



PLANNING COMMISSION AGENDA

Thursday, June 25, 2026, 6:30 PM
1020 East Pioneer Road
Draper, UT 84020
Council Chambers

6:30 PM BUSINESS MEETING

1. Items for Commission Consideration

1.a Action Item: Approve Planning Commission Meeting Minutes for May 14, 2026 (Administrative Action)

Approval of Planning Commission Meeting Minutes for May 14, 2026

1.b Action Item: Approve Planning Commission Meeting Minutes for May 28, 2026 (Administrative Action)

Approval of Planning Commission Meeting Minutes for May 28, 2026

1.c Public Hearing: Rivian-Draper Site Plan and Deviation Requests (Administrative Items)

On the request of Logan Johnson, representing Wright Development Group and Smith Payne Lone Peak, LLC., a Site Plan and Deviation Request on approximately 6.16 acres, at approximately 11601 S. Lone Peak Pkwy. Known as applications 2026-0011-SP and 2026-0151-VAR, Staff Contact: Paul Geilman, (801) 576-6551, paul.geilman@draperutah.gov.

1.d Public Hearing: City Initiated Corner Lots Text Amendment Request (Legislative Item)

On the request of Draper City seeking approval of text amendments to Titles 9 and 17 of the Draper City Municipal Code (DCMC) in order to clarify the definition of corner lot and how it is applied to certain properties. Known as application 2026-0145-TA. Staff Contact: Todd Taylor, 801-576-6510, todd.taylor@draperutah.gov.

1.e Public Hearing: Adamo Zoning Map Amendment Request (Legislative Item)

On the request of Michael and Tori Adamo, a Zoning Map Amendment for approximately 1.08 acres located at approximately 265 E. 13275 S. Known as Application 2026-0097-MA. Staff Contact: Nick Whittaker, 801-576-6522, Nick.Whittaker@draperutah.gov.

1.f Public Hearing: Solid Construction Land Use Map and Zoning Map Amendment Requests (Legislative Items)

On the request of Morgan Lovato representing JLF Ventures, LLC a Land Use Map Amendment and a Zoning Map Amendment for for approximately 0.31 acres located at 273 E.13800 S., Known as applications 2026-0016-MA and 2026-0044-MA, Staff Contact: Todd Draper, (801) 567-6335, todd.draper@draperutah.gov.

1.g Public Hearing: Kuwahara Nursery Land Use Map Amendment, Zoning Map Amendment, and Development Agreement Requests (Legislative Items)

On the request of Cameron Smith, representing Alpine Homes, LLC and Kuwahara Produce, LLC, A Land Use Map Amendment, Zoning Map Amendment, and Development Agreement to allow for the construction of 21 detached single-family dwellings on approximately 1.95 acres, at approximately 762 W. 12300 S. Known as applications 2026-0019-MA, 2026-0020-MA, and 2026-0021-DA, Staff Contact: Todd Draper, (801) 576-6335, todd.draper@draperutah.gov.

2. Other Business

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

3. Adjournment

I, the City Recorder of Draper City, certify that copies of this agenda for the **Draper Planning Commission** meeting to be held **June 25, 2026**, were posted at Draper City Hall, Draper City website www.draperutah.gov, and the Utah Public Notice website at www.utah.gov/pmn.



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

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

MEMO



To: Planning Commission

From:

Date: 2026-06-25

Re: Action Item: Approve Planning Commission Meeting Minutes for May 14, 2026
(Administrative Action)

Comments:

ATTACHMENTS:

[Draper PC DRAFT Mtg 051426.pdf](#)

**MINUTES OF THE DRAPER CITY PLANNING COMMISSION MEETING HELD ON THURSDAY,
MAY 14, 2026, IN THE DRAPER CITY COUNCIL CHAMBERS**

PARTICIPATING: Andrew Adams, Chair
Lisa Fowler, Vice-Chair
Commission Member Susan Nixon
Commission Member Mary Squire
Alternate Commission Member Laura Fidler
Alternate Commission Member Christine Green

EXCUSED: Commissioner Member Kendra Shirey
Commission Member Gary Ogden

NOT SITTING: Alternate Commission Member Joshua Best

STAFF: Jennifer Jastremsky, Community Development Director
Todd Draper, Planning Manager
Maryann Pickering, City Planner
Todd Taylor, City Planner
Nick Whittaker, City Planner
Paul Geilman, Planning Coordinator
Lori Stout, Executive Assistant
Brien Maxfield, City Engineer
Traci Gundersen, City Attorney
Spencer DuShane, Assistant City Attorney

OTHERS PRESENT: Hemashree Dunakhe, Houseal Lavigne, City Consultant
John Houseal, Houseal Lavigne, City Consultant

6:30 PM Business Meeting

Chair Andrew Adams called the Planning Commission Meeting to order at 6:31 p.m.

1. Items for Commission Consideration.

**A. Public Meeting: The Cove at Bear Canyon Phase III Plat Amendment Request.
(Administrative Item)**

On the request of Merissa Davis, property owner, a Subdivision Plat Amendment request to divide one existing lot into two on approximately 1.0 acres, located at approximately 12222 South Grizzly Hollow Drive. Known as Application 2025-0221-SUB. Staff Contact: Maryann Pickering, (801) 576-6391 or maryann.pickering@draperutah.gov.

City Planner, Maryann Pickering, presented the staff report and explained that this is a Plat Amendment request for The Cove at Bear Canyon Phase III. The Vicinity Map was shared, and the applicant property was highlighted. The location of this property is approximately 12222 South Grizzly Hollow Drive. The Aerial Map and Land Use Map were reviewed, and it was noted that the existing land use is Residential Low/Medium Density. The current zoning is RA2 (Residential Agricultural, 20,000-square-foot minimum) with the Sensitive Hillside Overlay Zone.

The proposal is to split the existing lot into two lots, both of which will meet the minimum standards for the RA2 Zone. The existing home will meet the applicable setbacks for the zone. Ms. Pickering reported that the proposed lot has easements that must be avoided with any new construction. Those easements have been clearly identified on the plat. The current subdivision plat was shared with the Planning Commission, and the subject property was identified. The proposed plat amendment was shared, and it was reiterated that both lots meet the minimum size for the zone. The easements mentioned earlier were identified on the plat.

Commissioner Susan Nixon noted that the original plat shows a non-buildable area, but she does not see that on the new version of the plat. Ms. Pickering stated that it has not been included. The applicants, Merissa and Jason Davis, provided additional information. Ms. Davis believed the non-buildable area was due to slopes, but that was addressed in the geotechnical report. It was determined that if a building is on the slopes, certain building standards will be required.

Motion: Commissioner Nixon moved to APPROVE the Subdivision Plat Amendment, as requested by Merissa Davis, property owner, for The Cove at Bear Canyon Phase III, Application 2025-02221-SUB, based on the following findings for approval and subject to the requirements as listed in the Staff Report dated May 5, 2026:

Findings for Approval:

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

Second: Commissioner Fowler 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				
Green, Alternate	X				
Best, Alternate				X	

- B. Public Hearing: Nielsen Zoning Map Amendment Request (Legislative Item)** On the request of Spencer Elroy Nielsen, property owner, a Zoning Map Amendment request to change zoning from RA1 (Residential Agricultural) to R3 (Single-Family Residential) for approximately 0.33 acres located at 12738 South 300 East. Known as Application 2026-0045-MA, Staff Contact: Paul Geilman, (801) 576-6551 or paul.geilman@draperutah.gov.

Planning Coordinator, Paul Geilman, presented the staff report and explained that this is a Zoning Map Amendment request. The Vicinity Map was shared, and the applicant property was highlighted. The location is approximately 12738 South 300 East. There was recently a rezoning directly to the south. The applicant saw that a rezoning occurred and expressed a desire for their lot to match the current land use, which is Residential Medium Density. The applicant lot is nonconforming in the RA1 (Residential Agricultural; 40,000-square-foot minimum lot size) Zone. To come into compliance, the request is for a rezone to the R3 (Single-Family Residential, 13,000-square-foot minimum lot size) Zone. The Aerial Map and Land Use Map were shared.

Mr. Geilman shared the current zoning map and pointed out RA1 and R3 in other areas. He provided an overview of the request, comparing the current and proposed zoning. It was reiterated that the request is to move from the RA1 Zone to the R3 Zone. The applicant's lot is just over 14,000 square feet, so it would be congruent in the R3 Zone, but it could not be subdivided under that zone. Images of the property were shared with the Planning Commission. It was noted that the applicant, Spencer Nielsen, is present at the meeting to answer questions.

Chair Adams invited the applicant to come forward.

Spencer Nielson, applicant addressed the Planning Commission and stated he had nothing to add to the presentation. The Commission did not have any questions for the applicant.

Chair Adams opened the public hearing.

Chris White explained that he lives across the street from the applicant property on the east side. He wanted to know how the Zoning Map Amendment would impact access in the area.

Kathleen Keller gave her address in Draper and requested additional clarification about the property and asked whether it can be subdivided if the request is approved.

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

Mr. Geilman explained that the lot does not have enough square footage to be subdivided into two conforming lots in the zone. The Zoning Map Amendment would bring the property into conformity, but would not allow a subdivision. There would be no new lots or access. It was noted that the model motion language included in the Meeting Materials Packet may be incorrect. Discussions were had about the appropriate language for a motion on this item.

Motion: Commissioner Fowler moved to forward a POSITIVE RECOMMENDATION to the City Council for the Zoning Map Amendment, as requested by Spencer Nielsen, Application 2026-0045-MA, based on the following findings and the criteria for approval listed in the Staff Report dated April 24, 2026:

Findings for Approval:

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

Second: Commissioner Squire 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				
Green, Alternate	X				
Best, Alternate				X	

C. Public Hearing: The Cookie Ballery, LLC, Home Occupation Conditional Use Permit Request (Administrative Item)

On the request of Cheryl Swenson, representing The Cookie Ballery, LLC, a Home Occupation Conditional Use Permit for approximately 0.53 acres located at approximately 286 West Golden Harvest Road. Known as Application 2026-0065-USE. Staff Contact: Nick Whittaker, 801-576-6522 or nick.whittaker@draperutah.gov.

City Planner, Nick Whittaker, presented the staff report and explained that this is a Home Occupation Conditional Use Permit ("CUP") for The Cookie Ballery, LLC. The Vicinity Map was shared, and the applicant property was highlighted. The location is approximately 286 West Golden Harvest Road. The Aerial Map and Land Use Map were reviewed. Mr. Whittaker reported that the land use is Residential Low/Medium Density and the property is located in the RA2 Zone.

This is a Home Occupation CUP, and the applicant requests permission to operate a Cottage Business producing baked goods from home. Orders will be placed online and then picked up by the customer at the applicant's property. Pick-up times will be scheduled to ensure that only one customer is at the property at a time. Customers will be provided with an off-street parking stall located on the applicant's driveway in front of the third car garage. The hours of operation are proposed as Monday to Friday, 9:00 a.m. to 5:00 p.m. All business will be conducted within the applicant's home. The original and updated site plans were shared. Mr. Whittaker explained that an updated site plan was requested, and it has already been submitted.

The updated site plan shows where customers will park their vehicles during order pick-ups. It was reiterated that vehicles will be parked in front of the third car garage. The floor plan was shared. Mr. Whittaker explained that the applicant will use the entire kitchen to produce

the baked goods. A portion of the living room will be used as office space to conduct administrative tasks.

Impact analysis and mitigation information were provided. Identified potential impacts include:

- Customers coming to the home and the associated traffic;
- Customer vehicles parked on the street.

Mr. Whittaker shared several proposed mitigation strategies to address the potential impacts:

- That all requirements of the Draper City Engineering, Public Works, Building, Planning, and Fire Divisions are satisfied;
- That a Draper City Business License shall be obtained;
- That only one (1) customer at a time shall be permitted at the subject property and only to pick up their orders;
- That the customer orders shall be picked up by appointment only;
- That business hours of operation shall be limited to weekdays from 9:00 a.m. to 5:00 p.m.

Mr. Whittaker provided photographs of the home and pointed out where customers will park. There are no issues with the width of the driveway. Commissioner Lisa Fowler asked for clarification regarding the site plan change. It appears the cement parking stall on the left side of the driveway has been removed. Mr. Whittaker explained that the parking was narrowed down to a single location. Everything west of the identified parking spot in the driveway is gravel. He clarified that gravel would not be acceptable to use as a parking spot for customers.

The applicant, Cheryl Swenson, introduced herself to the Planning Commission and explained that she originally hoped to open a food truck. However, that would result in high operating costs. She is thrilled to have the option to work from home, which is the reason for the CUP application.

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

Chair Adams noted that this is a fairly straightforward application. With Home Occupation CUP applications, the concerns tend to be related to traffic and parking. Those concerns have been addressed with the parking location and the scheduled pick-ups. Commissioner Fowler agreed.

Motion: Commissioner Fowler moved to APPROVE the Home Occupation Conditional Use Permit, as requested by Cheryl Swenson, representing The Cookie Ballery, LLC, Application 2026-0065-USE, based on the following findings for approval and subject to the conditions listed in the Staff Report dated April 30, 2026:

Findings 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.
2. The applicant has already updated the Site Plan, as requested by Staff.

Second: Commissioner Fidler seconded the motion.

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

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

D. Public Hearing: Veranda West Master Area Plan Amendment, Zoning Text Amendment, and Conditional Use Permit Request (Legislative and Administrative Items)

On the request of Keith Hansen of AE Urbia, representing City Center Draper Holdings, LLC, a Master Area Plan Amendment, Zoning Text Amendment, and Conditional Use Permit for approximately 31.27 acres located at approximately 13708 South 600 West. Known as Applications 2024-0336-MAP, 2024-0456-TA, and 2026-0028-USE. Staff Contact: Todd Taylor, 801-576-6510 or todd.taylor@draperutah.gov.

City Planner, Todd Taylor, presented the staff report and explained that this is a Master Area Plan ("MAP") Amendment, a Zoning Text Amendment, and a CUP request. The Vicinity Map was shared, and the applicant property was highlighted. The location is approximately 13708 South 600 West. The Aerial Map and Land Use Map were reviewed. He noted that the land use and zoning are Transit Station District. He noted that a MAP Amendment is required in the Transit Station District. The Veranda West MAP was originally approved on March 5, 2019, and a minor amendment was made on May 5, 2020.

The applicant is proposing changes to the uses, including 32 additional apartment units. It was clarified that the townhouses within the MAP are already built. There is a proposed increase of 1.16 acres for retail/restaurant from the original approval; office has been removed; and a new outdoor recreation use, a surf park, is being added for 8.8 acres. The open space has decreased by 4.4 acres, but still meets the zone's minimum requirements.

The Land Use Map and Concept Site Plan were shared with the Planning Commission. Mr. Taylor pointed out the existing townhouses to the north and explained that the southern portion of the site will utilize the existing entrance and another entrance being proposed to the south of the existing entrance. The Circulation and Pathways Map was provided. The purple lines on the map represent the pedestrian pathways running through the site and there is extensive connectivity throughout. He next shared the Open Space Map. Concept Elevations have also been provided by the applicant.

To mitigate potential noise impacts, several conditions of approval are recommended, including conditions specific to the surf park that require it to open no earlier than 6:00 a.m. and close no later than 11:00 p.m. The surf park must also submit a noise study with the site plan application to ensure noise impacts to the proposed residential areas to the south are mitigated. The surf park must comply with the Noise Control Ordinance and the Salt Lake County Health Regulation No. 21 – Community Noise Pollution Control. Mr. Taylor explained that there is also a condition of approval that states the CUP shall not take effect unless and until the MAP Amendment and Zoning Text Amendment have been approved by the City Council.

Commissioner Nixon noted the drought conditions and asked whether a surf park is an appropriate use. She also wanted to understand the Condition of Approval related to quiet hours. It would make sense to coincide the hours with the City Code, which is from 10:00 p.m. to 7:00 a.m. Mr. Taylor clarified that the code does not prohibit businesses from operating during those hours, but it does prohibit excessive noise. If it is possible for a business to operate during those hours without creating excessive noise, then there is no issue.

The applicant team provided additional information to the Planning Commission. Jackson Sheppard explained that the property has been owned since 2019. Wasatch Residential Group and Wasatch Commercial Group have done a lot of the work with the city so far. He noted that the architects and builders are present at the Planning Commission Meeting. As for water conditions, the surf park uses the least water of all the approved uses. The wave pool is net-neutral, and third-party engineers have confirmed this. He reported that one hole on a golf course uses 18 times as much water as the proposed wave pool. Having outdoor recreation venues available for those in multi-family dwellings will be beneficial.

Commissioner Fowler explained that the street is fairly busy without the full development on either side, so she is concerned about parking. Mr. Sheppard reported that the Traffic Impact Study has been updated and can be shared with the Planning Commission. The wave pool will operate as semi-private, with times available to the public and times available to members. He believes there is adequate parking based on the membership structure and times.

Commissioner Fowler asked whether the applicant team had considered placing parking for the apartments underneath the buildings. Mr. Sheppard confirmed that this has been considered, but clarified that the apartment will be constructed later. The team believes the apartment is adequately parked. Adam Lankford from Wasatch Residential Group introduced himself to the Planning Commission and shared comments about parking. The code is met by the proposal, and beyond that, their own parking standards are also being met. Parking is important because people will not visit the area if there is not an adequate amount provided. He reiterated that it is adequately parked.

Commissioner Fowler expressed concerns about pedestrians crossing the street from the development on the other side. Mr. Lankford explained that, according to the City, once the traffic count reaches a high enough level, the goal is to install a signal at the main entrance. People would then be able to cross at the signal. There is a desire to see a signal there, as it would improve access.

Alternate Commissioner Fidler noted that there are townhouses and apartments. She assumes the townhouses will be for sale products. Mr. Lankford explained that the townhouses are the community on the north end, and those are already built. The stacked

flats are at the south end and will be four stories tall, with garages underneath. The townhouses and apartments are both for rent rather than for sale.

Alternate Commissioner Green asked how much water will be used for the surf park. Connor Sheppard reported that the pool will consist of about 4 million gallons of water, but only evaporation will need to be addressed. Mr. Jackson Sheppard added that there is a wave pool in Munich, Germany, which has a similar climate. The wave pool in that location is net neutral between rainfall, snow, and evaporation.

Additional information about the surf park was provided. There was also additional information about water use shared. It was noted that there could be approximately 75 single-family homes on the site where the surf park is proposed, resulting in approximately 9.7 million gallons of water used per year. In terms of the surf park, this is similar to a swimming pool, with a one-time fill up. Mr. Connor Sheppard reported that many studies have been conducted. What is proposed is a recirculating system, so the only water loss will be evaporation.

Commissioner Nixon asked whether this use is desired by residents. Mr. Lankford explained that amenities like this are a draw. The surf park will not only serve nearby residents but also be a regional draw. Mr. Jackson Sheppard shared information about the market studies conducted. He explained that there is no desire to build something that will not be attractive to residents and visitors. Utah is unique because of its close proximity to the mountains, so people tend to enjoy spending time outdoors in various ways. The market studies indicate a high level of support.

Alternate Commissioner Green expressed concerns about water use and the perception of a surf park in the area. Commissioner Fowler pointed out that the Transit Station District allows for higher density, which could result in a residential building with units that would consume significantly more water resources. The applicant team stated that additional information about water use can be provided to Commissioners for review. This amenity will be used by community members. Chair Adams understood the concerns expressed about water use, but noted that this will require a one-time fill, and then the only loss will be due to evaporation.

Commissioner Nixon feels better about the proposed use after hearing more about the studies and the water use numbers. As for the traffic, she is not concerned, based on the submitted Traffic Impact Study. Chair Adams is pleased to hear that there will be a one-time fill with recirculated water. He asked how often the surf park will be open. It was noted that in the winter months, there will likely be fewer visits, but the pool will be open year-round and heated. The pool does not need to be drained because it has a closed circulation loop.

Chair Adams asked what other amenities were considered for this portion of the site. Mr. Lankford reported that office buildings were originally anticipated, but studies show that offices would use more water than is currently proposed. Comments were shared about the commercial village. It will benefit the City through restaurants and retail. Commissioner Nixon asked when the work would start if approvals were granted. It was reported that the intention is to start this year. The architects are working diligently on all the documents, but City Council approvals are also needed. The pool takes 10 months to build. Mr. Lankford reported that the land has been owned for a long time and that many options have been considered for the site. What is proposed is the highest and best use of the land.

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

It was noted that three separate motions will be needed. Commissioner Nixon explained that she feels much better about the proposal after receiving additional information from the applicant team. Alternate Commissioner Green understands that what is proposed fits in the zone, but asked about the appropriateness of adding a water-focused use in the community. It was noted that this is not the kind of application that must be approved if it meets certain criteria. There are three applications associated with this agenda item: MAP Amendment, Zoning Text Amendment, and CUP. The Transit Station District requires developers to create a MAP.

The Veranda West MAP already exists, but the applicant is requesting an amendment. The MAP and Zoning Text Amendment will move forward to the City Council for consideration. The CUP application is for outdoor recreation use, which is an existing use allowed in the zone with a CUP. If the CUP is approved, it will not become effective until the City Council makes a decision on the MAP Amendment and Zoning Text Amendment. The Planning Commission further discussed the proposed surf park and the water volume required for its operation.

Motion: Commissioner Fowler moved to forward a POSITIVE RECOMMENDATION to the City Council for the MAP Amendment, as requested by Keith Hansen of AE Urbia, representing City Center Draper Holdings, LLC, Application 2024-0336-MAP, based on the findings for approval as listed in the Staff Report dated April 20, 2026:

Findings for Approval:

1. The proposal complies with all of the required elements under DCMC Section 9-14-060.
2. The Master Circulation Plan adequately serves the MAP area and areas surrounding the project.
3. The proposal provides for a community character substantially consistent with the purposes of the TSD, including the provision for at least twenty-five percent (25%) commercial, retail, or office uses.
4. The proposed development standards and design guidelines are high-quality transit-oriented design standards, including the use of high-quality building materials.

Second: Commissioner Nixon seconded the motion.

Vote on Motion: 4-to-1 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				
Green, Alternate		X			
Best, Alternate				X	

Motion: Commissioner Squire moved to forward a POSITIVE RECOMMENDATION to the City Council for the Zoning Text Amendment, as requested by Keith Hansen of AE Urbia, representing City Center Draper Holdings, LLC, Application 2024-0456-TA, based on the findings for approval as listed in the Staff Report dated April 20, 2026:

Findings for Approval:

1. The proposed amendment is consistent with the goals, objectives, and policies of the City's General Plan.
2. The proposed amendment furthers the specific purpose statements of the zoning ordinance.
3. The proposed amendment is appropriate given the context of the request and there is sufficient justification for a modification to the zoning ordinance.
4. The proposed amendment will not create a conflict with any other section or part of this Title or the General Plan.
5. The potential effects of the proposed amendment have been evaluated and determined not to be detrimental to public health, safety, or welfare, and represents an overall community benefit.
6. The proposed Text Amendment implements best current, professional practices of urban planning, design, and engineering practices.

Second: Commissioner Fidler seconded the motion.

Vote on Motion: 4-to-1 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				
Green, Alternate		X			
Best, Alternate				X	

Motion: Commissioner Nixon moved to APPROVE the Conditional Use Permit, as requested by Keith Hansen of AE Urbia, representing City Centre Draper Holdings, LLC, Application 2026-0028-USE, based on the following findings for approval and subject to the conditions listed in the Staff Report dated April 20, 2026:

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 Fowler seconded the motion.

Vote on Motion: 4-to-1 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				
Green, Alternate		X			
Best, Alternate				X	

E. Public Hearing: Shadow Crest Cove Preliminary Subdivision Plat and Conditional Use Permit Requests (Administrative Items)

On the request of Brooklyn Chadsey, representing Ensign Engineering and Draper 1700, LLC, a request for Preliminary Subdivision Plat approval and Conditional Use Permit approvals for fencing over six feet (6') in height and for a gated entry on approximately 11.67 acres located at approximately 12696 South 1700 East, known as Applications 2025-0185-SUB, 2025-0289-USE, and 2026-0064-USE. Staff Contact: Todd Draper, (801) 576-6335 or todd.draper@draperutah.gov

Planning Manager, Todd Draper, presented the staff report and explained that this is a Preliminary Subdivision Plat and CUP request for Shadow Crest Cove. The Vicinity Map was shared, and the applicant property was highlighted. The location is approximately 12696 South 1700 East. The Aerial Map and Land Use Map were reviewed. Mr. Draper reported that the land use is Residential Low/Medium Density and the property is located in the RA2 Zone. He reiterated that there are Preliminary Subdivision Plat and two Conditional Use Permit (CUP) requests associated with the Shadow Crest Cove application.

The Preliminary Subdivision Plat was reviewed. Mr. Draper reported that the site is currently vacant and that the proposal is for 18 lots. He explained that there will be a cul-de-sac on both ends of the street system. There is a parcel on the west side that will be deeded to the city. Some of the storm drain improvements in that portion have already begun. There was an overhead power line in that area as well, but that has already been undergrounded. It was noted that there are minor items to address, such as the gas easement running through the middle of some lots. The gas company released the easement, so there is no issue with building.

