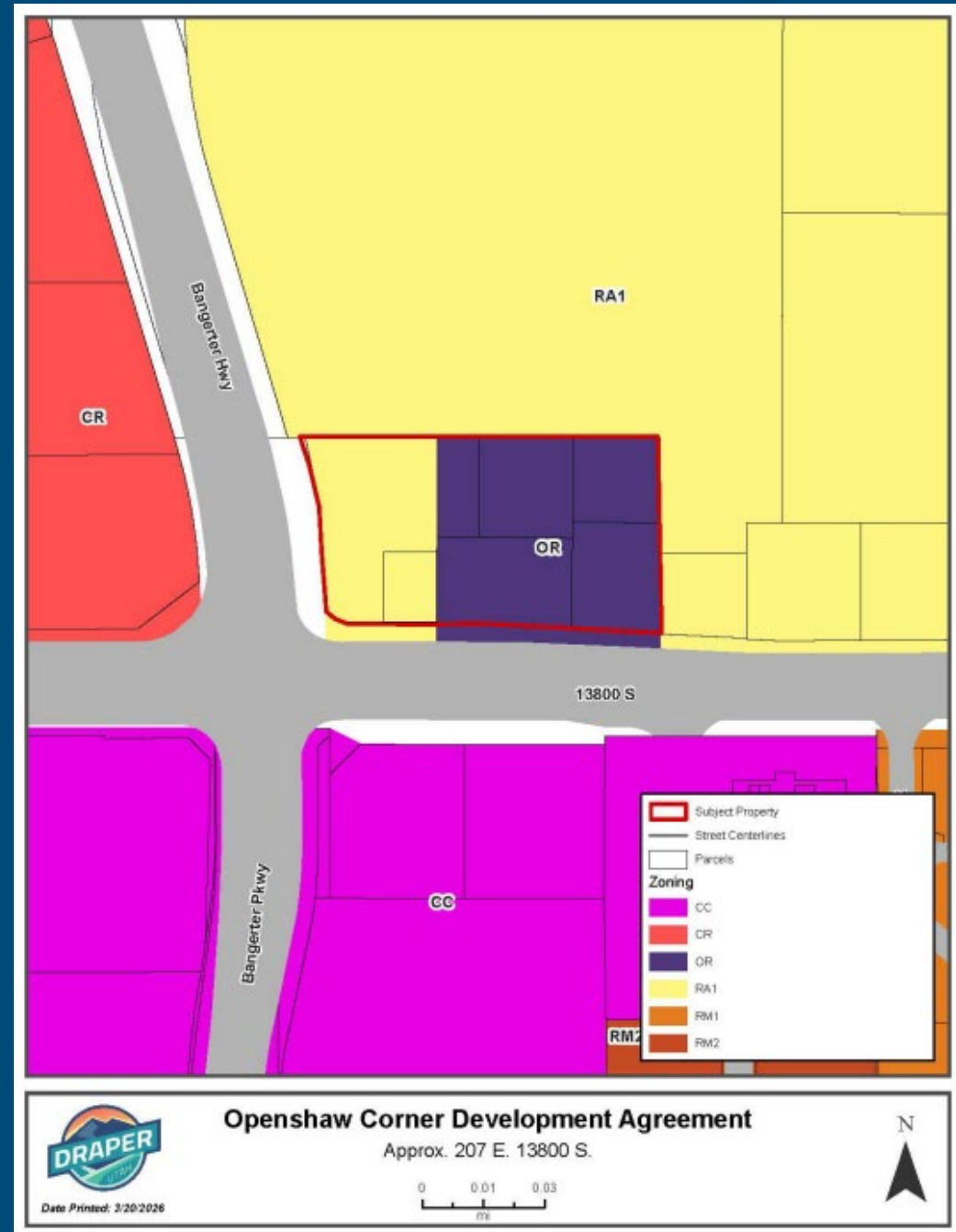
Aerial Map



Land Use Map



Zoning Map



DRAPER CITY

COMMUNITY DEVELOPMENT



Alternate Site Plan



DRAPER CITY

COMMUNITY DEVELOPMENT



Use Restrictions

USES
Residential uses:
Assisted living facility
Public and civic uses:
Auditorium, major
Auditorium, minor
Charter schools
Hospital
Reception center
Commercial uses:
Auto, truck, RV, and equipment storage
Bar establishment
Business equipment rental and supplies
Car wash
Commercial vehicle and equipment rental or sales
Commercial vehicle and equipment repair
Construction sales and service
Gas and fuel, storage and sales
Gasoline service station
Laundry service
Recreation and entertainment, outdoor
Tattoo establishment
Vehicle rental
Vehicle repair, limited
Vehicle sale

Development Agreement

Benefits to the City

- Dedication of land needed for right-of-way improvements.
- Increased property and sales taxes, and other potential increases to city revenues.
- Use limitations.
- Building height restricted to 30-feet.