Information about the Street Tree Plan was shared. Mr. Draper pointed out the additional landscaping that is proposed around the gate. Two of the selected tree species are not on the street tree list, so they need to be replaced with species that are on the list. There are a few other minor adjustments that need to be made. He reported that the applicant has submitted new documents and plans, but the staff have not had the opportunity to review them.

Mr. Draper shared information about the CUP requests. He reported that one CUP is for the gate. What is proposed meets the code, and the gate will not block the pedestrian access. The second CUP concerns the fencing. Most of the fence will be a six-foot-tall precast concrete fence, but on the eastern side, there are some existing fences that are slightly taller. The request is to match that to some degree. Mr. Draper shared example images with the Commission.

The Gate Plans were reviewed, and the sidewalk location was highlighted. The gates will have a double swing on each side, and pedestrian traffic will not be impeded. Some photographs of the site were shared with the Planning Commission for reference.

The applicant, Ryan Button, stated that there is excitement about this process moving forward. He shared information about the underground power lines, which have had a positive impact on the area.

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

Motion: Commissioner Fowler moved to APPROVE the Preliminary Subdivision Plat, as requested by Brooklyn Chadsey, representing Ensign Engineering and Draper 1700, LLC, for the Shadow Crest Cove Subdivision, Application 2025-0185-SUB, based on the findings for approval and subject to the listed conditions and requirements in the Staff Report dated May 5, 2026:

Finding for Approval:

1. Once the identified corrections are made to the Preliminary Subdivision Plat, the application will meet all applicable City Ordinances.

Second: Commissioner Squire 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				
Green, Alternate	X				
Best, Alternate				X	

Motion: Commissioner Nixon moved to APPROVE the Conditional Use Permit, as requested by Brooklyn Chadsey, representing Ensign Engineering and Draper 1700 LLC, for a Gated Subdivision Entry, Application 2026-0064-USE, based on the findings and conditions for approval listed in the Staff Report dated May 5, 2026:

Finding for Approval:

1. The proposal complies with the standards for approval found in DCMC Section 9-5-80(E), and potential negative impacts are mitigated through the imposition of reasonable conditions.

Second: Commissioner Squire 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				
Green, Alternate	X				
Best, Alternate				X	

Motion: Commissioner Squire moved to APPROVE the Conditional Use Permit, as requested by Brooklyn Chadsey, representing Ensign Engineering and Draper 1700 LLC, for the construction of fencing between six feet (6') and ten feet (10') in height, Application 2025-0289-USE, based on the findings and conditions for approval listed in the Staff Report dated May 5, 2026:

Finding for Approval:

1. The proposal complies with the standards for approval found in DCMC Section 9-5-80(E), and potential negative impacts are mitigated through the imposition of reasonable conditions.

Second: Commissioner Fowler 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				
Green, Alternate	X				
Best, Alternate				X	

- F. **Public Hearing: Lone Peak Retail 3 Site Plan Request (Administrative Item)** On the Request of Eric Gaoiran of Price Real Estate, property owner, a request for approval of a Site Plan to construct two new retail buildings on approximately 0.85 acres located at 218 West 12300 South. Known as Application 2026-0029-

SP. Staff Contact: Maryann Pickering, (801) 576-6391 or
maryann.pickering@draperutah.gov.

The above item was continued to an uncertain date.

2. Other Business.

A. Discussion Item: Zoning and Subdivision Code Update (Work Session)

Chair Adams reported that there was a Work Session item on the agenda for a Zoning and Subdivision Code update. Jennifer Jastremsky, Community Development Director, noted that Houseal Lavigne has been assisting the City in rewriting the code. During this Work Session, there will be a review of proposed changes to a few chapters, uses, and zoning districts, so that the Planning Commission can provide feedback. There will then be feedback received from the City Council, as well as public comment.

John Houseal and Hemashree Dunakhe from Houseal Lavigne introduced themselves to the Planning Commission. The purpose of this Work Session discussion is to look at Chapter 2: Base and Overlay Districts and Chapter 4: Use Standards. In addition, the next steps will be reviewed.

Mr. Houseal explained that the last update was done in 2001, and since then, the population in Draper has doubled. The rewrite will address Moderate-Income Housing and Station Area Plans and align the code with the amended State laws. During this process, the General Plan, Moderate-Income Housing Plan, and Town Center Station Area Plan have been considered, as these are documents that set the policy foundation for Draper. The Zoning and Subdivision Codes were also reviewed, which are technical and detailed. These outline what can and cannot be done.

The Scope of Work information was shared. Mr. Houseal reported that the first three steps shown have been completed: Project Initiation, Community Engagement, and Current Code Analysis and Preliminary Recommendations. The discussion during the current Planning Commission Meeting will focus on the fourth item, District and Use Standards. The additional Scope of Work items include Development, Sign, and Subdivision Standards, Administrative Procedures, and the Draft and Final Code. The remaining items will return to the Planning Commission for consideration and discussion at a future Work Session.

Mr. Houseal explained that work has been done to streamline the existing zones. Three residential zones were consolidated into one new zone. He explained that many of the zones are similar, with only minor changes. With improved standards, there is no need for three different zones. 13 commercial zones were reduced to six. In the commercial zones, there was significant overlap. The two public facility districts were merged into one. He clarified

that most of the zones were carried forward, but some reorganization occurred. There was also the establishment of districts and bulk and dimensional standards. The standards were presented in table formats with clear footnotes. The intention is to align the districts with the City's General Plan.

Ms. Dunakhe reviewed a table comparing the current and proposed base districts. She explained that the General Plan was adopted in 2024 and the Zoning Code dates back to 2001, so there was some misalignment. To ensure alignment with the long-range plan, some cleanup of the districts was undertaken. Ms. Dunakhe reviewed information for the Agricultural Zones. It is proposed that RH - Single-Family Residential (Hillside) be added to A5 - Agricultural to become A5 - Agricultural Very Low Density. It is also proposed that some of the names be revised within the Residential Zones. This will ensure there is alignment with the purpose statement. It will be easier for applicants to understand the residential zones. RM1 - Multiple-Family Residential and RM2 - Multiple-Family Residential are proposed to become MFR - Multiple-Family Residential. MXR - Mixed Residential is a new district based on the General Plan recommendations.

Information about the Commercial Zones was shared. Ms. Dunakhe reported that the city has many commercial zones, but most of them are similar. CN - Neighborhood Commercial, CS - Commercial Services, and CBU - Commercial Buffer have been consolidated to become CN - Neighborhood Commercial. CR - Regional Commercial, CI - Interchange Commercial, and DC - Destination Commercial have been consolidated to become CR - Regional Commercial. As for the MARF (Major Freeway Arterial Frontage) and the TC (Town Center), they have been relocated to the Master Planned Development chapter. CO1 - Professional Office and O-R - Office Residential have been consolidated to become CO1 - Professional Office. For the Public and Open Space Zones, one change is proposed: consolidating PF - Public Facility and PI - Public Institution into PF - Public Facility, as these are fairly similar and can be combined.

For the Manufacturing Zones, the zones have remained, but the regulations and the purpose statement have been cleaned up. In the Overlay Zones section, some items are missing because they have been moved to the Master Planned Development chapter. OSL - Sensitive Lands Overlay is proposed to be renamed OSL - Hillside Sensitive Lands, and OHD - Historic District Overlay is proposed to be renamed OHL - Historic Landmarks. This is to provide additional clarity. There are two additions: ORI - Residential Infill and OAH - Affordable Homeownership.

Additional information about the Residential Zones was provided. Ms. Dunakhe reported that a table has been created for additional clarity. The intention is to ensure everything is clear and easy to read. In addition, the purpose statement aligns more closely with the General Plan.

Ms. Dunakhe discussed MXR – Mixed Residential, a new district not included in the existing code. This focuses on one to four-unit dwellings and townhomes. These will be located near transit, commercial, and employment hubs. She next reviewed MFR (Multiple-Family Residential), which includes apartments, condominiums, and townhomes. She reiterated that the two multi-family RM1 and RM2 districts have been consolidated into one to create the MFR - Multiple-Family Residential zone.

ORI - Residential Infill Overlay is a completely new overlay district not included in the existing code. Ms. Dunakhe explained that this has come from the Master Plan recommendation that there be infill overlay. This overlay creates a transition between the single-family and multi-family. OAH - Affordable Homeownership Overlay was created with the staff. Information about House Bill (“H.B.”) 37 was provided to the Commission, which was passed in 2025. It added affordable homeownership density bonuses as recognized strategies. It is not mandatory, but Draper is allowing this through an overlay district so more parcels can qualify. The regulation was divided between single-family residential and multi-family residential. The qualifying conditions include:

- 60% owner-occupied for five years;
- 25% affordable priced;
- 25% under 1,600 square feet;
- First-time buyers get 30 days first pick; and
- Single-family can pick one, multi-family must meet all four.

In addition, there are some extra incentives. Ms. Dunakhe reported that an associated Development Agreement will be in place. She reiterated that this will not be a new zone, but an overlay district. Commissioner Fowler asked what the General Plan says about affordable homeownership. Ms. Dunakhe explained that the General Plan was adopted before H.B. 37 was passed, so the options presented come from H.B. 37 rather than the General Plan. Ms. Jastremsky reported that State law provides a set of strategies for Moderate-Income Housing, and six have been selected. This specific one was not included because it was added to the State Code in 2025. The Moderate-Income Housing Plan has not been amended at this time, but there is Staff support for the proposal.

Commissioner Fowler was not certain that increasing the density in a single-family area would be supported by neighbors. This could create pockets that do not match the surrounding area. Ms. Jastremsky explained that the overlay would need to be requested, which would require a public hearing, a recommendation from the Planning Commission, and a City Council decision. There would still be an opportunity to review the area and take it into consideration.

Commissioner Fowler expressed concerns about reduced parking. Mr. Houseal reported that most communities are facing housing issues right now. The challenge in discussing

affordability or attainability for a housing product is bridging the financial gap between the product and the market rate. One way to do that is by increasing density. This does not need to be mandated, but it can be offered as an option for consideration. These overlays can be proposed, and the city can then consider them. The OAH - Affordable Homeownership Overlay creates options.

There was discussion about affordable housing and the qualifying conditions for the overlay. Ms. Jastremsky explained that the State Code standards have been included. She offered to share H.B. 37 with the Planning Commission. Mr. Houseal pointed out that there are situations where affordable housing is not proposed in certain cities because it does not pencil out for the developer. The more expensive the land is in a community, the more difficult it becomes. Affordable housing is typically proposed in areas where there is a financial incentive. There are developers who specialize in affordable housing and seek out grant funding, but much depends on what is put forward for consideration.

Chair Adams asked if there is anything that Houseal Lavigne has noticed that works well in other cities. He shared an example scenario with the Planning Commission. Ms. Jastremsky provided clarifying information about the Kimballs Station development. She explained that 30 workforce housing units will result from that, in partnership with Edge homes and the City. Chair Adams wanted to know if the overlay would address incentives in a similar way. Ms. Jastremsky reported that the State has made it possible to create an overlay that will allow developers to focus on affordable housing. She shared the definition of affordable housing.

Mr. Houseal shared information about the Regional Housing Needs Allocation ("RHNA") in California. Even with certain requirements in place, there might not be developers proposing affordable housing in Draper. However, in some States, developments with a certain number of units must include a set number of affordable units. If at least 15% of the units are affordable, additional market-rate units may be permitted to offset the affordable units.

Chair Adams likes that the proposed OAH - Affordable Homeownership Overlay provides opportunities. Commissioner Fowler appreciates that an overlay request will still need to be reviewed and considered by the Planning Commission and City Council. Chair Adams would prefer to see something similar to what happened with Edge homes and the workforce housing.

Mr. Houseal explained that the proposed measure creates opportunities within the community that the current code does not. The overlay has created these opportunities with intention and direction. There is a lot of demand for affordable housing in communities, so that has been taken into account. Chair Adams asked whether there have been situations in which cities have provided developers with information on how to use the code to benefit all involved. Mr. Houseal liked the suggestion. There has been post-adoption training for

real estate professionals, so there is some awareness of certain changes, but a more targeted educational event for developers would make sense.

Commissioner Fowler asked for additional information about the incentive related to fast-track approval. Ms. Jastremsky explained that this relates to the process. There could be shorter review times, so the process moves through more quickly. Chair Adams reiterated the need for an educational event for developers to make all of this information clear.

The Planning Commission took a short break from 8:45 pm to 8:52 pm before resuming the Work Session items.

Ms. Dunakhe shared example diagrams with those present to illustrate what will be included. She explained that there is a desire to make all of the information clear and easy to understand. Mr. Houseal shared Use Table information and noted that there are Principal Uses, Accessory Uses, and Temporary Uses. Everything has been put into tables to make it easier to understand. The letters in the tables will include: P for Permitted, C for Condition, and PR for Prohibited. There are separate tables for Temporary Uses, with T indicating a Temporary Use Permit is required and A indicating it is allowed without a Permit. There are often supplemental standards depending on the use.

Ms. Dunakhe reviewed the Principal Uses information and shared a table outlining the residential uses. In the Principal Uses Supplemental Standards, the three-unit/four-unit and cottage court regulations are provided. This will make it simple for the applicant and Staff to look at the existing regulations and determine what would be appropriate. The townhome regulations are already in the existing code, but additional clarity was provided. Mr. Houseal explained that there is no desire to dictate design. The objective of the supplemental standards is to establish a quality threshold. There are proposed standards that will encourage high-quality development.

The information for Commercial Uses was shared. Ms. Dunakhe explained that most of the existing commercial uses would remain, but some were consolidated, and some clearer definitions were added. The prohibited uses were also shown upfront. The information for Accessory Uses was reviewed. Ms. Dunakhe reiterated the desire to make everything easy to follow.

The Accessory Uses Supplemental Standards information was provided. This is currently in the code, but some cleanup was done to ensure everything is easy to read and follow. Ms. Dunakhe discussed the Alternative Energy Systems section. The solar energy collection system includes canopy, ground-mounted, and roof-mounted systems to ensure that modernized uses are considered. There is also clear information about stacking requirements for drive-through facilities. She next discussed Temporary Uses and explained that this was consolidated from Municipal Code Chapter 16 into the new Use Standards

chapter. It identifies uses that are allowed and uses that require a permit. Clear standards have been added to reflect adopted ordinances.

The next steps in the process were outlined. Ms. Dunakhe reported that after this Work Session, members of the Planning Commission are invited to provide feedback to Staff about what has been presented. Those revisions will be documented, and then the draft will be posted on the project website. Staff will share information on social media to let residents know that new chapters are available for review and comment. Ms. Dunakhe explained that there is a public feedback section on the project website, which allows all feedback to be directly submitted.

Ms. Jastremsky stated that there is a desire to receive feedback from the Planning Commission. She reminded those present that a recommendation will eventually be forwarded to the City Council. Chair Adams has never seen diagrams included in code before. He asked whether the diagrams were proposed for addition. Ms. Jastremsky clarified that the diagrams are examples. Once the language is finalized, the Houseal Lavigne team will create relevant diagrams. Chair Adams believed the proposed diagrams would make the code much easier for people to understand.

Commissioner Nixon asked if her questions about the proposal should be emailed to the staff following the Planning Commission Meeting. Ms. Jastremsky confirmed this and explained that questions can be answered and feedback can be forwarded to Houseal Lavigne. Ms. Dunakhe shared additional information about the next steps. Commissioner Nixon asked about detached accessory dwelling units ("D-ADU"). She noted that the minimum lot size is 12,000 square feet, but the State now mentions 11,000 square feet. It was noted that some updates are needed.

Ms. Dunakhe reported that once feedback is received from the Planning Commission and the draft has been posted on the project website, the draft will be taken to the City Council for their review. The next chapter that will be reviewed is the Master Planned Developments chapter.

B. Coordination Between City Staff and Planning Commission (as needed).

Ms. Jastremsky reported that within the City email, the Planning Commission is now receiving a daily email from AppRiver. These are from the IT Department and show the emails blocked by the security system. Because the City has a robust security system in place, legitimate emails are sometimes blocked. This app allows Commissioners to see what was blocked. If a legitimate email was blocked for one reason or another, it can be released.

3. Adjournment.

Motion: Commissioner Squire moved to ADJOURN.

The Planning Commission Meeting adjourned at 9:12 p.m.

DRAFT

MEMO



To: Planning Commission

From:

Date: 2026-06-25

Re: Action Item: Approve Planning Commission Meeting Minutes for May 28, 2026
(Administrative Action)

Comments:

ATTACHMENTS:

[Draper PC DRAFT Mtg 052826.pdf](#)

INUTES OF THE DRAPER CITY PLANNING COMMISSION MEETING HELD ON THURSDAY, MAY 28, 2026, IN THE DRAPER CITY COUNCIL CHAMBERS

PARTICIPATING: Andrew Adams, Chair
Lisa Fowler, Vice-Chair
Commissioner Member Kendra Shirey
Commission Member Susan Nixon
Commission Member Mary Squire
Commission Member Gary Ogden

NOT SITTING: Alternate Commission Member Laura Fidler
Alternate Commission Member Joshua Best

EXCUSED: Alternate Commission Member Christine Green
Traci Gundersen, City Attorney

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

6:31 PM Business Meeting

Chair Andrew Adams called the meeting to order at 6:31 PM.

1. Items for Commission Consideration.

A. Public Hearing: Evans Fence Conditional Use Permit (Administrative Item)

On the request of Mark and Alexandra Evans, a Conditional Use Permit for approximately 0.92 acres located at approximately 1194 East Lone Peak Lane. Known as Application 2026-0079-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 property is designated Residential Low-Medium Density and zoned RA1.

The site plan, photos, and conceptual renderings were reviewed. The proposed eight-foot fence would be installed along a pedestrian trail south of the subject property to provide privacy. Proposed materials were dark gray composite slats and black aluminum posts. Per DCMC 9-27-080(A), fences over six feet in height require a Conditional Use Permit (CUP).

Identified potential impacts included minimal impacts to pedestrian safety. Proposed mitigations were as follows:

- That all requirements of the Draper City Engineering, Building, and Planning Divisions are satisfied throughout the construction of the fence, including permitting.
- That the fencing does not exceed eight feet in height and shall be constructed only in the locations indicated on the approved site plan.

Applicant Mark Evans stated that the rear of his property slopes and that the Draper irrigation trail is approximately 2 feet higher, so a 6-foot fence would not provide adequate privacy. Alexandra Evans added that they have a pool and was concerned about children jumping the fence from the trail.

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 Mark and Alexandra Evans, Application 2026-0079-USE, based on the following Findings for Approval and subject to the conditions listed in the Staff report dated May 15, 2026.

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 Ogden seconded the motion.

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

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

**B. Public Hearing: Bonham Fence Conditional Use Permit Request
(Administrative Item)**

On the request of The Fox Group, representing The Bonham Family Trust, A Conditional Use Permit for approximately 0.82 acres located at approximately 12540 South 1700 East. Known as Application 2026-0049-USE. Staff Contact: Nick Whittaker, 801-576-6522, Nick.Whittaker@draperutah.gov.

Mr. Whittaker presented the staff report and displayed the vicinity, aerial, land use, and zoning maps. The subject property is on 1700 East, south of Pioneer Road, and was designated Residential Low-Medium Density and zoned RA2. The primary structure was under construction.

The applicant requested installation of a six-foot fence extending into the front yard area and including an automatic gate. Materials would be wrought iron, wood, stone, and Trex composite. A 10-foot black vinyl-coated chain-link fence was also proposed to enclose a sports court in the rear yard. Mr. Whittaker indicated the locations of each fence on the site plan. Fencing on both sides of the property and extending into the front yard would be six feet tall, and front-yard fencing over four feet in height requires a CUP. This fence would be a semitransparent wrought-iron fence atop a two-foot stone wall. The proposed pillars exceeded the six-foot maximum height and would need to be brought into compliance prior to construction.

Mr. Whittaker reported that, as proposed, there would be approximately 23 feet of public right-of-way between the automatic gate and 1700 East. There was currently no sidewalk in the area. The applicant proposed installing the fence at the property line, which would require the gates to swing inward. The proposed location could interfere with the planned future sidewalk in the public right-of-way and would not provide space for vehicles to wait for the gate to open, which could impede both pedestrian and vehicular traffic.

Site photographs were reviewed. Mr. Whittaker reported that construction on the gate had begun but stopped when the applicant realized they needed a CUP.

Identified potential impacts include:

- Safety hazards related to visibility of pedestrians and vehicles.
- Vehicles waiting for the gates to open in the public right-of-way.
- Gates opening into the public right-of-way.
- Impacts related to the location of the gate relative to the location of the sidewalk that had yet to be constructed.
- Emergency Services and emergency vehicle access.

Proposed mitigations were as follows:

1. That all requirements of the Draper City Engineering, Building, and Planning Divisions are satisfied throughout the construction of the fence, including permitting.

2. That the fencing located in the front yard area shall not exceed six feet in height and shall be constructed as indicated on the approved site plan and as depicted and described in the application documentation.
3. That an electrical permit for the automatic gate shall be obtained through the Draper City Building Department prior to its installation.
4. That the gate shall be reviewed for access and safety by the Draper City Fire Marshall prior to its installation.
5. That the gate be installed on the subject property, twenty feet from the front property line with the automatic gates opening toward the interior of the property.
6. That the fencing surrounding the sport court in the rear yard area shall not exceed ten feet in height and shall be constructed in the locations indicated on the Site Plan.

In response to a question, Mr. Whittaker reported that side fencing would be constructed from Trex composite materials and would join the wrought-iron and brick front fence. He was not concerned about the wrought iron, as it is semitransparent, but the front-side fence would be solid.

Commissioner Fowler asked where vehicles would wait until the gates opened. Mr. Whittaker reported that the final design would be up to the applicant, but staff recommended that it be designed such that vehicles are fully on the property while the gate is opening. The 20-foot recommendation was based on discussions with the Engineering Department and the City's parking stall standards, and would provide adequate space for a vehicle to wait without encroaching on the public right-of-way.

In response to a question from Commissioner Nixon, Mr. Whittaker clarified that the submittals indicated the gate would be 23-feet from the road; however, the proposed fence was located along the property line. All 23-feet was public right-of-way, and a sidewalk was planned for the area. The front fence could remain at the property line, but the portion of the gate that had already been constructed would need to be moved 20-feet into the property. Updated plans would be reviewed by the Fire and Engineering Departments.

Commissioner Squire asked if staff had discussed the proposed mitigations with the applicant. Mr. Whittaker reported that the applicant did not return his phone call, but the staff report was emailed to the applicant, with a note that the applicant needed to review the recommended conditions of approval.

Builder Peter Wankier spoke on behalf of the applicant. He had spoken with neighbors who were concerned that the Trex fencing would extend 10 feet along the sides of the property, but he clarified that only the fencing around the tennis court would be that high. An amended site plan was submitted, indicating that the gates would swing inward, but it did not move the fence an additional 20-feet inside the property line. When the project began, there was an existing six-foot vinyl fence that extended to the road.

In response to a question from Chair Adams, Mr. Wankier confirmed that the front fence would have a two-foot stem wall and four columns, and that the Trex fencing would meet the front fence at the corner columns. Fencing and pillars would not exceed six feet in height.

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

Motion: Commissioner Shirey moved to **APPROVE** the Conditional Use Permit, as requested by The Fox Group, representing The Bonham Family Trust, Application 2026-0049-USE, based on the following Findings for Approval and subject to the conditions listed in the Staff report dated May 15, 2026.

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 Nixon seconded the motion.

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

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

C. Public Hearing: Hunsaker Fence Conditional Use Permit Request (Administrative Item)

On the request of Elite Fence Repair, representing Carolyn Hunsaker, a Conditional Use Permit for approximately 0.83 acres located at approximately 12152 South 2000 East. Known as Application 2025-0228-USE. Staff Contact: Nick Whittaker, 801-576-6522, Nick.Whittaker@draperutah.gov.

Mr. Whittaker presented the staff report and displayed the vicinity, aerial, land use, and zoning maps. The subject property is located on 2000 East near Highland Drive and is designated Residential Low-Medium Density and zoned RA1. The applicant requested installation of a six-foot-tall fence extending into the front yard area and including an automatic gate. Proposed materials were precast concrete and a wrought-iron or tube-metal semi-transparent gate. As the front-yard fence will exceed four feet in height, a CUP is required.

The site plan, conceptual renderings, and photographs were reviewed. The proposed fence would run along the front of the property, and the precast concrete would match the other subdivision

walls along Highland Drive. Mr. Whittaker reported that the submitted details were lacking, and staff attempted to contact the applicant but did not receive a return call. However, they spoke with the property owner, who indicated that it would be a semi-transparent wrought-iron or tube metal fence located at or near the property line. The gates would be angled into the property, and the distance proposed between the fence and the rear of the sidewalk was nine feet. The site plan indicated that the gates would open inward, but no gate plans were submitted to confirm.

Identified potential impacts include:

- Safety hazards related to visibility of pedestrians and vehicles.
- Vehicles waiting for the gates to open in the public right-of-way blocking pedestrian access of the sidewalk and cyclists utilizing the shoulder of Highland Drive.
- Gates opening into the public right-of-way.
- Impacts related to emergency vehicle access.

Proposed mitigations were as follows:

1. That all requirements of the Draper City Engineering, Building and Planning Divisions are satisfied throughout the construction of the fence, including permitting.
2. That the fencing shall not exceed six feet in height and shall be constructed only in the locations indicated on the approved site plan.
3. That the fencing shall be constructed of precast concrete as described in the staff report.
4. That plans regarding the automatic gate feature shall be provided to staff prior to its installation.
5. That the automatic gate shall not exceed six feet in height.
6. That the automatic gate shall be semi-transparent and constructed of or to resemble wrought iron.
7. That the automatic gate shall not open towards the public right of way.
8. That the automatic gate shall not exceed six feet in height and shall be constructed 20 feet from the property line.
9. That an electrical permit from the Draper City Building Department shall be obtained prior to the installation of the automatic gate.
10. That the Draper City Fire Marshall shall review the automatic gate plans prior to their installation.

Mr. Whittaker noted that the staff report contained the following errors:

- Condition 8 erroneously specified a distance of 18-feet from the property line. The correct distance should be 20-feet.
- The sample motion indicated that the item was a Home Occupation, and the correct motion should specify a CUP.

The applicant, Carolyn Hunsaker, stated that LaVar Christensen would speak on her behalf and that her contractor was also in attendance. Fence contractor, Kevin Holfeltz, stated that they had moved the automatic gate 20-feet from the road or 12-feet from the sidewalk. It will open toward the home. He asked if a permit would be required if the gate were solar. Mr. Whittaker reported that they would need to consult with the Building Department regarding permitting requirements. Community Development Director Jennifer Jastremsky added that a Fire Department review is required for all gate applications.

Mr. Christensen stated that his family had lived in Draper for 35 years, and he had developed several properties along Highland Drive. He had met with Planning Manager, Todd Draper, at the site. He believed there was some confusion as the yard was being referred to as the front yard, even though the home faces south, and it had always been considered a side yard, which should only require a 12- to 15-foot setback. The neighboring homes are 21- and 18-feet from the front of the home to the street, and Ms. Hunsaker's home was 53-feet from the front of the house to the street. The fence and landscaping were of the highest quality, and the final step was the security fence at the driveway. Other fences on Highland Drive are wooden and very close to the sidewalk, and new homes are being constructed only 10-feet from it. He asked that the Planning Commission allow the project to move forward.

Chair Adams stated that the gate must be located 20-feet in from the property line, but no plans to that effect had been submitted. Mr. Christensen stated that the proposal matched the survey. Chair Adams clarified that, if approved, the project would be subject to the Conditions of Approval.

In response to a question from Chair Adams, Mr. Whittaker clarified that plans were submitted for the fence, not the gate, and he had not visited the property with the applicant or her representative. Planning Manager, Todd Draper, stated that he met with Ms. Hunsaker and Mr. Christensen at the property, but that there was no agreement on a fence or gate location. They reviewed the location of the property line, which Mr. Whittaker had reported was approximately nine feet from the sidewalk. The gate must be set back from the property line. Mr. Christensen stated that the gate was a new issue, but the applicant would follow the City's direction.

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

In response to a question raised by Commissioner Fowler, it was clarified that the previous applicant was also required to relocate the gate 20-feet from the property line. Chair Adams stated that they could move the entire fence back 20-feet or have a 20-foot driveway jog with only the gates 20-feet from the property line. Mr. Whittaker added that the proposed fence would be nine feet from the rear of the sidewalk, and along the front property line. It would be a standard fence. The issue was the gate, due to insufficient information in the submittal and its proposed proximity to the property line.

Commissioner Fowler asked what part of a property is considered the front. Mr. Whittaker reported that, per City Code, the front is the side that faces the street. Commissioner Fowler asked if the staff had any concerns about the proposed solid concrete fence on that frontage. Mr.

Whittaker stated that the primary concern was pedestrian and cyclist safety, and ensuring a clear line of sight would satisfy safety requirements.

Commissioner Nixon asked if engineering had made comments regarding clear-view requirements. Brien Maxfield, City Engineer, reported that a clear view on driveways is typically shorter because vehicles are not traveling at speed, but the staff would ensure that there was adequate distance. One reason for requiring the gate to be 20-feet inside the property line is to provide a typical driveway setup where vehicles can see pedestrians, cyclists, and other cars.

Chair Adams asked if the location of the front of the house was relevant. Mr. Whittaker clarified that it had no bearing on the gate requirements.

Motion: Commissioner Ogden moved to APPROVE the Conditional Use Permit, as requested by Elite Fence Repair, representing Carolyn Hunsaker, Application 2025-0228-USE, based on the following Findings for Approval and subject to the conditions listed in the Staff report dated May 15, 2026.

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 Squire 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	
Green, Alternate					X
Best, Alternate				X	

D. Public Hearing: Cherry Canyon Block Valve Conditional Use Permit. (Administrative Item)

On the request of Matthew Pulsipher, representing Enbridge Gas Utah, a Conditional Use Permit for the installation of a utility substation on approximately 3.39 acres located at approximately 13461 South Highland Drive. Known as Application 2025-0025-USE, Staff Contact: Todd A. Draper, 801-576 6335, todd.draper@draperutah.gov.

Planning Manager Todd Draper presented the staff report and indicated that the item was continued from 2025. Enbridge Gas had requested a CUP to install a utility substation on property owned by the Steeplechase Homeowners Association and subject to an easement to Enbridge Gas. Vicinity, aerial, land use, and zoning maps were displayed. The subject property is designated Open Space and zoned RA2.

The site plan, elevations, and photographs were reviewed. The property will be accessed via two driveways, and the valve will be fully enclosed with fencing. Two driveways were proposed for safety purposes so vehicles would not have to back out onto Highland Drive. Mr. Draper reported that the application met all requirements for a conditional use. One comment was received in response to the public notice and was included in the meeting packet.

Mr. Draper reported that the suggested motion included in the staff report had an incorrect date of the staff report. The correct date was May 20, 2026.

The applicant's attorney, J.D. Kessler, stated that the application was under the name of Enbridge Gas' land agent, Matthew Pulsipher. The application was for an automatic shutoff valve facility. There would be no motors or other noise-generating equipment, and the facility would not have lighting. The automatic shutoff will be for the main 300 psi gas line running through the City. Smaller stations transfer gas from the main line into a system that delivers the gas to residents' homes at approximately 50 psi. Regulators on the individual meters then further reduce the gas before it enters the home. Transfer facilities sometimes generate noise as they convert high-pressure gas to low pressure, but the automatic shutoff valve would only close in the event of an emergency. For example, if an earthquake changed the line pressure or the line was vandalized, the shutoff valve would close automatically, briefly generating noise. The valve would also be actuated once each year for maintenance.

Mr. Kessler reported that the facility will have 12 feet of visible pipe, approximately three feet above the ground. The location was chosen for several reasons. It was important to the HOA that no oak trees be damaged by the facility, and the 20-foot-by-40-foot area meets that criterion. The site will require some grading work, and the wrought-iron fencing will sit on top of retaining walls. The applicant met with the HOA Board and homeowner Jeff Spangler, who lives immediately adjacent to the location, and it was determined that the specific location would not be visible from his property.

Mr. Kessler referred to a note in the staff report about painting the fence an earth tone and noted that the material was wrought iron, which is typically black. The concrete retaining wall will not be visible from outside the facility.

Commissioner Fowler asked if there was a similar facility in Draper. The public comment included in the meeting packet expressed concern that the facility is too large for a residential area and that an example would be helpful to refer to. Mr. Kessler stated that the requirements for automatic shutoff valves are set by the Pipeline and Hazardous Materials Safety Administration ("PHMSA"). The feeder line through Draper was installed in 2016, and he believed that the shutoff valve was

the first in the City. They had installed similar facilities all over Utah over the past eight years, including one at Jordan High School. Commissioner Fowler stated that the location seemed logical as it was across from the equestrian park and not in or facing a residential area. Mr. Kessler stated that PHMSA requires automatic shutoff valves at specific intervals, and the proposed location met those requirements. Other potential locations were either outside the required area, had access limitations, or were closer to residences.

Chair Adams asked about visibility from the road. Mr. Kessler stated that the existing scrub oak will somewhat screen the facility, which will be located at the rear of the easement. The driveway will be installed to blend in with the adjacent area. They have a different type of facility in Park City with a similar design.

In response to a question raised by Commissioner Squire, Mr. Kessler stated that the wrought-iron fence was proposed for visibility and aesthetic reasons. They asked Mr. Spangler and the HOA whether they preferred a visual barrier at the top, but it was determined that an open fence would be less obtrusive.

Chair Adams opened the public hearing.

LaVar Christensen of Draper Land Development Company stated that his company developed Steeplechase and still owned the subject property. The HOA owns the interior, but he had retained ownership of the property in order to preserve it and had been paying taxes on it for 20 years. It was his position that the HOA did not have legal title to the property and could not sell it. He asked that the item be tabled to provide time for all parties to meet and discuss the issue but noted that he was open to allowing the facility. He then discussed improvements he had made near his home.

The Commission asked staff if they recommend suspend the item and leaving the public hearing open to allow for legal counsel to review of the issues raised by Mr. Christensen. Ms. Jastremsky stated that the Planning Commission should move onto the next item and come back to this one after Assistant City Attorney Spencer DuShane has had a chance to review the public comments.

Motion: Commissioner Fowler moved to SUSPEND the hearing on Application 2025-0025-USE to after Item 1E.

Second: Commissioner Squire 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	
Green, Alternate					X
Best, Alternate				X	

This item continued after Item 1E.

Mr. DuShane reported that he reviewed information on the subject property on the Salt Lake County Recorder's Office website. All available information indicated that the property was titled under the HOA's name and Enbridge Gas had an appropriate easement. Mr. Christensen's challenges to the property's ownership should not be adjudicated in this forum, as the Planning Commission is not a judicial body. Neither the Planning Commission nor Draper City could decide who the true property owner is. If Mr. Christensen believed he had an ownership interest in the property, his claim would need to be adjudicated in a court of law. The Planning Commission should make a decision on the CUP based on whether any potential negative impacts could be mitigated to ensure that the use did not disturb the residential character of the neighborhood.

Mr. DuShane stated that both the recorded plat and the easement support the City's position that the HOA owns the property and that Enbridge has a legal easement to build the block valve facility, and that those documents would be included in the record.

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

Mr. DuShane reported that the applicant should be given the opportunity to speak before the Planning Commission's deliberations.

Mr. Kessler stated that the item was tabled in 2025 because the HOA wanted to encourage a more detailed process. The applicant's title search indicated that the HOA owns the subject property. He believes that Steeplechase Associates owns a parcel on the other side of the street, but they did not conduct a title search on that property.

In response to a question raised by Commissioner Squire, Mr. Kessler confirmed that the easement was purchased and recorded in 2022. It was recorded as Questar Gas Company doing business as Dominion Gas. Questar Gas was purchased by and now does business as Enbridge Gas.

Mr. Draper reviewed the following recommended Conditions of Approval.

1. That all requirements of the Draper City Engineering, Public Works, Building, Planning, and Fire Divisions are satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
2. That all requirements of the geotechnical report are satisfied throughout the development of the site and the construction of all structures on the site.
3. That the construction of the utility substation be in conformance with the approved plans.

4. That disturbed areas of the site outside of the fenced area and access drive be revegetated with native plant materials and seed that will tie in with the surrounding natural vegetation and which will not need supplemental water after the vegetation has been established.
5. That vegetation installed as part of the required revegetation of disturbed areas be provided with supplemental water as needed for initial establishment.
6. That the utility substation and entry gates be painted an earthy tone color or colors and that the color(s) be submitted to Staff for approval at the time of the building permit submittal.
7. That fencing be installed as per the approved site plan and elevation drawings.

In response to a question raised by Chair Adams, Mr. Draper reported that the facility location was specified in the application and could not be changed.

Chair Adams stated that he liked the requirement that the facility be painted in earth tones.

Commissioner Fowler stated that the automatic shutoff valve is a needed safety feature for the community and commended Enbridge Gas for working with the HOA on the location and design.

Motion: Commissioner Squire moved to APPROVE the Conditional Use Permit, as requested by Matthew Pulsipher, representing Enbridge Gas Utah for the Cherry Canyon Block Valve, Application 2025-0025-USE, based on the following Findings for Approval and subject to the conditions listed in the Staff report dated May 20, 2026.

Finding for Approval:

1. The proposal complies with the standards for approval found in DCMC Sections 9-5-080(E) and 9-36-060, and potential negative impacts are mitigated through the imposition of reasonable conditions.

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	
Green, Alternate					X
Best, Alternate				X	

**E. Public Hearing: Mitchell Landscaping, LLC Home Occupation Conditional Use Permit Request.
(Administrative Item)**

On the request of Michele Mitchell, representing Mitchell Landscaping, LLC. A Home Occupation Conditional Use Permit for approximately 0.70 acres located at approximately 1354 East 12900 South. Known as Application 2026-0080 USE. Staff Contact: Nick Whittaker, 801-576-6522, Nick.Whittaker@draperutah.gov

Mr. Whittaker presented the staff report and displayed the vicinity, aerial, land use, and zoning maps. The subject property is in the RA2 Zone and designated Residential Low-Medium Density. The applicant requested a Home Occupation CUP to operate a home office that provides landscaping services. A room in the dwelling is used for business administrative purposes. Appointments are scheduled online, and services are provided at the customer's property. No customers or employees come to the home. An enclosed trailer containing landscaping equipment and featuring a business logo wrap is parked at the property.

Site and floor plans were reviewed. A five-foot-by-five-foot office space in the home will be used for administrative purposes, and the trailer will be parked in the side yard when not in use.

Identified potential impacts include the following:

- Customers or employees coming to the home and associated traffic.
- Vehicles parked on the street.
- Noticeable business-related equipment and vehicles.

Proposed mitigations were as follows:

1. That all requirements of the Draper City Engineering, Public Works, Building, Planning, and Fire Divisions are satisfied.
2. That a Draper City business license shall be obtained and maintained by the business owner for as long as the business remains in operation.
3. That only one business-related trailer shall be stored at the subject property in the rear yard, in the location illustrated on the approved Site Plan.
4. That all equipment be stored inside the business-related trailer and not in outdoor yard areas.

Commissioner Nixon remarked that the staff report referred to a shed, but one was not shown on the site plan. She preferred that location but questioned whether a revised site plan should be submitted. Mr. Whittaker identified the shed location on the site plan and indicated that the trailer is parked behind it. A revised site plan could be requested. Chair Adams stated that a condition of approval could be added to that effect.

The applicants, Josh and Michele Mitchell, were in attendance. Mr. Mitchell clarified that the trailer was currently stored in front of the shed. It could be stored behind it at the City's direction.

However, the area north of the trailer is heavily landscaped and cannot be seen from the road. The trailer location was identified on a site photograph.

In response to a question from Commissioner Ogden, Mr. Mitchell reported that the trailer is a standard 14-foot enclosed trailer. Commissioner Fowler stated that the concern was the advertising being visible from the street.

Chair Adams stated that a revised site plan showing the shed will be required, and that a Condition of Approval may be added indicating where the trailer can be stored. Mr. Mitchell confirmed that he would comply with those requirements.

Commissioner Nixon stated that a Skid Steer and a wagon were present on the property during her site visit and asked whether they were related to the current landscaping work at his home or used in the business. Mr. Mitchell stated that he owns the equipment but stores it at a cabin property in Duchesne. It will not be kept on the subject property.

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

Motion: Commissioner Nixon moved to APPROVE the Home Occupation Conditional Use Permit, as requested by Michele Mitchell, representing Mitchell Landscaping, LLC., Application 2026-0080-USE, based on the Findings for Approval and subject to the conditions listed in the Staff report dated May 15, 2026, and as modified by the following condition:

1. The trailer must be stored behind the shed currently on the site.

Second: Commissioner Fowler 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	
Green, Alternate					X
Best, Alternate				X	

Motion: Commissioner Nixon moved to RETURN to Item 1.d, Application 2025-0025-USE.

Second: Commissioner Squire 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	
Green, Alternate					X
Best, Alternate				X	

**F. Public Hearing: City-Initiated Short-Term Rentals Text Amendment.
(Legislative Item)**

On the request of Draper City, approval of Text Amendments to portions of Titles 6 and 9 of the Draper City Municipal Code (DCMC) in order to require Short-Term Rentals to be licensed and permitted and to add associated standards. Known as Application 2026-0090-TA. Staff Contact: Todd Taylor, 801-576-6510, todd.taylor@draperutah.gov.

City Planner, Todd Taylor, reported that the text amendment was drafted in response to a request from the City Council to develop regulations for short-term rentals (“STR”). The only current standard in the Code prohibits Internal Accessory Dwelling Units (“ADU”) from being rented for less than 30 days. Several City Council Work Sessions were held to discuss the proposed regulations.

Goals of the new standards included the following:

- Improve public safety;
- Protect neighborhood character;
- Provide clear operating rules;
- Ensure tax collection; and
- Enable tracking and enforcement.

STRs would be required to obtain a Short-Term Rental Permit and Business License, which would ensure the collection of Transient Room Taxes. This would entail:

- Application
 - Only the owner or their authorized agent can apply as a host.
 - Application must include:
 - A floorplan indicating which areas of the home would be used as an STR, sleeping areas, and locations of fire extinguishers and smoke alarms.
 - A site plan showing parking areas.

- A maximum occupancy table.
 - An affidavit confirming that there are no existing HOA or other restrictions on the home.
- Would be approved by the Zoning Administrator and renewed annually.
- Can be revoked if:
 - False information was provided on the application.
 - Not operating as described on the permit.
 - Out of compliance with conditions.
 - Refuse inspection.
 - Ninety or more days delinquent on transient room taxes.
 - Two citations or charges in the past 12 months.
 - Found to be a nuisance by a court.

Standards would be as follows:

- STRs would be allowed in all residential districts
 - Can be located:
 - in all or a portion of a residential unit
 - in a detached ADU if it has a valid permit
 - Cannot be located:
 - on a property with an internal ADU
 - in a tent, trailer, camper, or RV
 - in a unit with a long-term rental
 - Not used for commercial purposes or events
- Occupancy
 - One short-term rental per residential unit.
 - One renter at a time.
 - Minimum stay of three consecutive nights (to reduce party rentals).
 - Maximum stay is less than 30 consecutive days.
 - Maximum occupancy is based on the number of bedrooms and parking.
 - Assumes two persons per bedroom (minimum room size: 70 square feet)
 - An additional 50 square feet per room is required for each additional person
 - Two off-street parking spaces are required per rental, plus one-half space per bedroom or sleeping area exceeding two.
- Exemptions from the STR Permit:
 - RV parks
 - Manufactured and mobile home parks
 - Bed and breakfast inns
 - Hotels, motels, and motor lodges
- Urgent response
 - Host must be available by telephone at all times during rental.
 - The host or a decision-making individual must be able to reach the property within 30 minutes.
 - When the application is approved by the Zoning Administrator, a notice with the urgent response number will be sent to abutting property owners in addition to the Draper Fire and Police Departments.

- Noise
 - Host must ensure that renters are aware of and adhere to Title 7, Chapter 6: Noise Control.
- The following must be posted inside the STR:
 - Short-Term Rental Permit and Business License
 - Urgent response number
 - All applicable rules
 - Good Neighbor Guidelines
 - This Draper City document includes:
 - emergency contact numbers;
 - fire safety information;
 - a reminder that commercial events are not allowed;
 - information on quiet hours and parking restrictions;
 - reminder to not exceed the number of guests specified in the reservation and to pick up after themselves; and
 - pet requirements.
- Health and Safety
 - Fire extinguisher, smoke, and carbon monoxide alarms required per Fire Code. If equipped, a fire sprinkler annual inspection is also required.
 - Electrical panel clearance and temporary use of extension cords
 - Visible house or unit numbers
- Maintenance
 - Owner must adhere to all City ordinances related to maintenance.
- Online listings
 - Must include STR Permit and Business License numbers on all listings.
- Inspections
 - As needed to ensure compliance

In response to a question raised by Chair Adams, Mr. Taylor reported that there had been instances in which a property owner had rented to both long- and short-term tenants. To avoid this issue, permits will not be issued to properties with existing long-term rentals. An example would be a property owner locking their long-term tenant out of a basement so they can rent it as an STR.

Commissioner Squire asked why the maximum rental period was 30 days, as in some circumstances people may need to stay longer. Mr. Taylor reported that the restriction is in line with Utah State Code, which defines short-term rental as less than 30 days. Mr. Draper indicated that this has to do with transient room taxes not being paid for longer rental periods. Long-term rentals also have different licensing standards.

Commissioner Squire stated that it is not uncommon for a local manager to be required for STRs, and she would prefer that Draper have a similar requirement. Chair Adams pointed out that the owner or a decision-making individual must be able to reach the property within 30 minutes.

Commissioner Nixon stated that some State requirements were initiated due to the transient room tax, and it was great that the City would be adopting code to address STRs.

Chair Adams noted that many homes will not have adequate parking to accommodate the owner's preferred number of guests, but the parking restrictions may lessen impacts on the neighborhood and limit complaints.

Commissioner Squire asked why specific special districts were listed on the staff report. Mr. Taylor clarified that STRs were added as a permitted use in all zoning districts that allow residential, but no special districts were excluded. STRs would be allowed in all residential areas.

Commissioner Fowler thanked Mr. Taylor for his efforts. He did a great job on a huge and needed project.

Commissioner Squire asked if an apartment complex could have both long-term and short-term rentals. Mr. Taylor reported that they could designate specific residential units as STRs. Ms. Jastremsky added that some apartment complexes in the City have designated STRs. For example, Canyon Vista has entire floors of dedicated STRs. In response to a follow-up question from Chair Adams, Ms. Jastremsky stated that existing STRs would not be grandfathered, but a single permit could be issued for all designated STRs in the apartment complex. A Business License is required for long-term rentals, and STRs will require both licenses.

In response to a question, Mr. Taylor reported that the notice to be sent to abutting neighbors had not yet been finalized, but it will include contact information for the host or their representative.

Commissioner Squire asked if the Text Amendment was required by the State or if State law was simply being used as a framework for City standards. Mr. Taylor reported that the Utah State Code includes definitions and language regarding enforcement, but it does not include the specific proposed standards.

Commissioner Squire asked if STRs should be allowed in all areas of the City and if HOAs can prohibit them. She would not be in favor of her neighbor using their home as an STR. When she considered purchasing one in St. George, she learned that they required consent from a certain number of neighbors.

Mr. DuShane reported that Utah State Code Section 10-8-85.4 states:

- 2) *Notwithstanding Section 10-20-501 or 10-20-503, a legislative body may not:*
 - a. *enact or enforce an ordinance that prohibits an individual from listing or offering a short-term rental on a short-term rental website; or*
 - b. *use an ordinance that prohibits the act of renting a short-term rental to fine, charge, prosecute, or otherwise punish an individual solely for the act of listing or offering a short-term rental on a short-term rental website.*

STRs cannot be prohibited anywhere in Draper; accordingly, the City Council directed Staff to draft standards to allow the City to regulate them as permitted by State statute. Mr. DuShane believed that HOAs also cannot prohibit them, but he would need to confirm that information.

Commissioner Squire stated that St. George prohibits her from long-term renting her house. Chair Adams indicated that HOAs can lose FHA certification if they have more than 20% non-owner-occupied homes, which can negatively affect property values because potential homeowners cannot obtain an FHA loan. It was interesting that her HOA only regulated long-term rentals. Commissioner Squire stated that she asked her State Representative to consider a bill prohibiting HOAs from disallowing long-term rentals due to the housing shortage, but was told that the legislative focus is on home ownership. However, the State now requires cities to allow STRs, which does not promote homeownership.

Commissioner Nixon stated that the property owners across the street should be notified, as they are more likely to complain. In response to her question, Ms. Jastremsky reported that the recommendation could be included in the motion.

Chair Adams asked about the purpose of requiring abutting owners to be notified. Mr. Taylor reported that the City wanted to ensure that immediately affected neighbors receive the notice, but they did not want to require such a wide radius that multiple notices would need to be mailed. Whether the police or property owner should be called in certain situations was discussed.

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

Motion: Commissioner Shirey moved to forward a **POSITIVE** recommendation to the City Council for the City Initiated Short-Term Rentals Text Amendment, as requested by Draper City, Application 2026-0090-TA, based on the Findings and Criteria for Approval listed in the Staff report dated May 18, 2026, and as modified by the following additional recommended modification:

1. The Urgent Response requirement for “abutting” property owners be changed to “immediate surrounding” property owners to include properties to the front and rear of the short-term rental property.

Second: Commissioner Nixon seconded the motion.