Development Agreement

Benefits to the Developer:

- Zoning Change to CR (Regional Commercial) designation for the property.
- Assurance of vehicular access to the property.
- Public infrastructure improvement installation.
- Utility installation to the property.
- Reductions in landscaping amounts.
- Parking reduction for smaller restaurants (under 2,500 sq. ft.) to 5 spaces per 1000.
- Deviation to building entrance orientation.



Recommendation to City Council

At their March 26, 2026 meeting the Planning Commission forwarded a positive recommendation to the City Council for the Development Agreement Application together with the following additional recommendations:

1. That all noted concerns and changes identified by city staff as outlined in the staff report be addressed and be included in the Development Agreement that is approved by the City Council.
2. That the perimeter landscaping be kept at a minimum width of 10 feet.

The vote was 4-1 in favor of a positive recommendation to the City Council.



Summary of Changes

The Development Agreement presented to the City Council includes the following changes that were made based on the recommendations of City Staff and the Planning Commission:

- Section 3.1- Clarified that modifications to the Concept Site Plan and Alternative Site Plan can be made as long as they do not conflict with the MDA or Vested City Laws.
- Section 7.1 – Added in staff requested change to note that the Developer will be responsible for cost of installing public improvements related to removal of a temporary access (if installed).
- (Section 8) - Removed unnecessary section regarding reimbursement for upsizing of public improvements.
- Exhibit A: Provided updated unabbreviated legal descriptions of the parcels.
- Exhibit D: Updated the table of use restrictions to remove conflicting information that indicated the uses were allowed uses.

Outstanding issues for Council Consideration

- Vehicular and Pedestrian Cross-access (Section 2.5)
 - Proposed agreement needs to address dedication of reciprocal cross-access easements to the adjacent landowner.
 - Proposed agreement needs to add in specific language regarding the temporary access to include
 - Compliance with city standards for construction of the temporary access
 - Specific details regarding installation and removal of the temporary access.

Outstanding issues for Council Consideration

Staff suggested change to section 2.5 Access:

2.5. Access. Access to the Property shall be substantially similar to the Concept Site Plan or the Alternative Concept Site Plan. Access to the property shall be constructed in compliance with city standards. Reciprocal vehicular and pedestrian cross-access between the Property and adjacent properties shall be provided. In the event access to the property from 13800 South as shown on the Conceptual Site Plan has not yet been constructed or is not legally available for vehicular access to the Property, the Property shall be entitled to the installation of a temporary access connection to 13800 South as generally shown on the Alternative Concept Site Plan. Once the vehicular access to the property from 13800 South as shown on the Conceptual Site Plan has been constructed and provides legal access to the Property, the temporary access entitlement expires and the Master Developer shall cause vehicular use of the temporary access to cease by barricading the temporary access within seven (7) days, and shall remove the temporary access and restore public improvements in the right-of-way within eight (8) months. The Master Developer shall be responsible for the costs associated with the installation and removal of a temporary access.

Outstanding issues for Council Consideration

- Landscaping (Sections 2.9.2 and 2.9.3)
 - Adjustments to the minimum width of perimeter landscaping.
 - An increase to the minimum width of parking lot planter islands to 5' to accommodate trees.

Outstanding issues for Council Consideration

Staff suggested changes to section 2.9.2 and 2.9.3:

2.9.2. Perimeter Landscaping shall comply with the City's Vested Laws (9-23-090). ~~The Project may reduce perimeter landscaping from ten (10) feet to five (5) feet.~~

2.9.3. Parking Lot Landscaping (9-23-100). The Project may reduce the landscaping percentage in the parking lot to 0%. In the event Master Developer elects to add landscaping islands the width of said landscaping islands may be as narrow as ~~4'~~5'.

Site Photos



Site Photos



Suggested Motions and Findings

For Approval:

I move to adopt ordinance #1716 as proposed.

or

I move to adopt ordinance #1716 subject to the additional changes being made to the Development Agreement as outlined in the staff presentation, and delegate authority to the City Manager and City Attorney to make these changes to the final Development Agreement before it is presented to the Mayor for his final signature, and that any additional substantive changes to the agreement be processed separately as an amendment to the Development Agreement.

Finding for Approval:

1. If the identified changes are made to the agreement, the Development Agreement will comply with DCMC Sections 9-5-200(C) and (D).

For Denial:

I move to deny ordinance #1716.

Finding for Denial:

1. The Development Agreement does not comply with DCMC Sections 9-5-200(C) or (D).



Questions or Comments?

Contact:

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