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

Commissioner	Yes	No	Abstained	Not Participating	Absent
Chair Adams			X		
Fowler	X				
Squire	X				
Nixon	X				
Shirey	X				
Ogden	X				

Fidler, Alternate				X	
Green, Alternate					X
Best, Alternate				X	

G. Public Hearing: City-Initiated Draper-Highland Boundary Adjustment #2 Land Use Map and Zoning Map Amendment Requests. (Legislative Items)

On behalf of Draper City, a Land Use Map Amendment and Zoning Map Amendment for approximately 0.31 acres of property located at approximately 16377 South Suncrest Drive. Known as Applications 2026-0112 MA and 2026-0117-MA, Staff Contact: Todd Draper, (801) 576-6335, todd.draper@draperutah.gov.

Mr. Draper reviewed the vicinity, aerial, land use, and zoning maps. The property was recently incorporated within the City and would be designated Residential Hillside Low Density and zoned A5 with the Hillside Sensitive Overlay. The applications are to add a land use designation and zoning designations to the property incorporated into Draper City.

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

Motion: Commissioner Squire moved to forward POSITIVE recommendations to the City Council for the proposed Land Use Map and Zoning Map Amendments, as requested by Draper City, Applications 2026-0117-MA and 2026-0112-MA, based on the following Findings and the Criteria for Approval as listed in the Staff report dated May 15, 2026.

Findings for Approval:

1. The proposed amendment is consistent with goals, objectives and policies of the City's General Plan.
2. The proposed amendments are harmonious with the overall character of existing development in the vicinity of the subject property.
3. The proposed amendments will not affect the standards of any applicable overlay zone.
4. The proposed amendments will not adversely affect adjacent property.
5. There will be adequate facilities and services to serve the subject property within Highland City.
6. The proposed Land Use Map amendments comply with DCMC Section 9-2-020(F).

Second: Commissioner Ogden seconded the motion.

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

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

2. Other Business.

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

None.

3. Adjournment.

Motion: Commissioner Squire moved to ADJOURN.

The Chair adjourned the meeting at 8:45 PM.

MEMO



To: Planning Commission

From: Paul Geilman

Date: 2026-06-25

Re: Public Hearing: Rivian-Draper Site Plan and Deviation Requests (Administrative Items)

Comments:

This application is a request for approval of a Site Plan and a Deviation from required cross access for approximately 6.16 acres located on the east side of Lone Peak Parkway, at approximately 11601 S. Lone Peak Pkwy. The property is currently zoned CSD-KMAC (Karl Malone Auto Center Commercial Special District). The applicant is requesting that the Site Plan and a Deviation from required cross access be approved to allow for the development of the currently vacant site as an automobile dealership.

Deviation Request

Findings for Approval:

1. Requiring cross access to properties to the east would result in the slope of the cross-access drive exceeding twelve percent (12%).
2. Requiring cross access to property located the south would create a hazard to health, safety, or welfare by linking two incompatible uses.

Findings for Denial:

1. Cross access to properties to the east could be accomplished without the slope of the cross-access drive exceeding twelve percent (12%); or
2. Requiring the cross access to be provided to the property located to the south would not create a hazard to health, safety, or welfare by linking the two uses.

Site Plan

Findings for Approval:

1. The proposal represents development of the entire site at one time.
2. With the imposed conditions, the site plan conforms to applicable standards set forth in Title 9 of the DCMC, including but not limited to, building heights, setbacks, access points, parking, landscaping, and building materials.
3. The proposed development plans meet the intent, goals, and objectives of the general plan and the purpose of the zone district in which the site is located.
4. The public facilities and services in the area are adequate to support the subject development, as required by engineering standards and specifications.
5. The proposed development plans comply with the engineering standards found in Titles 7, 8, 11, 12, 16, and 18 of the DCMC, including traffic, storm water drainage,

and utilities concerns.

Findings for Denial:

1. The site plan does not conform to one or more of the applicable standards set forth in Title 9 of the DCMC, including but not limited to, building heights, setbacks, access points, parking, landscaping, and building materials.
2. The proposed development plans do not meet the intent, goals, and objectives of the general plan and the purpose of the zone district in which the site is located.
3. The public facilities and services in the area are not adequate to support the subject development, as required by engineering standards and specifications.
4. The proposed development plans do not comply with all engineering standards found in Titles 7, 8, 11, 12, 16, and 18 of the DCMC, including traffic, storm water drainage, and utilities concerns.

ATTACHMENTS:

[Rivian-Draper SP Staff Report - final.pdf](#)



Development Review Committee

1020 East Pioneer Road

Draper, UT 84020

June 17, 2026

To: Draper City Planning Commission
Business Date: June 25, 2026

From: Development Review Committee

Prepared By: Todd Draper AICP, Planning Manager
Planning Division
Community Development Department
801-576-6551, todd.draper@draperutah.gov

Re: Rivian-Draper – Site Plan and Deviation Requests

Application No.: 2026-0011-SP, 2026-0151-VAR

Applicant: Logan Johnson, representing Wright Development Group and
Smith Payne Lone Peak, LLC.

Project Location: 11601 S. Lone Peak Pkwy.

Current Zoning: CSD-KMAC (Karl Malone Auto Center Commercial Special District)
Zone

Acreage: Approximately 6.16 Acres (Approximately 268,330 ft²)

Request: Request for approval of a Site Plan and a Deviation from required
cross access in the CSD-KMAC zone regarding construction of a
new Automobile Dealership.

BACKGROUND AND SUMMARY

This application is a request for approval of a Site Plan and a Deviation from required cross access for approximately 6.16 acres located on the east side of Lone Peak Parkway, at approximately 11601 S. Lone Peak Pkwy. (Exhibit B & C). The property is currently zoned CSD-KMAC . The applicant is requesting that the Site Plan and a Deviation from required cross access be approved to allow for the development of the currently vacant site as an automobile dealership.

The vacant site was previously approved for development of an AutoNation Dealership in 2021. Some initial site preparation and grading of the site was completed as part of that approval, however AutoNation later chose to abandon the project. The site consists of



three (3) parcels, one (1) of which is owned by Utah Power and Light (power company property) and the other two (2) by Smith Payne Lone Peak LLC (dealership property). The power company property is a major power corridor located directly adjacent to Lone Peak Parkway and provides access to the dealership property located to the east.

ANALYSIS

General Plan and Zoning.

Table 1	General Plan and Zoning Designations	Exhibit
Existing Land Use	Commercial Special District	Exhibit D
Current Zoning	CSD-KMAC	Exhibit E
Proposed Use	Automobile Dealership	
Adjacent Zoning		
East	CSD-KMAC, CBP (Business/Manufacturing Park)	
West	CR (Regional Commercial), CSD-11400 LPP (11400 South Lone Peak Parkway Commercial Special District)	
North	CSD-KMAC	
South	CBP	

The Commercial Special District land use designation is characterized as follows:

Commercial Special District

LAND USE DESCRIPTION	
CHARACTERISTICS	• Include a wide range of commercial uses that are destination oriented and draw from a regional customer base • Compatible, master planned mix of day and evening uses consisting of office, light manufacturing, retail, residential, recreation and open space components • Limited traffic access points • Development is intended to consist of well designed, architecturally integrated structures which are appropriately landscaped and buffered from surrounding land uses • Uniform design standards and aesthetics • Access to individual properties should be provided only from frontage roads or major arterials • Common off-street traffic circulation and parking areas
LAND USE MIX	• Large-scale master-planned commercial centers • Big box centers • Corporate headquarters • Multi-story upscale office buildings • Multi-story upscale residential buildings
COMPATIBLE ZONING	• Adopted Commercial Special District zone • Adopted Major Freeway Arterial Frontage Road zone
LOCATION	• Strategically placed along high-traffic corridors with convenient points of traffic access to and from residential areas • Excellent transportation access to major highways • High visibility from the I-15 corridor • Proximity to both Salt Lake and Utah Counties • Provide adequate buffers in the form of setbacks, open space, low impact industrial uses, barriers, etc. adjacent to existing residential areas • Major streets serving these areas should accommodate truck traffic

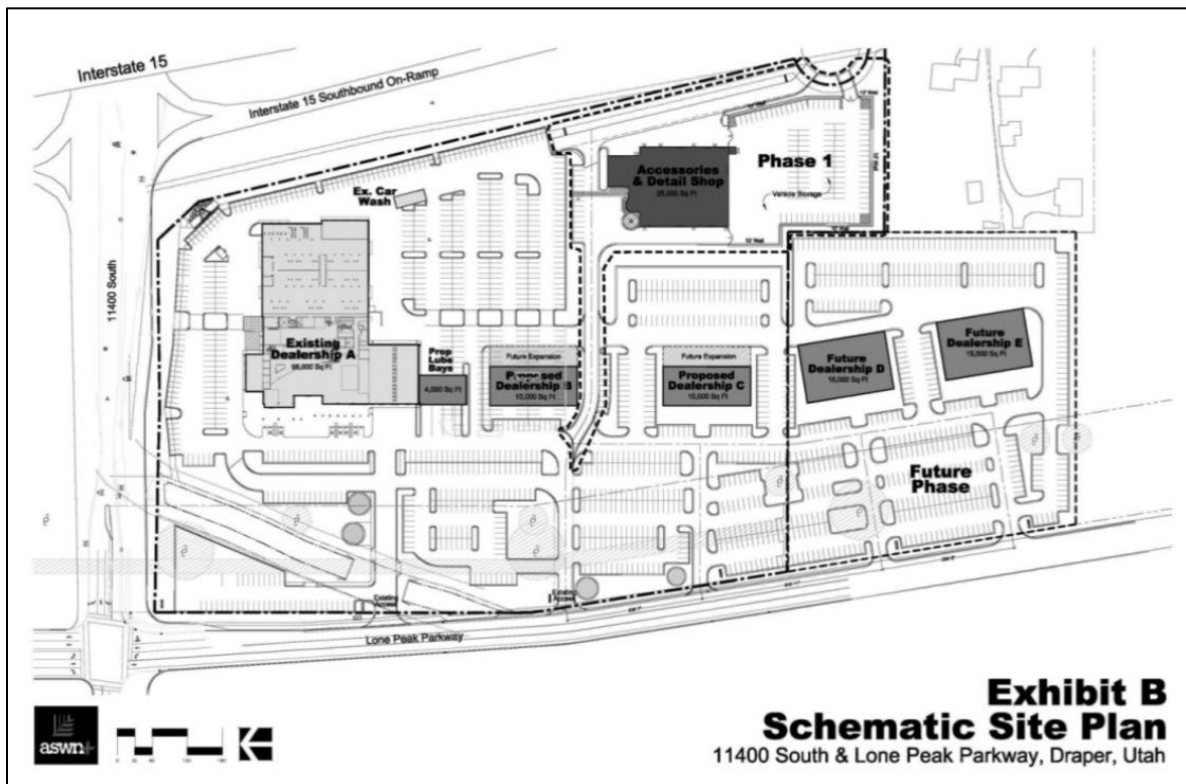
According to Draper City Municipal Code (DCMC) Section 9-8-020 the purpose of each CSD zone is to *"permit a compatible, master planned mix of day and evening uses consisting of office, light manufacturing, retail, residential, recreation and open space components. Although development size and use mix will vary from location to location, each development is intended to consist of well designed, architecturally integrated structures which are appropriately landscaped and buffered from surrounding land uses."*

Site Plan Layout. The civil site plan (Exhibit F) shows the proposed auto dealership building being located centrally on the dealership property with parking and inventory areas surrounding the building on all four sides. Two access drives are shown crossing the adjoining Utah Power and Light Company parcel located to the west of the dealership. The dealership property consists of two parcels that are about 4.127 acres in size combined. A separate application for a Boundary Line Adjustment/Parcel Consolidation will need to be submitted to staff for review and approval and the parcels will need to be consolidated prior to the issuance of a building permit for the development. The southern access drive splits into two separate drive aisles approximately seventy feet (70') in from Lone Peak Parkway. One is a service access and one is a main access drive providing an additional vehicular connection point between the power company property and the dealership property. A proposed shared cross access drive extends north from the northern access drive for future connection to the property to the north. Full details regarding the required cross-access easements for this connection were not provided with the most recent submittal and recorded easements from both property owners would need to be in place as a condition of approval prior to the issuance of a building permit. The applicant has submitted a Deviation Application outlining their request that cross-access to the commercial properties to the east and south not be required (Exhibit J).

Storm water retention pond areas are located along the west and northwest areas of the dealership property. The proposed trash enclosure is located towards the northeast corner of the property. The exterior and gates of the proposed trash enclosure will match the proposed façade materials of the dealership, and the proposed construction complies with the requirements of the CSD-KMAC zone.

Pedestrian access from Lone Peak Parkway is provided by a sidewalk located on the south side of the northernmost access drive. Pedestrian walkways adjacent to the building and the parking area comply with the minimum seven foot (7') wide standard of the DCMC. Twenty-three (23) parking stalls for electric vehicle charging are located at the rear of the dealership building.

The CSD-KMAC zone does not include minimum setbacks for buildings, minimum street frontage or minimum parcel size requirements. Proposed plans are required at a minimum to follow the spirit of the schematic development plan included in DCMC section 9-18D-100. That plan is depicted as follows:



Circulation. The site provides adequate on-site vehicle and pedestrian circulation with the provision of the two access drives from Lone Peak Parkway together with sidewalks that connect to Lone Peak Parkway and along the proposed cross-access drive to the north. Cross-access between adjoining commercially zoned properties is provided to the west and north of the dealership property. A separate deviation application requesting relief from providing cross access to the properties located to the south and east of the subject property has been submitted. Staff review of that application indicates that the criteria for approval of the Deviation request (Exhibit J) from providing cross-access to the properties to the east and south of the dealership property have been met. An existing retaining wall and significant grade change exists between the subject property and the property to the east. Connecting this proposed commercial site to the electrical utility sub-station and yard to the south would link two incompatible uses and create a hazard for health, safety, or welfare.

Landscaping and Lot Coverage. The site landscape plan (Exhibit G) does not comply with all requirements of the CSD-KMAC zone and applicable landscaping requirements of DCMC Chapter 9-23. The amount of one proposed tree species exceeds the maximum amount allowed under the tree species diversity requirements, and the street tree species proposed for use along Lone Peak Parkway is not approved for use under power lines. These issues can be readily addressed on revised plans through readjustments to the quantity of trees and the tree species used.

Table 2 Landscaping Design Requirements			
Standard	DCMC Requirements	Proposal	Notes
Lot Coverage	40% max.	23.6%	approximate
Overall Landscaping Coverage	20%	39.6%	Overall site
Parking Lot Landscaping	7%	7%	Complies
Perimeter Landscaping	10-feet	South:16-feet East: 12-feet North: 4-feet* West: 200-feet (+/-)	* CSD-KMAC permitted reduction
Buffer Landscaping	special buffers, fences, and/or walls required to provide separations between public/commercial areas, service, loading, refuse collection, equipment and/or storage areas	Walls provided for service area entrance and for screening around trash enclosure.	Complies
Water Wise Landscaping	Required	Includes waterwise landscaping elements	Complies
Street Trees	From approved tree list	Zelkova tree species provided is from the approved street tree list, but not for use under power lines.	See recommended conditions

Parking. The parking and display area design is incorporated into the proposed site plan (Exhibit F). Per the CSD-KMAC zone the arrangement of the display area, parking spaces, and circulation is at the dealer's option. While this allows for substantial flexibility in the arrangement of the spaces, other applicable requirements of the DCMC must also be met.

The minimum number of parking spaces in the CSD-KMAC zone is 400 square feet of parking space for every 400 square feet of public showroom within the building. Detailed floor plans were not provided as required or requested. A generalized layout of interior building areas is included on the site plan with additional notes regarding proposed square footage; however, the provided details do not completely align with one another or with other reported details. If the showroom is indeed limited to the 3,800 square feet indicated on the site plan, the minimum number of required parking stalls would be twenty-four (24). The site plan indicates that there are 262 total parking stalls provided, of which 167 are

devoted to inventory and display. Where the total amount provided exceeds any potentially required minimum amount, compliance with minimum requirements is confirmed. All four (4) provided ADA spaces are van accessible and comply with applicable requirements.

Table 3 Parking Lot Design Requirements			
Standard	DCMC Requirements	Proposal	Notes
Parking Required (Min/Max)	24 parking spaces (estimated)	47 customer spaces 48 employee spaces 167 display spaces	Complies
Pedestrian Connections	Connection between front entrance and public sidewalk along the public street	Connection proposed between front entrance and Lone Peak Parkway	Complies
Cross Walks	Clearly defined crossings are required.	Painted Crosswalk proposed	Complies
Access Point Width	24-feet min wide 12.5-foot min radius (main access drives)	26-feet 15-foot radius (min)	Complies

Architecture. The proposed exterior elevations (Exhibit H) show a building exterior predominantly clad with white colored metal insulated panels. Accent walls near the main entry will consist of wooden white oak veneer panels. Clerestory windows are included on the west and east sides of the building. Storefront glazing near the main entry will also be included as well as glazing within the roll up doors facing the west, and within one of the two roll up doors on the north. Roofing will consist of charcoal colored metal insulated panels comparable to the material used on the exterior walls. The proposed architecture complies with the requirements and intent of the CSD-KMAC zone.

Table 4 Architectural Design Requirements			
Standard	DCMC Requirements	Proposal	Notes
Building Height			
Main Building	55-feet max.	36.5-feet	Complies
Architectural Features	Up to 14-feet per Planning Commission Decision	n/a	
Building Size	100,000 sq. ft. max.	41,487 sq. ft.	Complies
Roofline	Roofs shall not be exposed unless they are part of the decorative or	Split - Pitched roof (exposed)	Per the Zoning Administrator the roof as designed is a

	architectural treatment of the building		decorative and architectural treatment of the building
Building Orientation	Front entry facing the street	Front entry faces Lone Peak Parkway	Complies
Materials	Low maintenance materials, such as CMU, stone, cultured stone, metal, stucco or Hardie board.	Insulated metal panels (Predominant). White Oak Veneer wood panels.	Complies

Lighting. The proposed lighting plans provided (Exhibit I) do not comply with the ordinance requirements of DCMC Chapter 9-20. The exterior lighting on the photometric plans does not match with the locations indicated on the provided site plan (Exhibit F) or architectural elevations (Exhibit H). Calculated readings for the entire site are not included as required and are missing from most of the power company property. The required max/average ratio has not been provided, and the parking and access areas have been split into three different calculated areas when they should be calculated as a single area per ordinance. Without accurate locations, correct number of light sources, and congruent details between all of the submitted plans, staff is unable to determine if compliance with the requirements of DCMC Chapter 9-20 are met. A 1/3 brightness plan was submitted, but the plan does not address any of the specific requirements of the ordinance. A condition requiring submittal of complete updated lighting plans in compliance with DCMC Chapter 9-20 that are not in conflict with other proposed plans is included in the recommended conditions section of this report and compliance will need to be demonstrated to the satisfaction of planning staff prior to the issuance of a building permit for the site. Additional conditions related to ordinance compliance have also been added to the recommended conditions section of this report.

Other key issues that will need to be addressed as part of updated and revised lighting plans include:

- Light fixtures need to be located on the interior of parking areas with light directed such that only the parking areas receive direct light.
- Maximum pole height of twenty feet (20').
- Wall pack lighting located on building facades shall be implemented only for the illumination of building entrance areas and directed such that only the area around building entrances is illuminated.
- The use of bollard style lighting should be the primary illumination source for all pedestrian walkways as well as building entry areas.
- Both operational hours and after-hours lighting plans are required. The after-hour lighting plan must reduce lighting sources by at least 1/3 and meet the separate illumination standards of ordinance for after hours plans.

Table 5 **Lighting Design Requirements**

Standard	DCMC Requirements	Proposal	Notes
# of Light Poles	1 pole per 10,000 sq. ft. (26 poles max. for site)	15 to 16 poles	complies
Light Pole Height	20' max	Height not provided.	See recommended conditions
Light Pole Color	Black	Color not provided	See recommended conditions
Foot Candles – <i>Operational Hours</i>			
Maximum Illumination	25 fc max. (Auto Dealership)	3.5 fc	Indicated source locations on photometric plan do not align with site plan and actual readings could change based on actual location of light source.
	8 fc max. (Building Entry)	Not provided	
	7 fc max. (Pedestrian Areas)	Not provided	
	0.2 fc max. (Property Boundary)	0.2	See recommended conditions
Maximum Average Illumination	15 fc max. (Auto Dealership)	Reported as between 0.6 fc and 0.9 fc	See recommended conditions
	3 fc max. (Building Entry)	Not provided	
	4 fc max. (Pedestrian Areas)	Not provided	
	0.1 Fc Max. (Property Boundary)	Not provided	
Maximum Illumination Ratio (Max:Ave)	5:1 (Auto Dealership)	Not provided	See recommended conditions
	2.5:1 (Building Entry)	Not provided	
	3:1 (Pedestrian Areas)	Not provided	

	n/a (Property Boundary)	n/a	
Foot Candles- After Hours			
Maximum Illumination	15 fc max. (Auto Dealership)	Not provided	See recommended conditions
	4 fc max. (Building Entry)		
	7 fc max. (Pedestrian Areas)		
	0.2 fc max. (Property Boundary)		
Maximum Average Illumination	10 fc max. (Auto Dealership)	Not provided	See recommended conditions
	2.5 fc max. (Building Entry)		
	4.0 max. (Pedestrian Areas)		
	0.1 max. (Property Boundary)		
Maximum Illumination Ratio (Max:Ave)	5:1 (Auto Dealership)	Not provided	See recommended conditions
	2:1 (Building Entry)		
	3:1 (Pedestrian Areas)		
	n/a (Property Boundary)		

Fencing. The site plan calls out existing chain link fencing on adjacent property to the east and south and proposes to install additional chain link fencing on the north. This additional proposed fencing does not comply with the fencing requirements of the CSD-KMAC zone which are as follows:

DCMC 9-18D-060(L)

L. Fences, Screens And Walls:

- 1. Fences, screens and walls shall be compatible and architecturally complementary between two (2) adjoining sites. This may be achieved by use of similar materials and finishes to the building, landscaping materials, or other architectural design features.*
- 2. Location of fences shall be compatible with adjoining property users to permit the common use of gates and accesses.*

3. *Neither chainlink fencing nor plain concrete block fences are permitted except where not visible from public streets or outdoor sales and display parking areas, unless adequately screened with landscaping materials.*
4. *Ten foot (10') screening walls around auto storage areas shall be permitted.*

If the site plan is approved a condition of approval will need to be included requiring that a revised site plan and fencing plan in compliance with the ordinance be provided to planning staff for review and approval prior to the issuance of a building permit for the site. The fencing along the northern property line should mirror the decorative concrete wall currently existing at the northeast corner of the property between the subject property and the existing Karl Malone Dealership. Where the existing chain link fence along the south property line appears to be fully on the neighboring property it could remain as is, however additional landscape screening is recommended. Additional landscaping screening could be added in front of the existing chain link fence to the east, or new fencing matching the decorative concrete wall on the northern side of the property could be installed in that area.

Table 6		Fencing Design Requirements	
Standard	DCMC Requirements	Proposal	Notes
Height	no specific minimum. 10-foot max.	6-feet	
Material	Architecturally compatible materials. No chain link or plain concrete block.	Chain link	Does not comply. See recommended conditions

Criteria For Approval.

The criteria for review and potential approval of a Site Plan request are found in Section 9-5-090(E) of the DCMC. This section depicts the standard of review for such requests as:

E. Standards For Approval: The following standards shall apply to the approval of a site plan:

1. *The entire site shall be developed at one time unless a phased development plan is approved.*
2. *A site plan shall conform to applicable standards set forth in this title, including but not limited to, building heights, setbacks, access points, parking, landscaping, and building materials.*
3. *The proposed development plans meet the intent, goals, and objectives of the general plan and the purpose of the zone district in which the site is located.*

4. *The public facilities and services in the area are adequate to support the subject development, as required by engineering standards and specifications.*
5. *The proposed development plans comply with the engineering standards found in Titles 7, 8, 11, 12, 16, and 18 of this code, including traffic, storm water drainage, and utilities concerns.*

The criteria for review and potential approval of a Deviation from cross access requirements are found in Subsection 9-25-080(E)(2) of the DCMC. This section depicts the standard of review for such requests as:

2. *Deviation from the requirement to provide cross access: The planning commission shall approve a deviation from the requirement to provide cross access upon finding that the required cross access:*
 - a. *Would result in the slope of the cross access drive exceeding twelve percent (12%);*
 - b. *Would result in a violation or nonconformity with other requirements of this title;*
 - c. *Creates a hazard to health, safety, or welfare by linking two uses, such as industrial and residential, that would be incompatible with each other;*
 - d. *Would require connection to an abutting development which:*
 - (1) *Was not previously designed and required to provide reciprocal cross access to the subject property; or*
 - (2) *Includes required site improvements that physically impede the ability to create a cross access drive between both properties.*

REVIEWS

Planning Division Review. The Draper City Planning Division has completed their review of the Site plan and Deviation request submissions. Comments from this division, if any, can be found in Exhibit A.

Engineering and Public Works Divisions Review. The Draper City Engineering and Public Works Divisions have completed their reviews of the Site plan and Deviation request submissions. Comments from these divisions, if any, can be found in Exhibit A.

Building Division Review. The Draper City Building Division has completed their review of the Site plan and Deviation request submissions. Comments from this division, if any, can be found in Exhibit A.

Geotechnical and Geologic Hazards Review. Taylor Geo-Engineering, LLC and Simon Associates LLC., in working with the Draper City Building and Engineering Divisions, have completed their reviews of the geotechnical and geologic hazards report submitted as a part of the Site plan and Deviation request submissions. Comments from Taylor Geo-

Engineering, LLC, if any, can be found in Exhibit A.

Fire Division Review. The Draper City Fire Marshal has completed his review of the Site plan and Deviation request submissions. Comments from this division, if any, can be found in Exhibit A.

GIS Division Review. The Draper City GIS Division has completed their review of the Site plan and Deviation request submissions. Comments from this division, if any, can be found in Exhibit A.

Legal Division Review. The Draper City Attorney has completed their review of the Site plan and Deviation request submissions. Comments from this division, if any, can be found in Exhibit A.

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

STAFF RECOMMENDATION

Staff recommends that the Planning Commission review the requests, hear from the applicant, receive public comment, and make a decision based on the findings and criteria for approval, or denial, as listed within the staff report.

If the Planning Commission decides to approve the request, staff recommends they include the following conditions of approval:

1. That all requirements of the Draper City Engineering, Public Works, Building, Planning, and Fire Divisions are satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
2. That all requirements of the geotechnical report are satisfied throughout the development of the site and the construction of all buildings on the site.
3. That a separate application be submitted and approved for a boundary line adjustment and property consolidation of the two parcels owned by the Smith Payne Lone Peak LLC. and that the properties be consolidated into a single parcel prior to the issuance of a building permit for the site.
4. That a perpetual cross-access easement for the benefit of the property to the north of the subject property be recorded and provided to planning staff prior to the issuance of a building permit for the subject property.
5. That evidence of easements from the power company for access to the dealership property and evidence of approval of the proposed site changes to the power company property be submitted to planning staff for review and acceptance prior to the issuance of a building permit for the site.
6. That revised landscaping plans be provided for review and approval of

planning staff. The plans must comply with all applicable ordinance requirements, including but not limited to:

- a. Compliance with the tree species diversity requirements as outlined in the Draper City Municipal Code; and
 - b. Compliance with the Street Tree requirements of Draper City and the approved Street Tree List.
7. That the property owner or applicant submits a floor plan of the proposed building as part of a subsequent building permit application. The floor plan shall at a minimum comply with the submittal requirements of DCMC Subsection 9-5-090(D)(1)(d)(7) and 9-5-120(D)(1)(c).
 8. That revised lighting plans, including operational hours and after-hours photometric analyses, be submitted to planning staff for review and approval by staff in accordance with the following:
 - a. The lighting plans may not conflict with the details of other approved plans for the development;
 - b. The lighting plans must address the issues identified in the staff report;
 - c. The lighting plans must comply with all applicable requirements of Draper City Municipal Code Chapter 9-20;
 - d. Light poles shall be black and limited to a maximum of twenty feet (20') in height; and
 - e. Compliance with the ordinance requirements must be made to the satisfaction of planning staff prior to the issuance of a building permit for development of the site.
 9. That revised civil plans, landscape plans, and construction details showing property fencing in compliance with the zoning requirements be submitted for review and approval of planning staff prior to the issuance of a building permit for the development of the site. New fencing shall architecturally match the existing decorative concrete wall between the dealership property and the adjacent Karl Malone dealership property.
 10. That all missing elements or required submittals identified in the staff report by the City Engineering Division be addressed on revised civil plans and be submitted for review and approval to the satisfaction of City Engineering staff prior to the issuance of a land disturbance permit, grading permit, or building permit for the site.

MODEL MOTIONS

Deviation Request

Sample Motion for Approval – I move that we approve the Deviation from cross access, as requested by Logan Johnson, representing Wright Development Group and Smith Payne Lone Peak, application 2026-0151-VAR, based on the following findings for approval listed in the Staff Report dated June 17, 2026.

Findings for Approval:

1. Requiring cross access to properties to the east would result in the slope of the cross-access drive exceeding twelve percent (12%).
2. Requiring cross access to property located the south would create a hazard to health, safety, or welfare by linking two incompatible uses.

Sample Motion for Modified Approval– I move that we approve the Deviation from cross access, as requested by Logan Johnson, representing Wright Development Group and Smith Payne Lone Peak, application 2026-0151-VAR, based on the following findings for approval listed in the Staff Report dated June 17, 2026, together with the following additional or modified findings:

1. (List any additional or modified findings...)

Sample Motion for Denial – I move that we deny the Deviation from cross access, as requested by Logan Johnson, representing Wright Development Group and Smith Payne Lone Peak, application 2026-0151-VAR, based on the following findings for denial listed in the Staff Report dated June 17, 2026.

Findings for Denial:

1. Cross access to properties to the east could be accomplished without the slope of the cross-access drive exceeding twelve percent (12%); or
2. Requiring the cross access to be provided to the property located to the south would not create a hazard to health, safety, or welfare by linking the two uses.

Site plan

Sample Motion for Approval – I move that we approve the Site Plan, as requested by Logan Johnson, representing Wright Development Group and Smith Payne Lone Peak, application 2026-0011-SP, based on the following findings for approval and subject to the conditions listed in the Staff Report dated June 17, 2026.

Findings for Approval:

1. The proposal represents development of the entire site at one time.
2. With the imposed conditions, the site plan conforms to applicable standards set forth in Title 9 of the DCMC, including but not limited to, building heights, setbacks, access points, parking, landscaping, and building materials.
3. The proposed development plans meet the intent, goals, and objectives of the general plan and the purpose of the zone district in which the site is located.
4. The public facilities and services in the area are adequate to support the subject development, as required by engineering standards and specifications.

5. The proposed development plans comply with the engineering standards found in Titles 7, 8, 11, 12, 16, and 18 of the DCMC, including traffic, storm water drainage, and utilities concerns.

Sample Motion for Modified Approval– I move that we approve the Site Plan, as requested by Logan Johnson, representing Wright Development Group and Smith Payne Lone Peak, application 2026-0011-SP, based on the following findings for approval and subject to the conditions listed in the Staff Report dated June 17, 2026, together with the following additional or modified findings or conditions below:

1. (List any additional or modified findings or conditions...)

Sample Motion for Denial – I move that we deny the Site Plan, as requested by Logan Johnson, representing Wright Development Group and Smith Payne Lone Peak, application 2026-0011-SP, based on the following findings for denial listed in the Staff Report dated June 17, 2026.

Findings for Denial:

1. The site plan does not conform to one or more of the applicable standards set forth in Title 9 of the DCMC, including but not limited to, building heights, setbacks, access points, parking, landscaping, and building materials.
2. The proposed development plans do not meet the intent, goals, and objectives of the general plan and the purpose of the zone district in which the site is located.
3. The public facilities and services in the area are not adequate to support the subject development, as required by engineering standards and specifications.
4. The proposed development plans do not comply with all engineering standards found in Titles 7, 8, 11, 12, 16, and 18 of the DCMC, including traffic, storm water drainage, and utilities concerns.

DEVELOPMENT REVIEW COMMITTEE ACKNOWLEDGEMENT

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

Brien Maxfield

Digitally signed by Brien Maxfield
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Todd Draper

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Draper City Planning Division

Don Buckley

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Matthew Symes

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Draper City Building Division

EXHIBIT A DEPARTMENT REVIEWS

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

Planning Division Review.

1. No additional comments.

Engineering and Public Works Divisions Review.

1. We have reviewed the Site Plan application for the subject project for compliance with the Draper City Municipal Code (DCMC). Accordingly, we have included the following comments for your consideration:
2. Submittal conditionally satisfies requirements.
3. Traffic impact study is required to be submitted addressing the peak traffic generated and the reduced spacing on Lone Peak Parkway per DCMC 11-2-060. Study was provided with second submittal. Any comments or actions can be addressed as a condition of approval.
4. Stormwater Maintenance Plan and Agreement are now required for every private storm drainage system, per DCMC 16-2-170. Submission of the maintenance plan is now required prior to site approval. The maintenance agreement is a condition of approval; it is required to be recorded and returned to the city prior to issuance of the Land Disturbance Permit for construction of the site. Maintenance plan received with second submittal. No additional response or action required for this comment prior to site plan approval.
5. The developer is to provide a drainage report per DCMC 9-5-090(D)(1)(f). The drainage report is to meet the requirement of the City of Draper Drainage Design Criteria available online. Implementation of LID (low-impact development) BMP's in the overall drainage design is required. Drainage report provided with second submittal.
6. Provide service letter from Jordan Basin Improvement District (JBID) per DCMC 9- 5-090(D)(1)(d)(3)(D). Letter provided with second submittal.
7. Retaining walls are to comply with DCMC 9-27-085. Retaining walls are not reviewed or approved with this review and approval process. Informational comment – no response or action is required prior to site approval.
8. Signage along public ROW are required to comply city code. Signage placement and entitlement are not approved with this review and approval process. Informational comment – no response or action is required prior to

- site approval.
9. Once site plan has been approved, a Land Disturbance Permit is required prior to construction activities onsite. Permit is obtained through the Engineering Division and is required prior to Building Permit issuance. Informational comment – no response or action is required prior to site approval.
 10. Any work in the public right-of-way will require an Encroachment Permit obtained through the Engineering Division. Informational comment –no response or action is required prior to site approval.
 11. Draper City requires the engineer of record to provide the site as-built drawings, detention/retention basin(s) volume certification(s), and site grading and drainage certification letter after site construction is complete. Informational comment – no response or action is required prior to site approval.
 12. Current Draper City standard details can be found online on the city's website. Reference each design element to city standard or include standard city details in detail sheets. All public improvements in Lone Peak Parkway ROW and all onsite drinking water infrastructure are required to be constructed city standard details, reference each detail accordingly. Draper City Details were not included in civil plans submitted with second submittal.
 13. Potential runoff flow across public sidewalk at access may cause issues during winter or cold temperatures. Create a low point at each of the two accesses at the curb cuts shown to ensure runoff is collected prior to public ROW sidewalk. Provide adequate basin for 10-year event.
 14. Keynotes on sheet C-3.0 are cut off and cannot be read after keynote 26.
 15. Do not run utilities, in this case SS, under fire hydrants. See northwest corner of building on sheet C-3.0. 14. Verify all new waterlines (and any existing water infrastructure that is used) are C900 DR14 Class 305 or ductile iron class 52 with cathodic protection. Information not included in civil plans submitted with second submittal.
 16. TIS provided with second submittal indicates concrete barrier is required in Lone Peak Parkway to ensure north access route is right-in and right-out only. City is determining if modified approach, i.e. porkchop, is adequate for traffic control or if island is required, per TIS.

Building Division Review.

1. With 93 guest parking spaces per the site plan, 4 total accessible parking stalls are required per 2021 IBC Table 1106.2, one at which shall be a van accessible stall. All accessible parking must also be the shortest reasonable distance from the main entrance of the building.

Geotechnical and Geologic Hazards Review.

1. An approved Geotechnical review is required from Alan Taylor.
2. Currently waiting on the provision of a reliance letter for prior geotechnical report completed for the property and additional geotechnical report an evaluation of areas not evaluated in the first study.

Fire Division Review.

1. Fire Department Access is required. An unobstructed minimum road width of twenty-six (26) feet exclusive of the shoulders and a minimum height of thirteen (13) feet six (6) inches shall be required. The road must be designed and maintained to support the imposed loads of emergency apparatus. The surface shall be able to provide all weather driving capabilities. The road shall have an inside turning radius of twenty – eight (28) feet. There shall be a maximum grade of 10%. Grades may be checked prior to building permits being issued.
2. Fire Hydrants are required. Hydrants are required for this project. They shall be protected with bollards if susceptible to vehicle damage. Based on the square footage of this building the code states that it will need 5 hydrants with fire sprinklers that can be reduced to (4) four hydrants. The required fire flow for the building is 4750 gpm and with a 50% reduction for fire sprinklers the fire flow would then be 2375 gpm. One of the hydrants will need to be located to be with 100 feet of the Fire Department Connection.
3. All hydrants and a form of acceptable temporary Fire Department Access to the site shall be installed and APPROVED by the Fire Department prior to the issuance of any Building Permits. If at any time during the building phase any of the hydrants or temporary Fire Department Access becomes non-compliant any and all permits could be revoked.
4. No combustible construction shall be allowed prior to hydrant installation and testing by water purveyor. All hydrants must be operational prior to any combustible elements being received or delivered on building site.
5. Utilities All utilities including Fire hydrants within the required width of fire apparatus access roads shall be installed prior to introducing combustible materials to a site or commencing vertical construction. Any excavation in the required fire department access roadway after combustible materials are on site shall be performed in a manner to maintain access to the site and shall be coordinated with the Fire Marshal. Combustible material shall not be placed in any way that will impede fire apparatus access to any site.
6. Fire Sprinklers Required. A deferred submittal for a NFPA 13 fire sprinkler shop drawings are to be sent via email to: fire.permits@draperutah.gov . A complete set of plans, with manufacturer cut sheets, and hydraulic calculations. Plans must be stamped by a NICET level III or better in Auto Sprinkler Layout. (There needs to be a hydrant with-in a100 feet of the FDC.)

FDC is required to have KNOX Locking Caps. ALL FIRE PROTECTION PLANS REQUIRE 3rd PARTY REVIEW PRIOR TO BE SUBMITTED TO THE DRAPER FIRE DEPARTMENT.

7. Post Indicator Valve with Tamper Required. If there is no designated fire riser room with a direct access door from the outside. There shall be either a wall mounted P.I.V (OS&Y) or a typical P.I.V placed a minimum distance of 40 feet from the building with a tamper switch.
8. Fire Department Connection Location. The FDC can be on the West side of the building as shown page C-1.0 Civil Site Plan. However there can be no parking in front of it. It shall be located and arranged so that hose lines can be readily and conveniently attached to the inlets without interference from any nearby objects including but not limited to buildings, fences, posts, and landscaping.
9. Standpipes May Be Required. This building may be required to have standpipes. This standpipe will be required to be pressure tested and a Contractor Certificate of Completion will be required to be filled out. The reason for this is due to the type of vehicles that could be interior of the building and would assist with firefighting efforts. Or you can get with a fire protection engineer to assist in designing the fire protection system.
10. Fire Alarm Required. A deferred submittal for fire alarm shop drawings are to be sent via email to the following to: fire.permits@draperutah.gov A complete set of plans, with manufacturer cut sheets, and battery calculations. Plans must be stamped by a NICET level III or better in Fire Alarm Systems. ALL FIRE ALARM PLANS REQUIRE 3rd PARTY REVIEW PRIOR TO BE SUBMITTED TO THE DRAPER FIRE DEPARTMENT.
11. Emergency Responder Radio Coverage Required. Emergency responder radio coverage shall be provided in accordance with the IFC 510. Before a Fire Safety Codes Release (Certificate of Occupancy) is issued, compliance with International Fire Code Section 510 is required by means of an Emergency Responder Radio Coverage System (ERRCS) installed, tested, and accepted OR through field testing by a FCC licensed radio contractor to verify that an ERRCS is not warranted. A critical element to compliance with this standard is preliminary testing once the building is dried-in.
12. Site Access Required During Construction. Prior to and throughout construction a form of acceptable temporary Fire Department Access to the site shall be installed this includes turn-arounds. The required access for fire apparatus access shall have a base material capable of supporting a 75,000 lbs. vehicle, during most-weather conditions, installed and compacted to 95% relative compaction at a minimum of 26 feet wide. There shall be no parking of construction vehicles, sub-contractor vehicles within the required fire access they shall be parked on the non-hydrant side of the road to allow for emergency vehicles to still access the project. If at any time during the building phase any of the hydrants or temporary Fire Department Access

- becomes non-compliant any and all permits could be revoked.
13. Access and Fire Protection During Construction All buildings under construction shall meet the requirements of IFC Chapter 33, Fire Safety During Construction and Demolition as well as all of the sections detailed in this document.
 14. IFC SECTION 3310 ACCESS FOR FIRE FIGHTING DURING CONSTRUCTION
 - i. *3310.1.1 Required access. Approved vehicle access for firefighting shall be, provided to all construction or demolition sites. Vehicle access shall be provided to within 100 feet (30 480 mm) of temporary or permanent fire department connections. Either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions, shall provide vehicle access. Vehicle access shall be, maintained until permanent fire apparatus access roads are available.*
 - ii. Until permanent fire apparatus access roads are constructed, fire-fighting vehicle access is the means by which fire fighters gain access to the construction or demolition site and building for fire suppression and rescue operations. Such access is an integral component of the fire prevention program. The site superintendent or other person responsible for construction and demolition operations is responsible for maintaining and policing fire-fighter access routes, as provided in Section 3308. Fire apparatus must be able to get within 100 feet (30 480 mm) of any installed fire department connection supplying water to temporary or permanent fire protection systems. Access roads must support the weight of the heaviest vehicle that might respond. The weight requirements are available from the local fire department. All-weather sur-faces are required because the responding fire department should not waste time moving snow or trying to get out of mud.
 15. IFC 3315.1 Completion before Occupancy. In buildings where an automatic sprinkler system is required by this code or the IBC, it shall be unlawful to occupy any portion of a building or structure until the automatic sprinkler system installation has been tested and approved except as provided in section 105.3.4 of the IFC.
 16. IFC 3315.2 Operation of Valves. Operation of sprinkler control valves shall be allowed only by properly authorized personnel and shall be accompanied by notification of duly designated parties. Where the sprinkler protection is being regularly turned off and on facilitate connection of newly completed segments, the sprinkler control valves shall be checked at the end of each work period to ascertain that protection is in service.

17. IFC 3316.1 Structures under construction, alteration or demolition shall be provided with not less than one approved portable fire extinguisher in accordance with Section 906 and sized for not less than ordinary hazard as follows:
 1. At each stairway on all floor levels where combustible materials have accumulated.
 2. In every storage and construction shed.
 3. Additional portable fire extinguishers shall be provided where special hazards exist including, but not limited to, the storage and use of flammable and combustible liquids.
18. IFC 3313.1 An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible building materials arrive on the site, on commencement of vertical combustible construction and on installation of a standpipe system in buildings under construction
19. Knox Boxes Required. Fire Department "Knox Brand" lock box to be mounted to exterior walls, near the main entrance and/or nearest the door serving the exterior access to the fire sprinkler riser room. (At a height of 5 feet to the top of the box) Lock box purchase can be arranged by the General Contractor.
20. 2A-10BC Fire Extinguishers required. The extinguisher needs to be a serviceable type meaning metal head and metal neck. Extinguishers need to be located in a conspicuous location where they will be readily accessible and immediately available for use. Placed every 75 feet of travel. If in cabinet or not the extinguisher or cabinet needs to be mounted so that the top is not more than five (5) feet above the floor.
21. Visible Addressing Required. New and existing buildings shall have approved address numbers plainly legible and visible from the street fronting the property. These numbers shall contrast with their background.
22. Plan approval or review shall not be construed to relieve from or lessen the responsibility of any person designing, owning, operating or controlling any building. Damages to persons or property caused by defects, fire, improper installation, or other emergency conditions that occur in or on the building property shall not hold the Draper City Fire Department as assuming any liability.

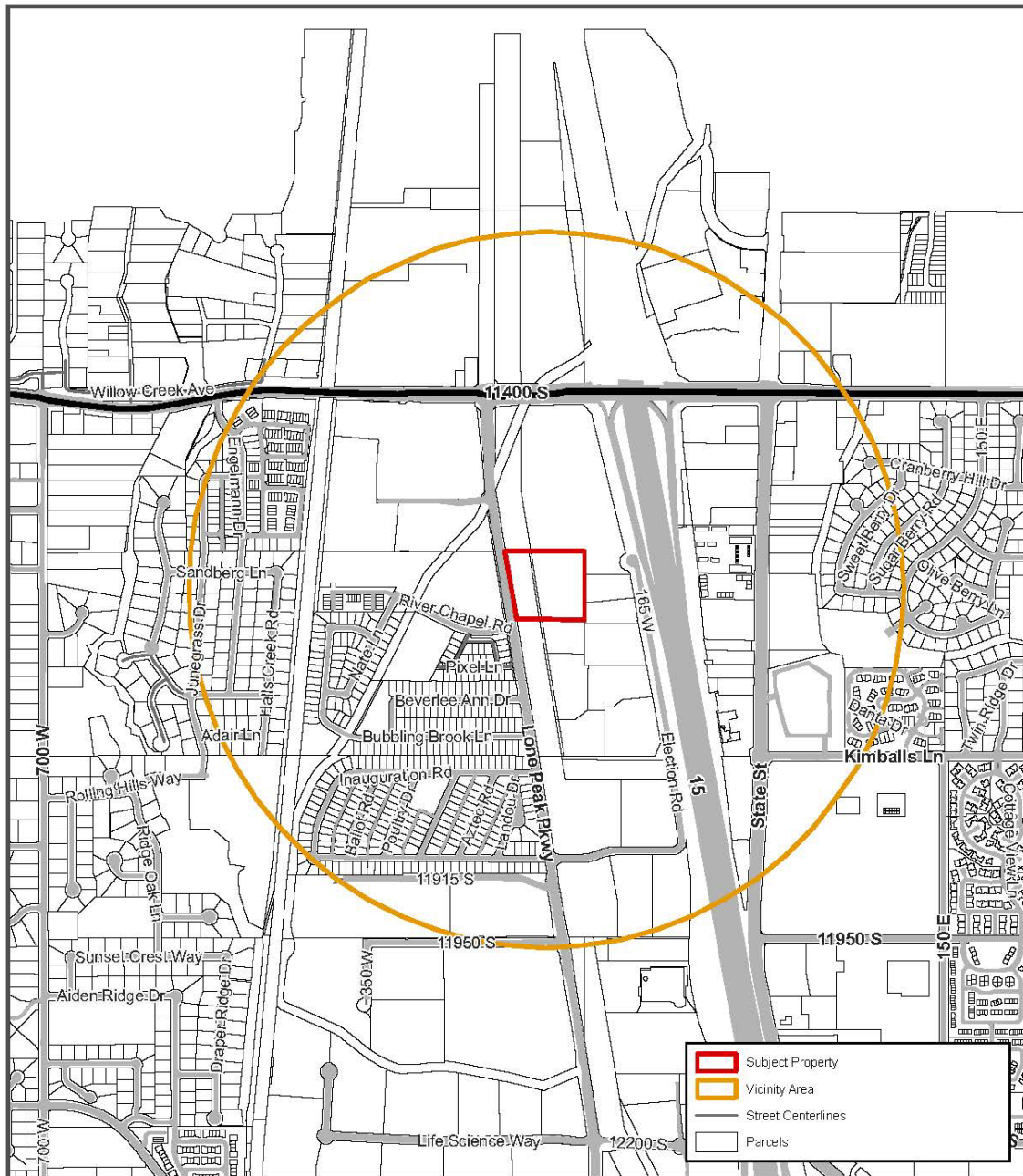
GIS Division Review.

1. No additional comments.

Legal Division Review.

1. No additional comments.

EXHIBIT B VICINITY MAP



Date Printed: 6/12/2026

Rivian Draper Site Plan and Deviation

11601 S. Lone Peak Pkwy.

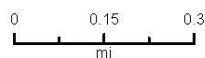


EXHIBIT C
AERIAL MAP

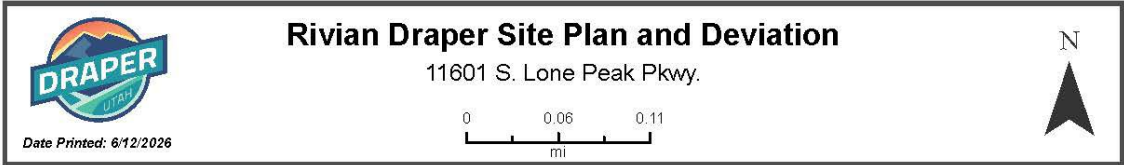
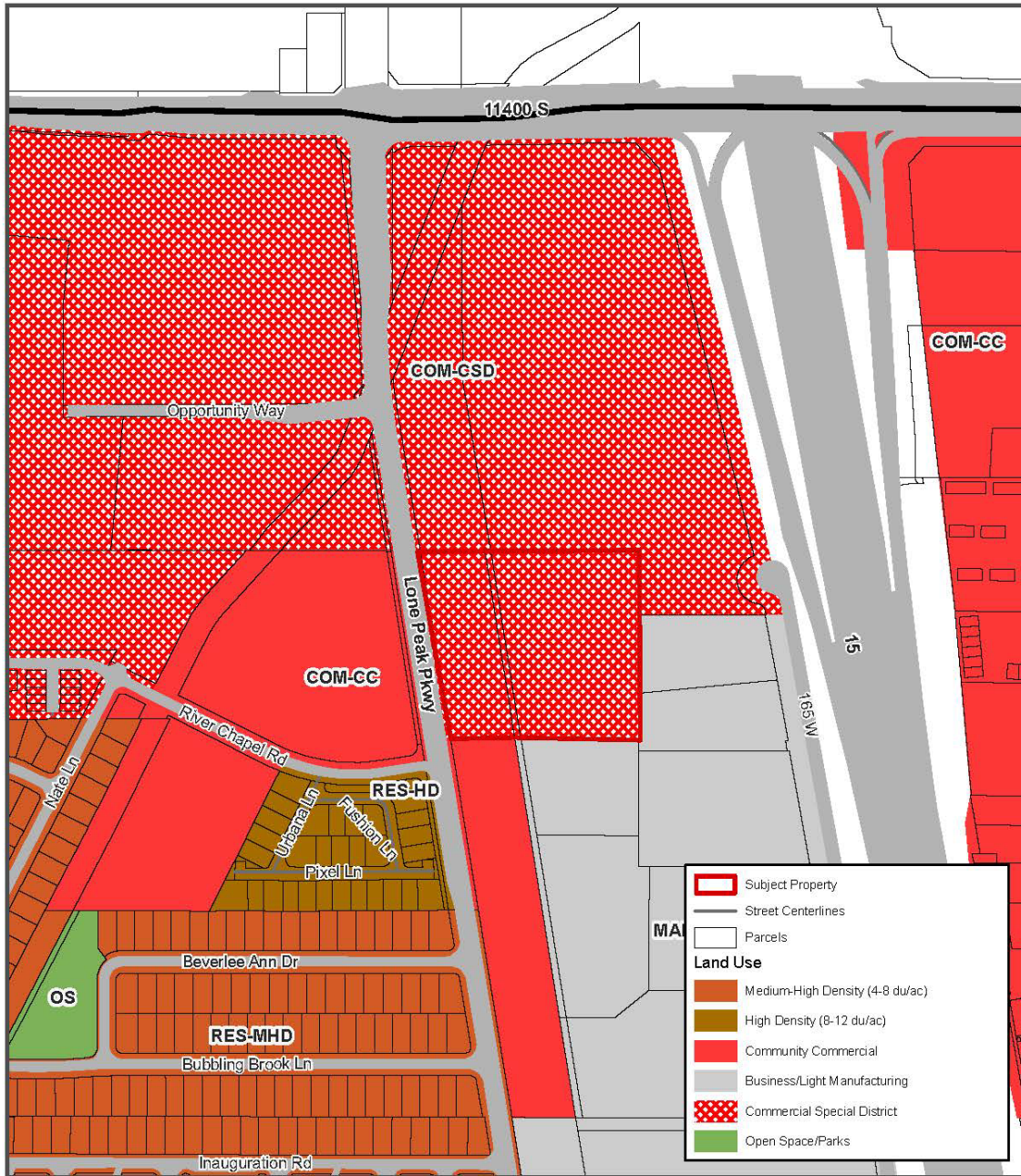


EXHIBIT D LAND USE MAP





Date Printed: 6/12/2026

Rivian Draper Site Plan and Deviation

11601 S. Lone Peak Pkwy.

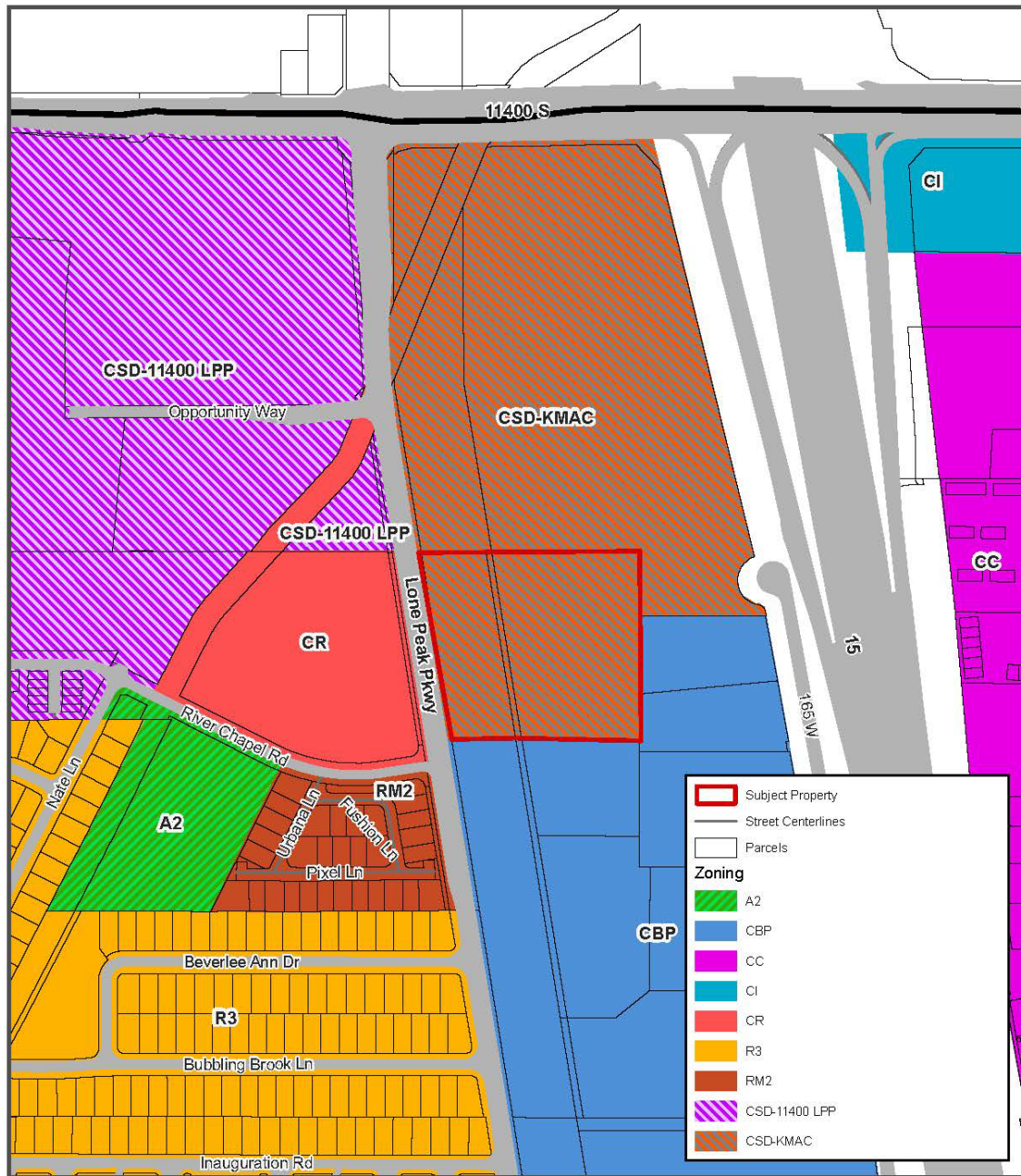
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EXHIBIT E ZONING MAP





Rivian Draper Site Plan and Deviation
11601 S. Lone Peak Pkwy.

Date Printed: 6/12/2026

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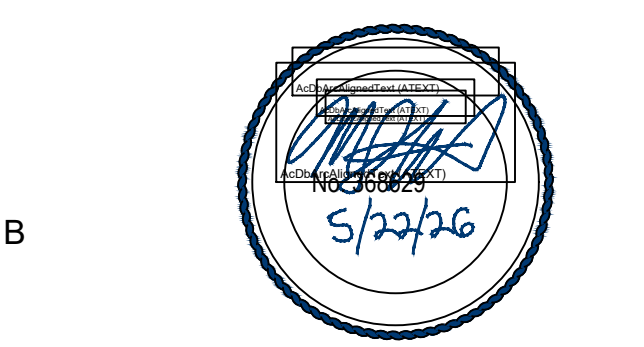
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**EXHIBIT F
SITE PLAN**

FOR:
WRIGHT DEVELOPMENT GROUP
1178 LEGACY CROSSING BLVD #100
CENTERVILLE, UT 84104
CONTACT:
LOGAN JOHNSON
PHONE: 801-773-7339

RIVIAN DEALERSHIP
DRAPER
11601 LONE PEAK PARKWAY
DRAPER, UTAH

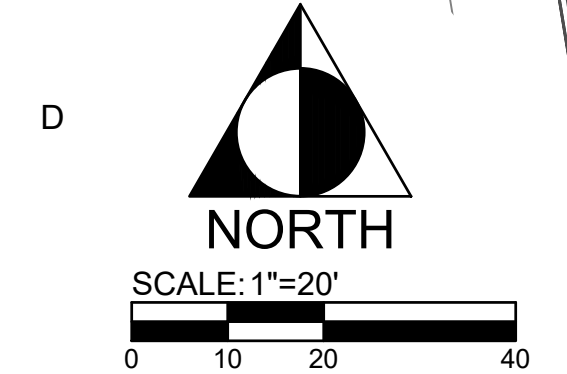


PROJECT NO. 2026.02		
DESIGNED BY: M.S.		
ISSUED:		
NO.	DATE	DESCRIPTION
1	3/31/26	FOR REVIEW
2	5/22/26	FOR APPROVAL
REVISIONS:		
NO.	DATE	DESCRIPTION

CIVIL SITE PLAN

SHEET NUMBER
C-1.0

CALL BEFORE YOU DIG
1-800-662-4111
48 HOURS PRIOR TO
ANY CONSTRUCTION
BENCHMARK ELEVATION: 4409.75
CENTER SECTION 24 T2S RW1 SL&M



SITE INFORMATION

1. SITE IS ZONED IN THE KARL MALONE AUTO CENTER COMMERCIAL SPECIAL DISTRICT ZONE
2. CURB DIMENSIONS ARE TO TOP FACE OF CURB UNLESS NOTED OTHERWISE

	Area (SF)	Area (AC)	Area (%)
Landscaped	32,896	0.76	19%
Building	41,771	0.96	24%
Paved	101,134	2.32	58%
Total	175,803	4.04	100%

	Square Feet of Building Use	Parking Stalls Required
Service Area	34,237	68
Office Area	3,450	14
Showroom Area	3,800	14
Total Building	41,487	96
Accessible Stalls Required		4
Total Stalls Provided		263
Inventory Stalls		167

LEGEND

- PROPOSED RETAINING WALL
- EXISTING CONCRETE WALL
- PROPOSED BUILDING
- EXISTING CONCRETE FLATWORK
- PROPOSED CONCRETE FLATWORK
- EXISTING CURB AND GUTTER
- PROPOSED CURB AND GUTTER
- PROPOSED REVERSE-PAN GUTTER
- TRANSITION TO REVERSE-PAN GUTTER
- EXISTING FENCE
- PROPOSED FENCE
- EXISTING HYDRANT
- PROPOSED HYDRANT
- EXISTING LIGHT
- SAW-CUT PAVEMENT
- PROPOSED ASPHALT
- SETBACKS
- PUBLIC UTILITY EASEMENT
- ACCESSIBLE ROUTE
- HANDICAP PARKING MARKINGS
- CLEAR-VIEW AND SITE CIRCULATION/ EMERGENCY ACCESS LANE

KEYNOTES

1. PROPERTY LINE
2. SAW-CUT AND TACK EDGE OF EXISTING ASPHALT BEFORE PAVING TO MATCH
3. RESTORE CURB AFTER CUT FOR UTILITIES WITH CITY STANDARD ST-12
4. PRESERVE EXISTING PAVEMENT
5. CONSTRUCT ASPHALT PAVEMENT
6. CONSTRUCT 24" CURB AND GUTTER
7. CONSTRUCT 24" REVERSE-PAN CURB AND GUTTER
8. MATCH TO EXISTING CURB TO REMAIN
9. TAPER CURB TO 0" REVEAL. SEE SHEET C-2.0 FOR GRADES
10. CONSTRUCT 2" CONCRETE ROLL GUTTER
11. CONSTRUCT CONCRETE SIDEWALK
12. CONSTRUCT SIDEWALK RAMP WITH TRUNCATED DOME CONTRASTING MARKING
13. CROSSWALK STRIPING FOR ACCESSIBLE ROUTE - 1' STRIPE, 5' CLEAR
14. INSTALL DUMPSTER ENCLOSURE - SEE DETAIL Q
15. MATCH NEW TO EXISTING SIDEWALK AT NO MORE THAN 5.0% GRADE IN THE DIRECTION OF TRAVEL AND 2% GRADE CROSS-SLOPE
16. SITE LANDSCAPING - SEE LANDSCAPE PLANS
17. CONSTRUCT COMMERCIAL RADIUS DRIVE APPROACH PER DRAPER CITY STANDARD #ST-11 - REMOVE CURB TO NEAREST CONTROL JOINT BEYOND EXTENTS SHOWN. THICKEN SIDEWALK TO 8" AT DRIVEWAY.
18. INSTALL TYPE S CURB ISLAND PER APWA PLAN NO. 209 WITH PAVED CONCRETE CENTER
19. TRENCH REPAIR AND PATCH PER DRAPER STANDARD #ST-16&17
20. PYLON SIGN BY SEPARATE APPLICATION
21. CONSTRUCT VEHICLE RAMP
22. LANDSCAPE RETAINING WALL - SEE SHEET C-2.0 FOR GRADES
23. L2 CHARGING PEDASTEL
24. L2 CHARGING STALL
25. L3 CHARGING PEDASTEL
26. L3 CHARGING STALL
27. L3 CABINET
28. VAN ACCESSIBLE PARKING STALL, SIGN BEHIND WALK
29. EXISTING 6" CHAIN LINK FENCE TO REMAIN
30. EXISTING BARBED-WIRE FENCE TO BE REMOVED
31. INSTALL 6" CHAIN LINK FENCE
32. DETENTION BASIN - SEE GRADING AND DRAINAGE PLAN FOR DETAIL
33. SEE STREET STRIPING PLAN FOR STRIPING MODIFICATIONS/RESTORATION
34. REMOVE WATER LINE, SALVAGE HYDRANT
35. INSTALL HYDRANT AND BOLLARDS
36. INSTALL STOP SIGN PER MUTCD #R1-1
37. CUSTOMER/GUEST PARKING
38. EMPLOYEE PARKING
39. INVENTORY/DISPLAY AREA - ALL STALLS NOT OTHERWISE NOTED
40. EXISTING TEXTURED CONCRETE FENCE/WALL TO REMAIN

KMAM REAL ESTATE LLC
27-24-402-004

S89°25'45"E 396.12'

PROPOSED AUTO
DEALERSHIP

SHOWROOM AREA
3,800 SF

OFFICES
3,450 SF

SERVICE AREA
34,267 SF

UTAH POWER & LIGHT COMPANY
27-24-452-001

X WH REDF2-TSE LONE PEAK PROPCO LLC
27-24-476-001

X WH REDF2-TSE LONE PEAK PROPCO LLC
27-24-476-001

X WH REDF2-TSE LONE PEAK PROPCO LLC
27-24-476-002

EXHIBIT G
LANDSCAPE PLAN



LANDSCAPE ARCHITECTURE
& LAND PLANNING

1375 E. PERRYS HOLLOW ROAD
SALT LAKE CITY, UTAH 84103
PH/TXT/MO 801.554.6146
SCOTT@STBDESIGNLLC.COM



ISSUE DESCRIP.	DATE
	5.22.2026

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LANDSCAPE SUMMARY

SITE AREA	175,803 S.F.
SITE LANDSCAPE AREA	32,380 S.F. - 20.4%
STREET PARKSTRIP - 334 L.F. 1 Tree / 40 L.F. = 8.4 Trees	8 Trees Provided
NORTH PROPERTY PERIMETER - PARKING - 272 L.F. 1 Trees / 100 L.F. = 2.7 Trees 5 Shrubs / 100 L.F. = 13.5 Shrubs	3 Trees Provided 24 Shrubs Provided
EAST PROPERTY PERIMETER - 465 L.F. 1 Tree / 100 L.F. = 4.6 Trees 5 Shrubs / 100 L.F. = 23.3 Shrubs	5 Provided 98 Provided
SOUTH PROPERTY PERIMETER - PARKING - 288 L.F. 1 Trees / 100 L.F. = 2.9 Trees 5 Shrubs / 100 L.F. = 14.5 Shrubs	3 Trees Provided 44 Shrubs Provided
ROW LANDSCAPE EASEMENT - 434 L.F. 1 Tree / 75 L.F. = 5.8 Trees	6 Trees Provided
PLANT COVERAGE - 32,380 S.F. Plant Coverage (50%) - 2 Years = 16,190 S.F. Plant Coverage (75%) - 10 Years = 24,285 S.F.	16,201 S.F. Provided 26,065 S.F. Provided
PARKING DISPLAY - 4,842 S.F. 1 Tree / 1,000 S.F. = 5.3 Trees	14 Trees Provided



LANDSCAPE SCHEDULE

Sym	Qty	Scientific Name	Common Name	Size
	66	DECIDUOUS TREES		
	20	30% Amelanchier alnifolia 'Obelisk'	Standing Ovation Serviceberry	8'
	12	18% Malus 'Adirondack'	Adirondack Crabapple	8'
	6	9% Prunus serrulata	Flowering Cherry	8'
	5	8% Syringa reticulata 'Ivory Silk'	Ivory Silk Tree Lilac	2" Cal.
	7	11% Tilia tomentosa	Silver Linden	2" Cal.
	8	12% Zelkova serrata 'Mushashino'	Mushashino Zelkova	2" Cal.
	8	12% Zelkova serrata 'Village Green'	Village Green Zelkova	2" Cal.
		DECIDUOUS SHRUBS		
	34	Caryopteris x clandonensis 'Longwood Blue'	Bluebeard Blue Mist Spirea	2 Gal.
	12	Spiraea betulifolia 'Tor'	Birchleaf Spirea	2 Gal.
	128	Viburnum opulus 'Roseum'	Common Snowball Viburnum	2 Gal.
		ORNAMENTAL GRASSES		
	200	Calamagrostis x acutifolia 'Karl Foerster'	Karl Foerster Feather Grass	1 Gal.

	ORNAMENTAL GRASSES	
200	Calamagrostis x acutifolia 'Karl Foerster'	Karl Foerster Feather Grass 1 Gal.
128	Festuca mairei	Atlas Fescue 1 Gal.
27	Miscanthus sinensis 'Gracillimus'	Slender Maiden Grass 1 Gal.
28	Pennisetum alopecuroides	Fountain Grass 1 Gal.
	GROUND COVER	
171	Juniperus horizontalis 'Wiltonii'	Blue Rug Creeping Juniper 2 Gal.
78	Juniperus communis 'Effusa'	Creeping Juniper 2 Gal.
112	Rhus aromatica 'Gro Low'	Gro Low Sumac 2 Gal.
	PERENNIALS	
16	Nepeta faassenii	Catnip 1 Gal.
	REVEGETATION	
58,462 S.F.	GREAT BASIN SEED, DRYLAND PASTURE SEED MIX	20 Lbs. / Ac.
	EDGING	
	Metal - 3/16" x 4"	
	MULCH	
43,768 S.F.	Perma Bark, Staker Parsons, 1", Over DeWitt PRO5 Weed Barrier	3" Min.
4,246 S.F.	Perma Bark, Staker Parsons, 2", Over DeWitt PRO5 Weed Barrier	3" Min.

RIVIAN DEALERSHIP
11601 LONE PEAK PARKWAY
DRAPER, UTAH

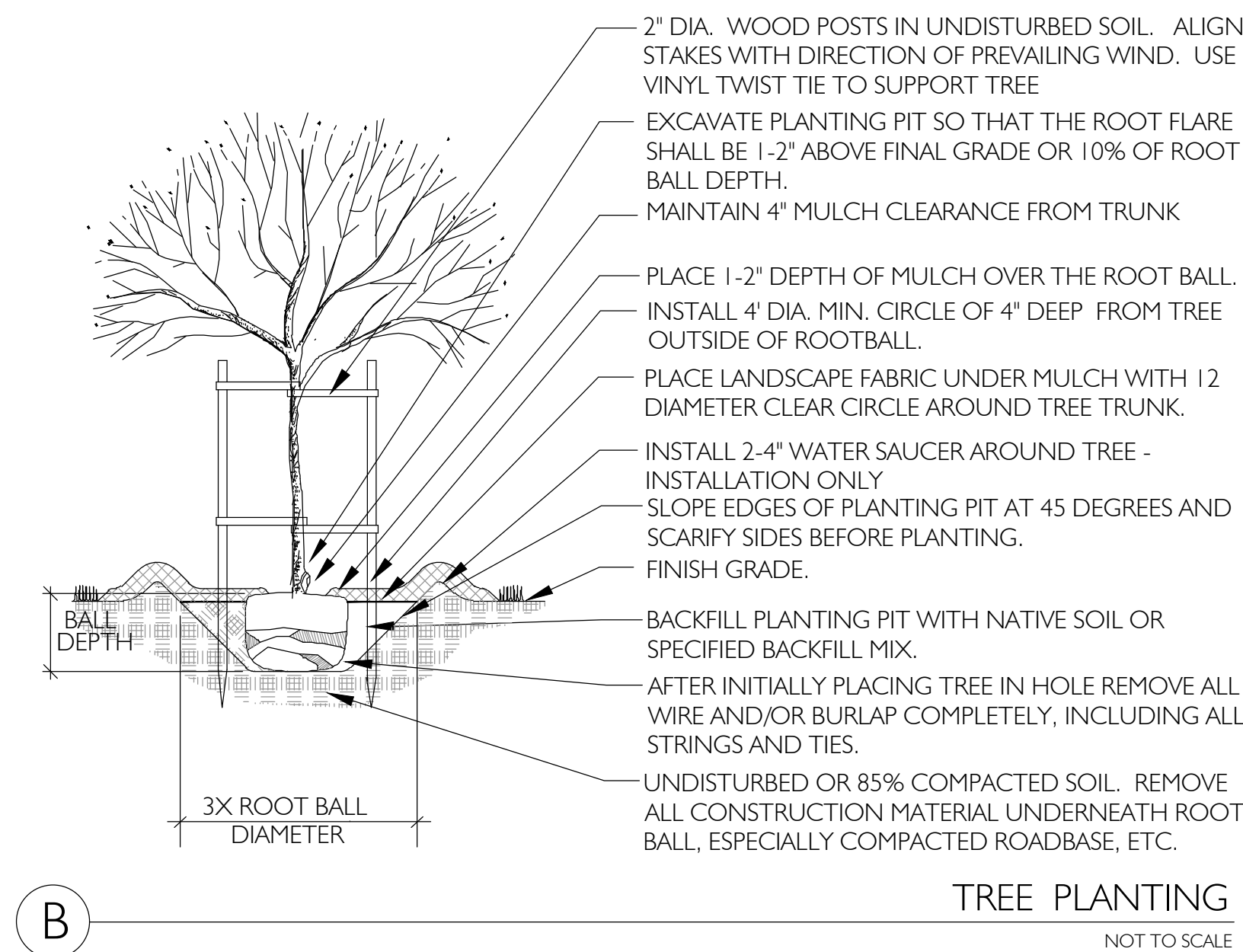
LANDSCAPE
PLAN

L101



ISSUE DESCRIP.	DATE
	5.22.2026

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1. Contractor shall locate and verify the existence of all utilities within project area prior to commencement of work.
2. Do not commence planting operation until rough grading has been completed.
3. All plants shall bear the same relationship to finished grade as the original grade before digging.
4. Pre-emergent herbicide will be used prior to mulch placement.
5. All plant materials shall conform to the minimum guidelines established by the American Standard for Nursery Stock, published by the American Nursery Association, Inc.
6. All plants to be balled and burlapped or container grown, unless otherwise noted on the plant list.
7. The contractor shall supply all plant material in quantities sufficient to complete the planting shown on the drawings.
8. Any proposed substitutions of plant species shall be made with plants of equivalent overall form, height, branching habit, flower, leaf color, fruit and culture only as approved by the Project Representative.
9. All shrub, groundcover, and perennial beds shall receive four inches (4") of topsoil prior to planting.
10. Submit topsoil report prepared by a qualified soil testing laboratory prior to soil placement. Topsoil shall meet the following mechanical analysis:
Sand (0.05 - 2.0 mm Dia.) 20 - 70%
Clay (0.002 - 0.05 mm Dia.) 20 - 70%
The max. retained on a #10 sieve will be 15 percent. the topsoil shall meet the following analysis criteria:
pH Range of 5.5 to 8.2, a min. of 4% and max. of 8% organic matter content and free of stones $\frac{3}{8}$ " or larger. Soluble salts <2 dS/m or mmho/cm and sodium absorption ration (sar) <6.

Sym	Qty	Scientific Name	Common Name	Size
	66	DECIDUOUS TREES		
	20 30%	Amelanchier alnifolia 'Obelisk'	Standing Ovation Serviceberry	8'
	12 18%	Malus 'Adirondack'	Adirondack Crabapple	8'
	6 9%	Prunus serrulata	Flowering Cherry	8'
	5 8%	Syringa reticulata 'Ivory Silk'	Ivory Silk Tree Lilac	2' Cal.
	7 11%	Tilia tomentosa	Silver Linden	2' Cal.
	8 12%	Zelkova serrata 'Mushashino'	Mushashino Zelkova	2' Cal.
	8 12%	Zelkova serrata 'Village Green'	Village Green Zelkova	2' Cal.
		DECIDUOUS SHRUBS		
	34	Caryopteris x clandonensis 'Longwood Blue'	Bluebeard Blue Mist Spirea	2 Gal.
	12	Spiraea betulifolia 'Tor'	Birchleaf Spirea	2 Gal.
	128	Viburnum opulus 'Roseum'	Common Snowball Viburnum	2 Gal.
		ORNAMENTAL GRASSES		
	200	Calamagrostis x acutifolia 'Karl Foerster'	Karl Foerster Feather Grass	1 Gal.
	128	Festuca mairei	Atlas Fescue	1 Gal.
	27	Miscanthus sinensis 'Gracillimus'	Slender Maiden Grass	1 Gal.
	28	Pennisetum alopecuroides	Fountain Grass	1 Gal.
		GROUND COVER		
	171	Juniperus horizontalis 'Wiltonii'	Blue Rug Creeping Juniper	2 Gal.
	78	Juniperus communis 'Effusa'	Creeping Juniper	2 Gal.
	112	Rhus aromatica 'Gro Low'	Gro Low Sumac	2 Gal.
		PERENNIALS		
	16	Nepeta faassenii	Catnip	1 Gal.
		REVEGETATION		
	58,462 S.F.	GREAT BASIN SEED, DRYLAND PASTURE SEED MIX		20 Lbs. / Ac.
		EDGING		
		Metal - 3/16" x 4"		
		MULCH		
	43,768 S.F.	Perma Bark, Staker Parsons, 1", Over DeWitt PRO5 Weed Barrier		3" Min.
	4,246 S.F.	Perma Bark, Staker Parsons, 2", Over DeWitt PRO5 Weed Barrier		3" Min.

RIVIAN DEALERSHIP
11601 LONE PEAK PARKWAY
DRAPER, UTAH

LANDSCAPE
PLAN

L102

EXHIBIT H
ELEVATIONS



ELEVATION - WEST

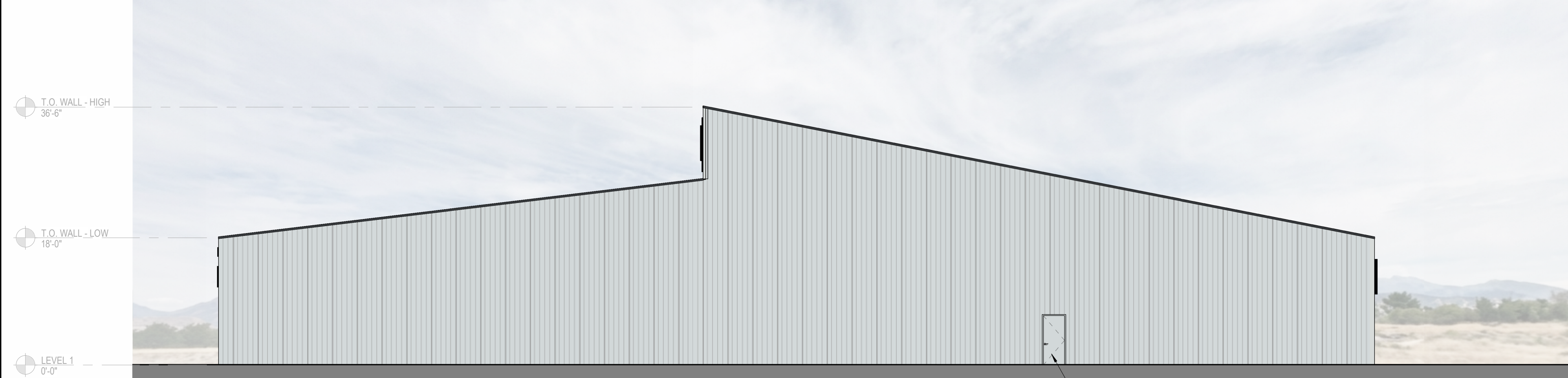
SCALE
3/32" = 1'-0"

1

	MATERIAL: INSULATED METAL WALL PANEL MFR: METL SPAN / NUCOR PROFILE: CF FLUTE COLOR: ARCTIC WHITE		MATERIAL: EXTERIOR BUILDING PAINT (ACCENT) MFR: CUSTOM COLOR: SIGNAL BLACK, RAL 9004
	MATERIAL: INSULATED METAL ROOF PANEL MFR: METL SPAN / NUCOR PROFILE: CF FLUTE COLOR: CHARCOAL GRAY		MATERIAL: WHITE OAK VENEER FINISH: NATURAL

MATERIAL LEGEND

SCALE
1/4" = 1'-0"



ELEVATION - SOUTH

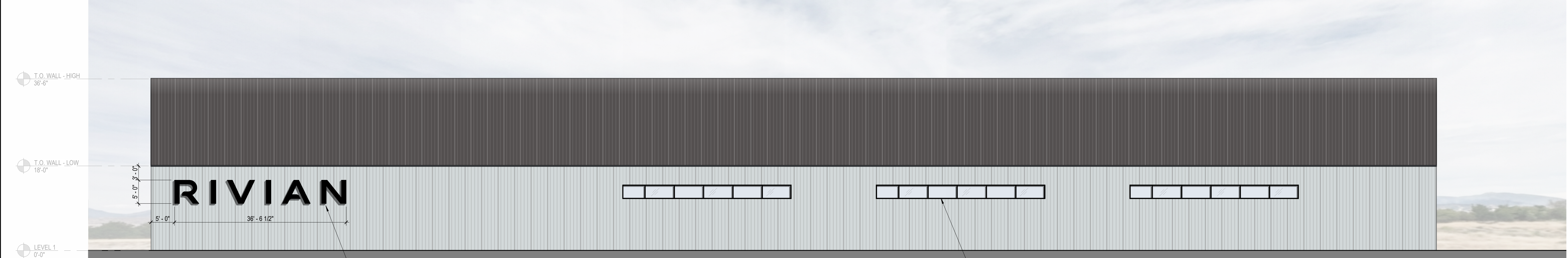
SCALE
3/32" = 1'-0"

2

	MATERIAL: INSULATED METAL WALL PANEL WEST ELEVATION - 4,358 SF / 43% NORTH ELEVATION - 4,081 SF / 99% EAST ELEVATION - 4,567 SF / 46% SOUTH ELEVATION - 3,669 SF / 89%
	MATERIAL: WHITE OAK VENEER WEST ELEVATION - 614 SF / 6% NORTH ELEVATION - EAST ELEVATION - SOUTH ELEVATION -

MATERIAL BREAKDOWN

SCALE
1/4" = 1'-0"



ELEVATION - EAST

SCALE
3/32" = 1'-0"

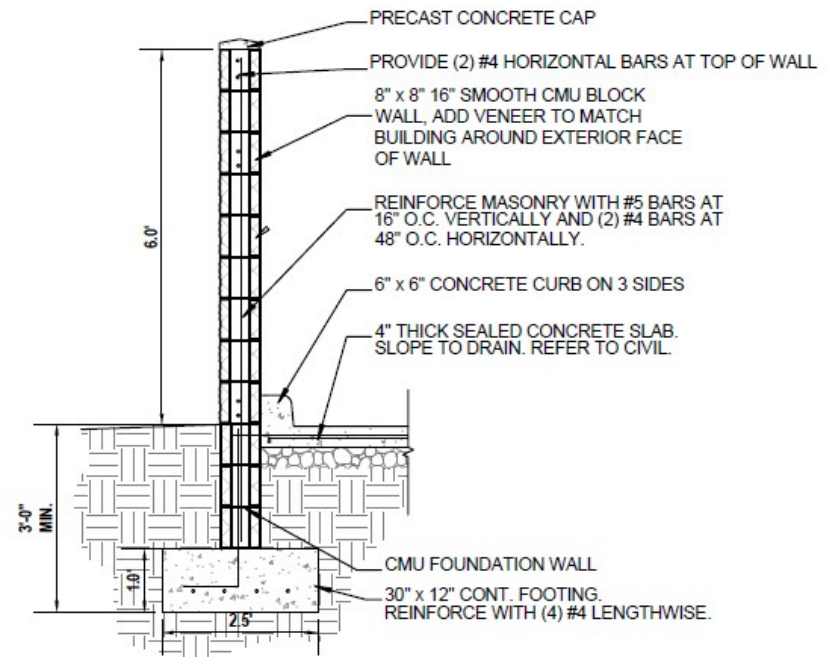
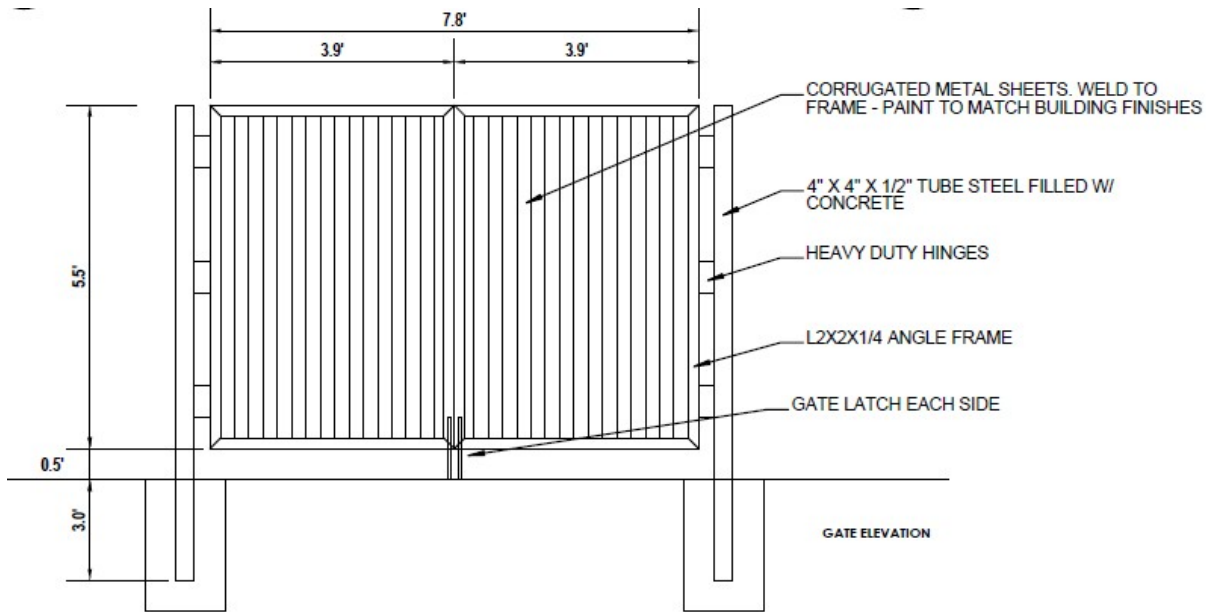
3



ELEVATION - NORTH

SCALE
3/32" = 1'-0"

4



Q TRASH ENCLOSURE

NTS

EXHIBIT I
LIGHTING PLANS



PLAN

1" = 20'

Plan View
Scale - 1" = 25ft

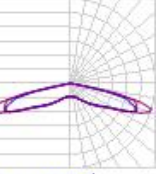
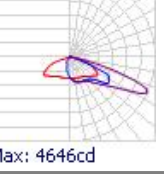
Statistics

Description Symbol Avg Min Max / Min Avg / Min Max

Driveway + 0.7 fc 0.0 fc N/A N/A 3.2 fc

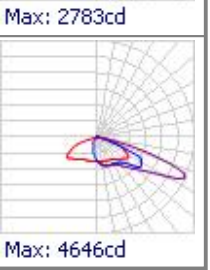
Driveway + 0.9 fc 0.0 fc N/A N/A 3.3 fc

Parking Lot + 0.6 fc 0.0 fc N/A N/A 3.5 fc

Schedule	Symbol	Label	Image	QTY	Catalog Number	Description	Lamp	Number Lamps	Lumens per Lamp	LLF	Wattage	Polar Plot
		LF-701.1		6	RSX1 LED P1 40K-RS	RSX Area Fixture Size 1 P1 Lumen Package 4000K CCT Type R3 Distribution		1	7205	1	51.34	
		LF-701.2		10	RSX1 LED P1 40K-R3 EGS	RSX Area Fixture Size 1 P1 Lumen Package 4000K CCT Type R3 Distribution with EGS Shield		1	6077	1	51.3435	



Schedule									
Symbol	Label	Image	QTY	Catalog Number	Description	Lamp	Number Lamps	Lumens per Lamp	LLF Wattage
	LF-701.1		6	RSX1 LED P1 40K R5	RSX Area Fixture Size 1 P1 Lumen Package 4000K CCT Type R5 Distribution		1	7285	0.33 51.34
	LF-701.2		10	RSX1 LED P1 40K R3 EGS	RSX Area Fixture Size 1 P1 Lumen Package 4000K CCT Type R3 Distribution with EGS Shield		1	6077	0.33 51.3435



Statistics						
Description	Symbol	Avg	Max / Min	Avg / Min	Max	Min
Driveway	+	0.2 fc	N/A	N/A	1.0 fc	0.0 fc
Driveway	+	0.3 fc	N/A	N/A	1.1 fc	0.0 fc
Parking Lot	+	0.2 fc	N/A	N/A	1.1 fc	0.0 fc

Plan View
Scale - 1" = 25ft

EXHIBIT J
APPLICANT RESPONSES

June 15, 2026

Draper City Planning Commission
1020 East Pioneer Road, Draper, UT 84020

RIVIAN DRAPER – 11601 S LONE PEAK PKWY

Re: Request for Deviation from Cross Access – Site Plan Application



Dear Planning Commission Members and Staff:

This letter serves as a formal request for deviations from the cross access requirements of Draper City Code Section 9-25-080(E) as part of the submitted site plan application for the above-referenced project.

The proposed site plan provides cross access to the abutting property to the north, consistent with the intent of the code to facilitate connectivity between nonresidential developments where feasible. However, cross access is not proposed to the south or east properties for the reasons detailed below. We respectfully request that the Planning Commission approve these deviations pursuant to Section 9-25-080(E)(2).

South Property Deviation: Cross access to the property to the south is not proposed due to the presence of a transformer power station on that site. Providing cross access in this location would create a hazard to health, safety, or welfare by linking two uses that would be incompatible with each other. This situation qualifies for a deviation under Subsection 9-25-080(E)(2)(c).

East Property Deviation: Cross access to the property to the east is not proposed because the required grades for such an access drive would exceed twelve percent (12%) slope, rendering it infeasible. Additionally, the east property is fully developed with site improvements that physically impede the ability to create a cross access drive. These conditions qualify for deviations under Subsections 9-25-080(E)(2)(a) and (d)(2).

The proposed site plan otherwise complies with applicable parking area design and construction standards, and the requested deviations will not adversely affect the overall functionality, safety, or circulation of the development. We are committed to working with City staff to address any additional conditions or modifications that may be required.

Thank you for your consideration of this request. We look forward to the Planning Commission's approval of these deviations as part of the site plan review process. Please contact me directly if you require any additional information or clarification.

Sincerely,



Logan Johnson
Wright Development Group

MEMO



To: Planning Commission

From: Todd Taylor

Date: 2026-06-25

Re: Public Hearing: City Initiated Corner Lots Text Amendment Request (Legislative Item)

Comments:

This application is a request for approval of Text Amendments for the purpose of amending portions of DCMC Titles 9 and 17 to clarify the definition of corner lots and how it is applied to certain properties.

Findings for Approval:

1. The proposed amendment is consistent with goals, objectives and policies of the City's General Plan;
2. The proposed amendment is appropriate given the context of the request and there is sufficient justification for a modification to the development codes;
3. The proposed amendment will not create a conflict with any other section or part of the development codes or the General Plan;
4. The potential effects of the proposed amendment have been evaluated and are determined not to be detrimental to public health, safety, or welfare and represents an overall community benefit; and
5. The proposed text amendment implements best current, professional practices of urban planning, design, and engineering.

Findings for Denial:

1. The proposed amendment is not consistent with goals, objectives and policies of the City's General Plan;
2. The proposed amendment is not appropriate given the context of the request and there is not sufficient justification for a modification to the development codes;
3. The proposed amendment could create a conflict with another section or part of the development codes or the General Plan; and
4. The potential effects of the proposed amendment have been determined to be detrimental to public health, safety, or welfare or do not represent an overall community benefit.
5. The proposed text amendment is not consistent with best current, professional practices of urban planning, design, or engineering.

ATTACHMENTS:



Development Review Committee

1020 East Pioneer Road

Draper, UT 84020

June 11, 2026

To: Draper City Planning Commission
Business Date: June 25, 2026

From: Development Review Committee

Prepared By: Todd Taylor, Planner III
Planning Division
Community Development Department
801-576-6510, todd.taylor@draperutah.gov

Re: City Initiated Corner Lots – Text Amendment Request

Application No.: 2026-0145-TA

Applicant: Draper City

Project Location: City Wide

Current Zoning: City Wide

Acreage: City Wide

Request: Request for approval of text amendments to Titles 9 and 17 of the Draper City Municipal Code (DCMC) in order to clarify the definition of corner lots and how it is applied to certain properties.

BACKGROUND AND SUMMARY

This application is a request for approval of Text Amendments for the purpose of amending portions of DCMC Titles 9 and 17 to clarify the definition of corner lots and how it is applied to certain properties.

City staff was recently made aware that certain text being relied on in DCMC Section 9-27-150(I) is unclear and needs to be revised. Specifically, the unclear text is related to determining the type (i.e. corner or interior) and the setbacks of properties that are abutting private roads, but which have no access to those private roads. Previously these properties would be determined to be interior lots. However, since the text is unclear, these properties are now being determined to be corner lots. Interior lots typically have one (1) front, two (2) side, and one (1) rear yards and setbacks. Corner lots typically have two (2) front and two (2)



rear yards and setbacks. The ordinance changes proposed by this request will allow staff to determine these properties to be interior lots, as had been done previously.

ANALYSIS

The modifications being proposed to the DCMC are listed and reviewed by section in the report below. The legislative copy of the changes can be found in Exhibit B of this report. Additions to the text are indicated in blue, deletions in red, and unchanged text in black.

Text Amendments.

DCMC Section 9-3-040: Definitions: This section lists definitions that are used throughout Title 9, Land Use and Development Regulations. The proposed text adds an exemption to the definition of *corner lot* so that it excludes properties which are abutting a private street but are prohibited from access to the private street. It clarifies the definition of *setback*, deletes the definition of *street*, and adds the definitions from Title 17 for *public right-of-way*, *private street*, and *public street*.

DCMC Section 9-27-140: Lots and Yards: This section describes specific situations where setbacks would be measured differently than normal. The text in this section has been revised to read more clearly, but no changes to the standards are proposed.

DCMC Section 9-27-150: Private Rights-of-Way: This section describes how setbacks are measured along private rights-of-way. This is the section that contained the unclear text. The proposed text now references DCMC Section 9-27-140(G)(5) where the standards for measuring setbacks have already been addressed.

DCMC Section 17-1-040: Definitions: This section lists definitions that are used throughout Title 17, Land Development. Since the proposed text moved the definitions of *public right-of-way*, *private street*, and *public street* to Title 9, cross references have been added.

Criteria For Approval.

A Text Amendment is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard. However, in making a recommendation to the City Council, the Planning Commission should consider the following factors in DCMC Section 9-5-060(E)(2):

2. Text Amendments:

- a. Whether the proposed amendment is consistent with goals, objectives and policies of the city's general plan;*

- b. Whether a proposed amendment furthers the specific purpose statements of the zoning ordinance;*
- c. Whether the proposed amendment is appropriate given the context of the request and there is sufficient justification for a modification to the zoning ordinance;*
- d. The proposed amendment will not create a conflict with any other section or part of this title or the general plan;*
- e. Whether the potential effects of the proposed amendment have been evaluated and determined not to be detrimental to public health, safety, or welfare and represents an overall community benefit; and*
- f. The extent to which a proposed text amendment implements best current, professional practices of urban planning, design, and engineering practices*

REVIEWS

Planning Division Review. The Draper City Planning Division has completed their review of the Text Amendment submission. Comments from this division, if any, can be found in Exhibit A.

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

Fire Division Review. The Draper City Fire Marshal has completed his review of the Text Amendment submission. Comments from this division, if any, can be found in Exhibit A.

Legal Division Review. The Draper City Attorney has completed his review of the Text Amendment submission. Comments from this division, if any, can be found in Exhibit A.

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

STAFF RECOMMENDATION

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

MODEL MOTIONS

Sample Motion for Positive Recommendation – I move that we forward a positive

recommendation to the City Council for the City Initiated Corner Lots Text Amendment, as requested by Draper City, Application No. 2026-0145-TA, based on the following findings and the criteria for approval as listed in the Staff Report dated June 11, 2026.

Findings for Approval:

1. The proposed amendment is consistent with goals, objectives and policies of the City's General Plan;
2. The proposed amendment is appropriate given the context of the request and there is sufficient justification for a modification to the development codes;
3. The proposed amendment will not create a conflict with any other section or part of the development codes or the General Plan;
4. The potential effects of the proposed amendment have been evaluated and are determined not to be detrimental to public health, safety, or welfare and represents an overall community benefit; and
5. The proposed text amendment implements best current, professional practices of urban planning, design, and engineering.

Sample Motion for Modified Positive Recommendation – I move that we forward a positive recommendation to the City Council for the City Initiated Corner Lots Text Amendment, as requested by Draper City, Application No. 2026-0145-TA, based on the findings and criteria for approval listed in the Staff Report dated June 11, 2026, and as modified by the following additional recommended modifications or findings:

1. (List any additional modifications or findings...)

Sample Motion for Negative Recommendation – I move that we forward a negative recommendation to the City Council for the City Initiated Corner Lots Text Amendment, as requested by Draper City, Application No. 2026-0145-TA, based on the following findings and the criteria for denial as listed in the Staff Report dated June 11, 2026.

Findings for Denial:

1. The proposed amendment is not consistent with goals, objectives and policies of the City's General Plan;
2. The proposed amendment is not appropriate given the context of the request and there is not sufficient justification for a modification to the development codes;
3. The proposed amendment could create a conflict with another section or part of the development codes or the General Plan; and
4. The potential effects of the proposed amendment have been determined to be detrimental to public health, safety, or welfare or do not represent an overall community benefit.

5. The proposed text amendment is not consistent with best current, professional practices of urban planning, design, or engineering.

DEVELOPMENT REVIEW COMMITTEE ACKNOWLEDGEMENT

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

Brien Maxfield

Digitally signed by Brien Maxfield
DN: C=US, E=brien.maxfield@draperutah.gov,
O=Draper, OU=Public Works - Engineering,
CN=Brien Maxfield
Date: 2026.06.16 16:10:22-06'00'

Draper City Public Works Department

Todd Draper

Digitally signed by Todd Draper
DN: C=US,
E=todd.draper@draperutah.gov,
O=Draper City Community
Development Department,
OU=Planning and Zoning,
CN=Todd Draper
Date: 2026.06.16 17:35:41-06'00'

Draper City Planning Division

Don Buckley

Digitally signed by Don Buckley
DN: C=US,
E=don.buckley@draper.ut.us,
O=Draper City Fire Department,
OU=Fire Marshal, CN=Don Buckley
Date: 2026.06.16 16:09:52-06'00'

Draper City Fire Department

Draper City Legal Counsel

Matthew Symes

Digitally signed by Matthew Symes
DN: C=US,
E=matt.symes@draperutah.gov,
O=Draper City Corp., CN=Matthew Symes
Date: 2026.06.16 15:05:41-06'00'

Draper City Building Division

EXHIBIT A DEPARTMENT REVIEWS

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

Planning Division Review.

1. No additional comments received.

Engineering and Public Works Divisions Review.

1. No additional comments received.

Building Division Review.

1. No additional comments received.

Fire Division Review.

1. No additional comments received.

Legal Division Review.

1. No additional comments received.

EXHIBIT B
LEGISLATIVE DRAFT

9-3-040: DEFINITIONS:

As used in this title, the words and phrases defined in this section shall have the following meanings unless the context clearly indicates otherwise:

...

LOT, CORNER: A lot or parcel abutting two (2) or more intersecting or intercepting streets where the interior angle of intersection or interception does not exceed one hundred thirty five degrees (135°). Corner lots shall have ~~two (2)~~ front yards adjacent to each abutting street and ~~two (2)~~ rear yards along the other lot lines. Where a lot or parcel is expressly prohibited either by plat or other recorded instrument from access to or across an abutting private street, the private street shall not be considered as abutting for the purpose of this definition and the application of setbacks.

...

PUBLIC RIGHT-OF-WAY: Any road, street, alley, lane, court, place, viaduct, tunnel, culvert or bridge laid out or erected as such by the public, or dedicated or abandoned to the public, or made such in any action by the subdivision of real property, and includes the entire area within the right-of-way.

...

SETBACK: The shortest distance on a lot or parcel between a building and a property line or, where adjacent to a public street, a designated right-of-way line as shown on the master traffic and transportation plan. For a lot or parcel ~~on abutting~~ a private right of way or encompassing an access easement ~~for another lot or parcel~~, the setback shall be the shortest distance on a lot or parcel between a building and the private right of way line or access easement boundary closest to the building.

...

~~STREET: A public or private right of way, including avenues, highways, boulevards, parkways, roads, lanes, walks, alleys, viaducts, subways, tunnels, bridges, public easements, and other ways, that provides access to adjoining property. The street definitions set forth in section 17-1-040 of this code shall apply to this title.~~

...

STREET, PRIVATE: A right-of-way that has been reserved by dedication unto the subdivider, lot owners, or homeowners' association to be used as a private access to serve property and complying with the adopted street cross section standards of the City. All private streets shall be approved by the City and maintained by the subdivider or other private entity.

...

STREET, PUBLIC: A right-of-way that has been dedicated to the City and accepted by the City Council, or that the City has acquired by deed or by dedication, or a thoroughfare that has been made public by use and affords access to abutting property, including highways, roads, lanes, avenues and boulevards.

...

9-27-140: LOTS AND YARDS:

...

G. Setback Measurement: The depth of a required yard abutting a street shall be measured from the lot or parcel line, except as set forth below:

1. Minimum Front Yard Requirement For New Construction: In blocks where more than fifty percent (50%) of the buildable lots or parcels have main buildings which do not meet the current minimum front yard setbacks of this title, the minimum front yard requirement for new construction ~~shall be equal~~ may be reduced to the average existing front yard ~~size on setback of all main buildings along~~ the block face. ~~In no case shall a front yard of more than thirty feet (30') be required.~~

...

3. Minor Collector Additional Setback: For any main building ~~on a lot or parcel, the minimum front yard, side yard or rear yard setback from any~~ abutting an existing or proposed minor collector street ~~rights-of-way~~ as shown on the most recently amended version of the city's official street map, ~~except those in subsection G4 of this section,~~ the minimum setback distance otherwise prescribed by this title between the right-of-way and the building shall be increased by an additional ten feet (10')~~;~~.
4. Exceptions To Minor Collector Setbacks: The increased ~~Exceptions, for which the standard front, rear and side yard~~ setbacks specified in Section 9-27-140(G)(3) of this title ~~shall not~~ apply to the following street sections:

125 East between 13800 South and the Draper Irrigation Canal;

150 East north of 12300 South;

12150 South between State Street and 300 East;
12200 South between Draper Parkway and 2000 East;
12450 South between Minuteman Drive and 300 East;
13400 South between 300 East and Fort Street;
14000 South between Minuteman Drive and 125 East;
Stokes Avenue;
Golden Pheasant Drive;
Willow Springs Lane/Walden Lane between 300 East and 1300 East.

5. Private Right-Of-Way Or Access Easement: For a lot or parcel abutting on a private right-of-way or encompassing an access easement ~~for another lot or parcel~~, the minimum setback shall be the shortest distance ~~on a lot~~ between a building and the private right of way line or access easement boundary closest to the building.

...

9-27-150: PRIVATE RIGHTS-OF-WAY:

...

- I. Setbacks: Minimum setback requirements shall be as specified in Section 9-27-140(G)(5) of this chapter ~~apply to all buildings fronting, siding or rearing on any private right of way and shall be measured from the boundary of the private right of way nearest the building and its extension through the applicable lot. This requirement shall not apply to lots abutting private right of way.~~

...

17-1-040: DEFINITIONS:

Unless a contrary intention clearly appears, words used in the present tense include the future, the singular includes the plural, the term "shall" is mandatory and the term "may" is permissive. The following terms as used in this title shall have the respective meanings hereinafter set forth:

...

PUBLIC RIGHT OF WAY: See definition of public right-of-way found in section 9-3-040 of this code ~~Any road, street, alley, lane, court, place, viaduct, tunnel, culvert or bridge laid out or erected as such by the public, or dedicated or abandoned to the~~

public, or made such in any action by the subdivision of real property, and includes the entire area within the right of way.

...

STREET, PRIVATE: [See definition of street, private found in section 9-3-040 of this code](#) ~~A right-of-way which has been reserved by dedication unto the subdivider, lot owners, or homeowners' association to be used as a private access to serve property and complying with the adopted street cross section standards of the City. All private streets shall be approved by the City and maintained by the subdivider or other private entity.~~

STREET, PUBLIC: [See definition of street, public found in section 9-3-040 of this code](#) ~~A right-of-way which has been dedicated to the City and accepted by the City Council, or which the City has acquired by prescriptive right, deed or by dedication, or a thoroughfare which has been made public by use and which affords access to abutting property, including highways, roads, lanes, avenues and boulevards.~~

...

MEMO



To: Planning Commission

From: Nick Whittaker, MCMP

Date: 2026-06-25

Re: Public Hearing: Adamo Zoning Map Amendment Request (Legislative Item)

Comments:

This application is a request for approval of a Zoning Map Amendment from RA1 to RA2 for approximately 1.08 acres located on the north side of 13275 S. at approximately 265 E. 13275 S. The applicant is requesting that a Zoning Map Amendment be approved so that the applicant can subdivide the property.

Findings for Approval:

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

Findings for Denial:

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

ATTACHMENTS:

[Adamo ZMA staff Report.pdf](#)



Development Review Committee

1020 East Pioneer Road

Draper, UT 84020

June 12, 2026

To: Draper City Planning Commission
Business Date: June 25, 2026

From: Development Review Committee

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

Re: Adamo – Zoning Map Amendment Request

Application No.: 2026-0097-MA

Applicant: Michael and Tori Adamo

Project Location: 265 E. 13275 S

Current Zoning: RA1 (Residential Agricultural, 40,000 ft² min. lot size)

Acreage: 1.08 Acres (Approximately 47,044 ft²)

Request: Request for approval of a Zoning Map Amendment from RA1 to RA2 (Residential Agricultural, 20,000 ft² min. lot size).

BACKGROUND AND SUMMARY

This application is a request for approval of a Zoning Map Amendment from RA1 to RA2 for approximately 1.08 acres located on the north side of 13275 S. at approximately 265 E. 13275 S. (Exhibits C and D). The applicant is requesting that a Zoning Map Amendment be approved so that the applicant can subdivide the properties.

The subject property that fronts onto 13275 S. has a single-family home that was constructed in 1940 and was added onto in 2005. A shed was constructed in approximately 2000 and a detached garage was constructed in the northwest corner of the property in approximately 2006. A second detached garage and a covered patio were constructed in 2007.

ANALYSIS



General Plan and Zoning.

Table 1	General Plan and Zoning Designations	Exhibit
Existing Land Use	Residential Medium Density	Exhibit E
Current Zoning	RA1	Exhibit F
Proposed Zoning	RA2	Exhibit H
Adjacent Zoning		
East	RA2	
West	RA1	
North	RA2	
South	RA1 & RA2	

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

Residential Medium Density

LAND USE DESCRIPTION		
CHARACTERISTICS	• Preservation of large tracts of open space, rather than open space contained primarily in individual subdivision lots • Variations and mixing of lot sizes, setbacks, and residential development forms • Minimal fronting of homes on major streets • Provision for trails that allow interconnectivity to other existing or proposed trails • Discourage “piecemeal” infrastructure installation • Trees and abundant landscaping, encouraging low water use and native plants	
LAND USE MIX	Primary • Single-family detached homes	Secondary • Parks • Churches • Schools • Open Space
DENSITY	• Density range: 2-4 dwelling units per acre	
COMPATIBLE ZONING	• Residential Agricultural (RA2) • Single-family Residential (R3) • Single-family Residential (R4) • Master Planned Community (MPC)	
OTHER CRITERIA	• Preservation of environmental features usually requires a master-planned or cluster development. Increased densities within these areas would be allowed only with compliance to specified performance standards and impact mitigation measures	

According to Draper City Municipal Code (DCMC) Section 9-8-020(B)(1) the purpose of both the RA1 and RA2 zones is to *“foster low density development with little impact on its surroundings and municipal services; to generally preserve the character of the City’s semi-*

rural areas; and to promote and preserve conditions favorable to large-lot family life, including the keeping of limited numbers of animals and fowl. The predominant use in these zones is intended to be detached single-family dwellings, protected from encroachment by commercial and industrial uses."

Criteria for Approval

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

1. Map Amendments:

- a. Whether the proposed amendment is consistent with goals, objectives and policies of the city's general plan;*
- b. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;*
- c. Whether the proposed amendment is consistent with the standards of any applicable overlay zone;*
- d. The extent to which the proposed amendment may adversely affect adjacent property; and*
- e. The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.*

Staff notes that the zoning designation of RA2 is compatible with the subject property's current mapped land use designation of Residential Low/Medium Density (Exhibit E). The uses allowed in the RA1 and RA2 zones are substantially the same with the exception of the *Agricultural Business* and *Animal Specialties* uses being allowed conditional uses in the RA1 zone and are not permitted in the RA2 zone. The use of animals and fowl for recreation and family food production would become a conditional use under the RA2 zone and is listed as permitted use in the current RA1 zone. Staff also notes that properties with the RA2 designation are adjacent to the north, east, and south sides of the subject property. The RA2 zoning designation is also the predominate zoning type located within 300 feet of the subject property (Exhibit F).

REVIEWS

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

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

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

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

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

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

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

STAFF RECOMMENDATION

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

MODEL MOTIONS

Sample Motion for Positive Recommendation – I move that we forward a positive recommendation to the City Council for approval of the Zoning Map Amendment, as requested by Michael and Tori Adamo, application 2026-0097-MA, based on the following findings for approval listed in the Staff Report dated June 12, 2026.

Findings for Approval:

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

development in the vicinity of the subject property.

3. The proposed zoning map amendment will not adversely affect adjacent property.
4. There are adequate facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.

Sample Motion for Modified Positive Recommendation – I move that we forward a positive recommendation to the City Council for approval of the Zoning Map Amendment, as requested by Michael and Tori Adamo, application 2026-0097-MA, based on the findings for approval listed in the Staff Report dated June 12, 2026, together with the following additional or modified findings:

1. (List any additional or modified findings for approval, if any...)

Sample Motion for Negative Recommendation – I move that we forward a negative recommendation to the City Council for denial of the Zoning Map Amendment, as requested by Michael and Tori Adamo, application 2026-0097-MA, based on the following findings for denial listed in the Staff Report dated June 12, 2026.

Findings for Denial:

1. The proposed zoning map amendment is not consistent with goals, objectives, and policies of the city's general plan.
2. The proposed zoning map amendment is not compatible with the subject properties existing Land Use Designation and is not harmonious with the overall character of existing development in the vicinity of the subject property.
3. The proposed zoning map amendment will adversely affect adjacent property.
4. There are not adequate facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.
5. (List additional findings for denial, if any...)

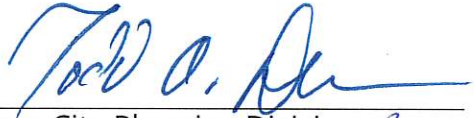
DEVELOPMENT REVIEW COMMITTEE ACKNOWLEDGEMENT

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

Brien Maxfield

Digitally signed by Brien Maxfield
DN: C=US,
E=brien.maxfield@draperutah.gov,
O=Draper, OU=Public Works -
Engineering, CN=Brien Maxfield
Date: 2026.06.18 10:43:21-06'00'

Draper City Public Works Department


Draper City Planning Division

Don Buckley

Digitally signed by Don Buckley
DN: C=US, E=don.buckley@draper.utah.gov, O=Draper City
Fire Department, OU=Fire Marshal, CN=Don Buckley
Date: 2026.06.22 08:37:50-06'00'

Draper City Fire Department


Draper City Legal Counsel

Matt Symes

Digitally signed by Matt Symes
DN: C=US,
E=Matt.symes@draperutah.gov,
O=Draper City Corporation,
CN=Matt Symes
Date: 2026.06.17 16:53:49-06'00'

Draper City Building Division

EXHIBIT A DEPARTMENT REVIEWS

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

Planning Division Review.

1. No additional comments.

Engineering and Public Works Divisions Review.

1. No additional comments.

Building Division Review.

1. No additional comments.

Fire Division Review.

1. No additional comments.

Legal Division Review.

1. No additional comments.

GIS Division Review.

1. No additional comments.

EXHIBIT B LEGAL DESCRIPTIONS

THE FOLLOWING REAL PROPERTY LOCATED IN SALT LAKE COUNTY, STATE OF UTAH, DESCRIBED AS:

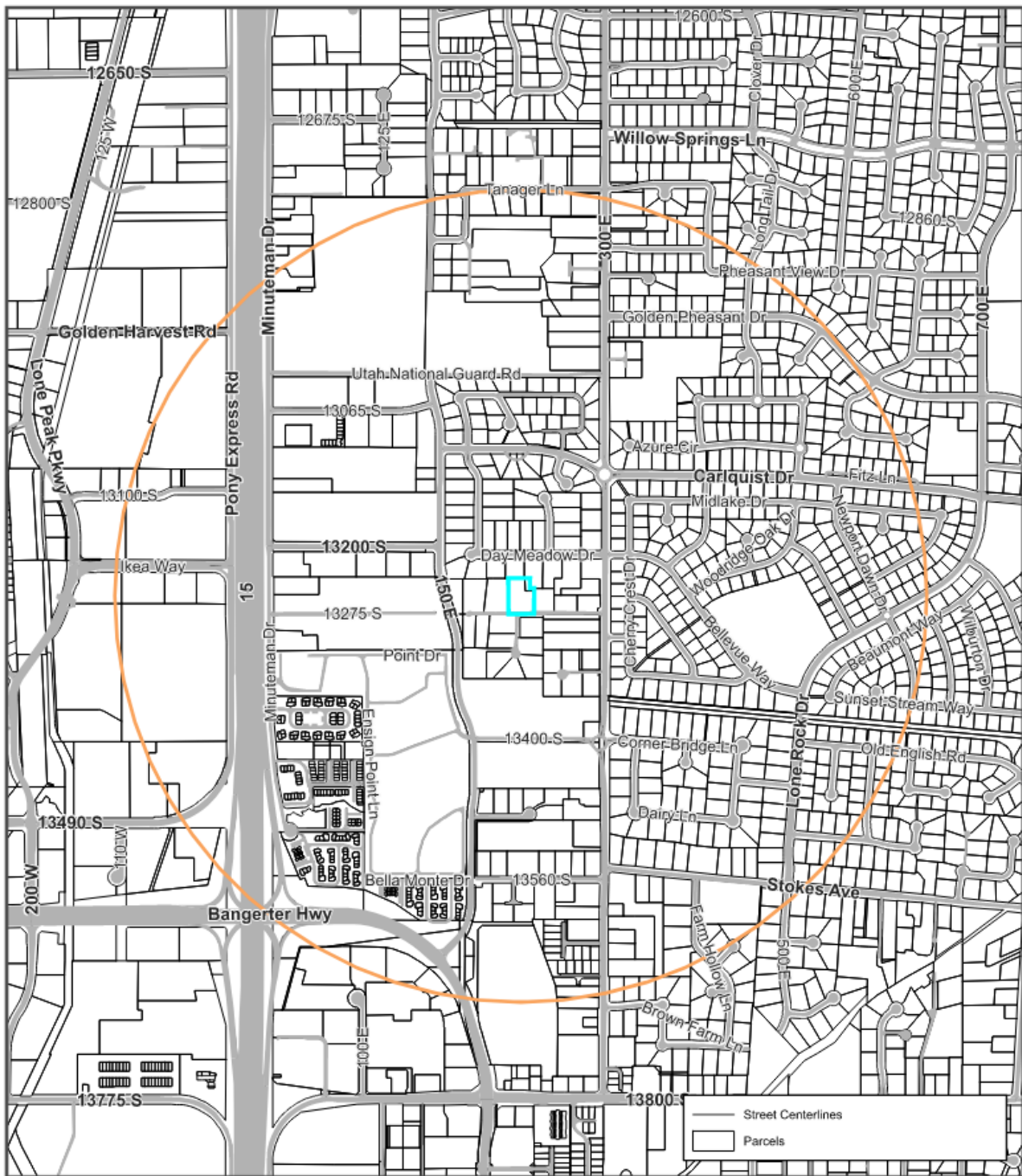
PARCEL 1:

COMMENCING 921 FEET NORTH AND 2103.76 FEET EAST FROM THE SOUTHWEST CORNER OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 141.25 FEET; THENCE EAST 1.0 FEET; THENCE NORTH 33.75 FEET; THENCE WEST 67.82 FEET; THENCE NORTH 83.75 FEET TO AN EXISTING FENCE; THENCE WEST 122.56 FEET TO WOOD FENCE POST AND CORNER; THENCE SOUTH 258.75 FEET; THENCE EAST 189.33 FEET TO A POINT OF BEGINNING.

PARCEL 2:

BEGINNING AT THE NORTHEASTERLY CORNER OF THE MCALLISTER DEED (ENTRY NO. 7755860, BOOK 8399, PAGE 7742) SAID POINT BEING NORTH 1179.75 FEET AND EAST 2036.94 FEET FROM THE SOUTHWEST CORNER OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE EAST, ALONG SAID DEED LINE 37.00 FEET; THENCE SOUTH 69.75 FEET; THENCE EAST 30.82 FEET; THENCE SOUTH 14.00 FEET TO A POINT ON THE AFORE MENTIONED DEED LINE; THENCE ALONG SAID DEAD LINE FOR THE FOLLOWING TWO (2) COURSES: WEST 67.82 FEET; THENCE NORTH 83.75 FEET TO THE POINT OF BEGINNING.

EXHIBIT C VICINITY MAP



Date Printed: 6/12/2026

Adamo Zoning Map Amendment

265 E. 13275 S

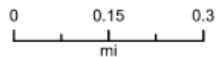


EXHIBIT D
AERIAL MAP

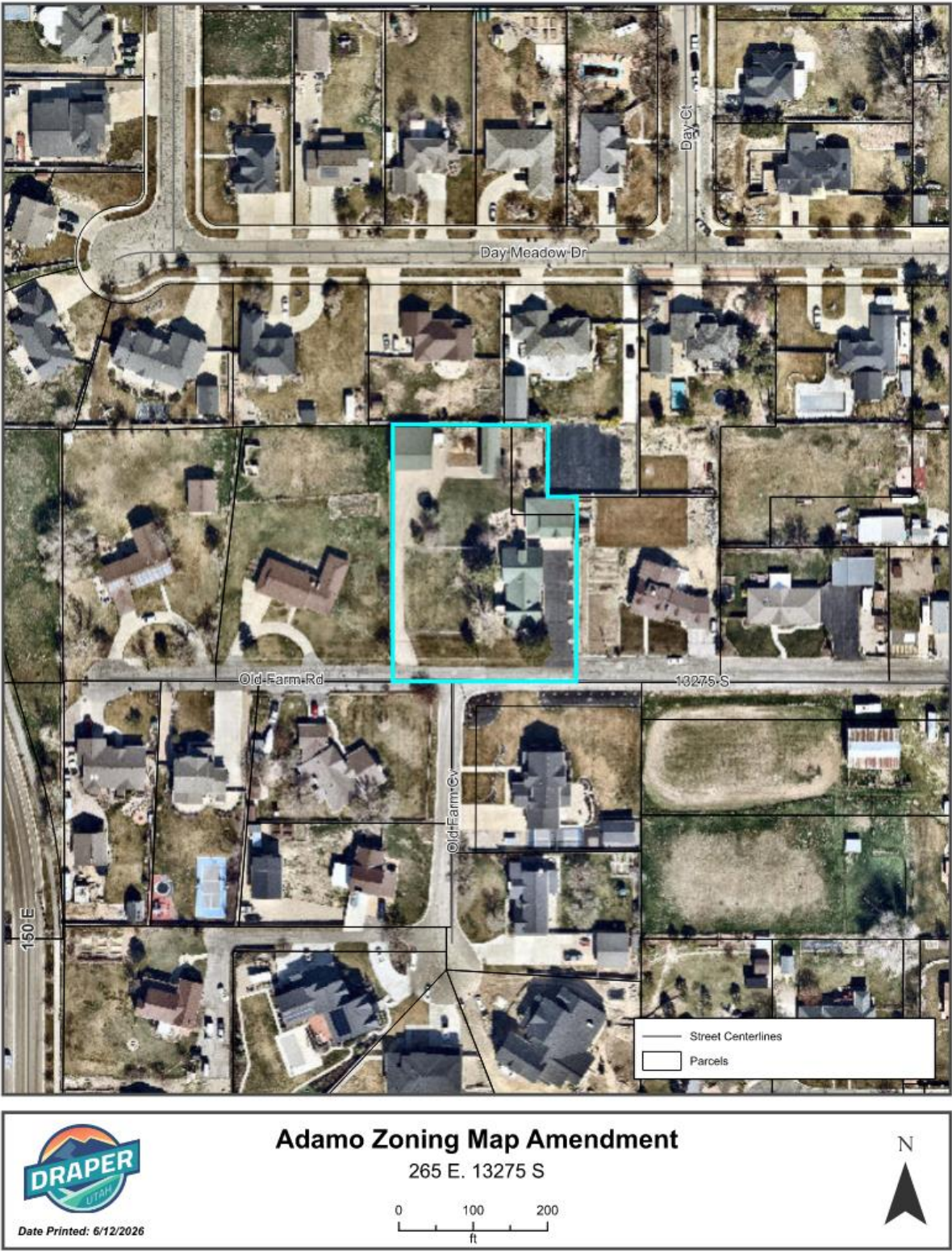
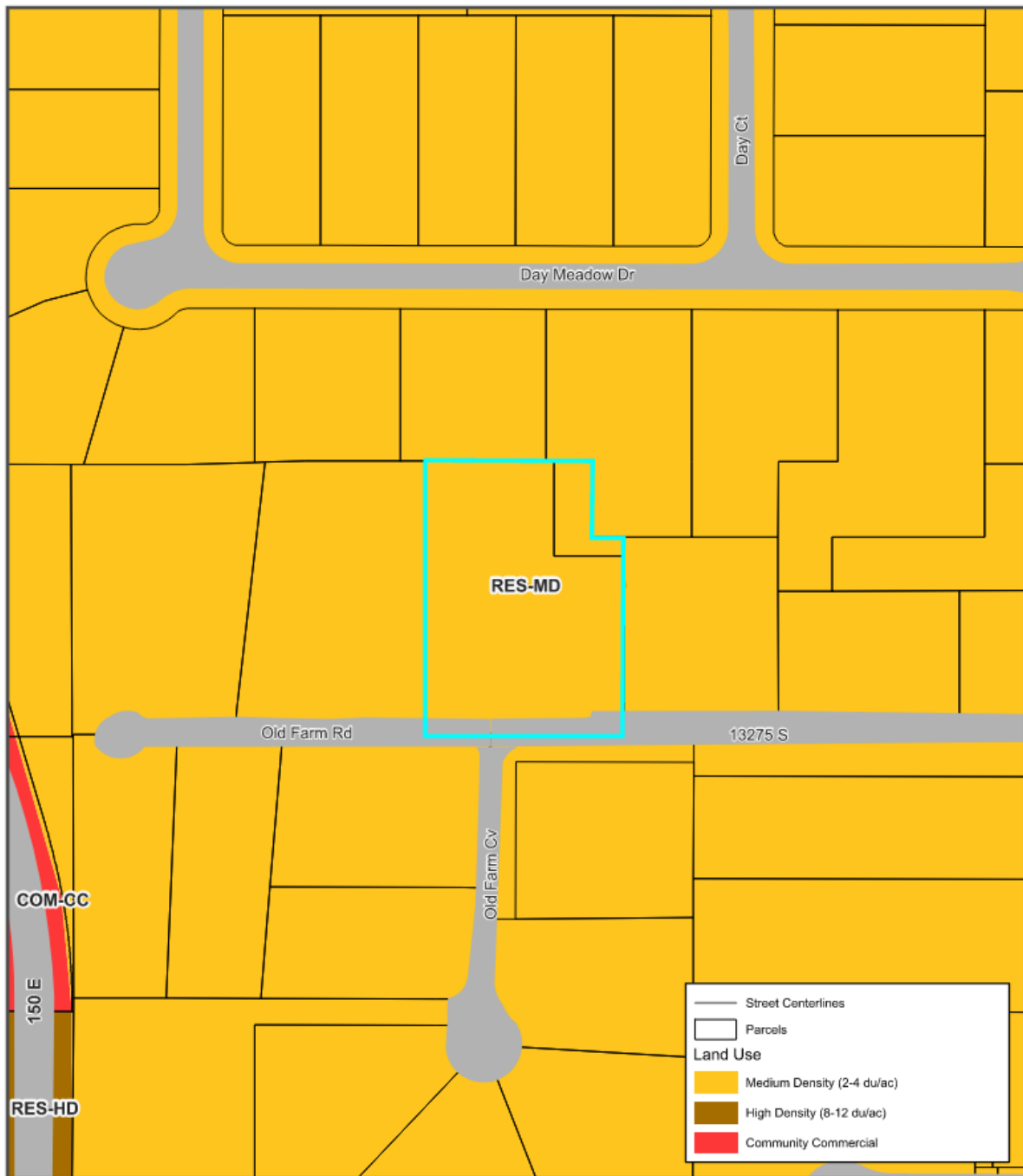


EXHIBIT E LAND USE MAP



Date Printed: 6/12/2026

Adamo Zoning Map Amendment

265 E. 13275 S

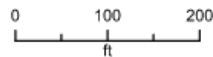
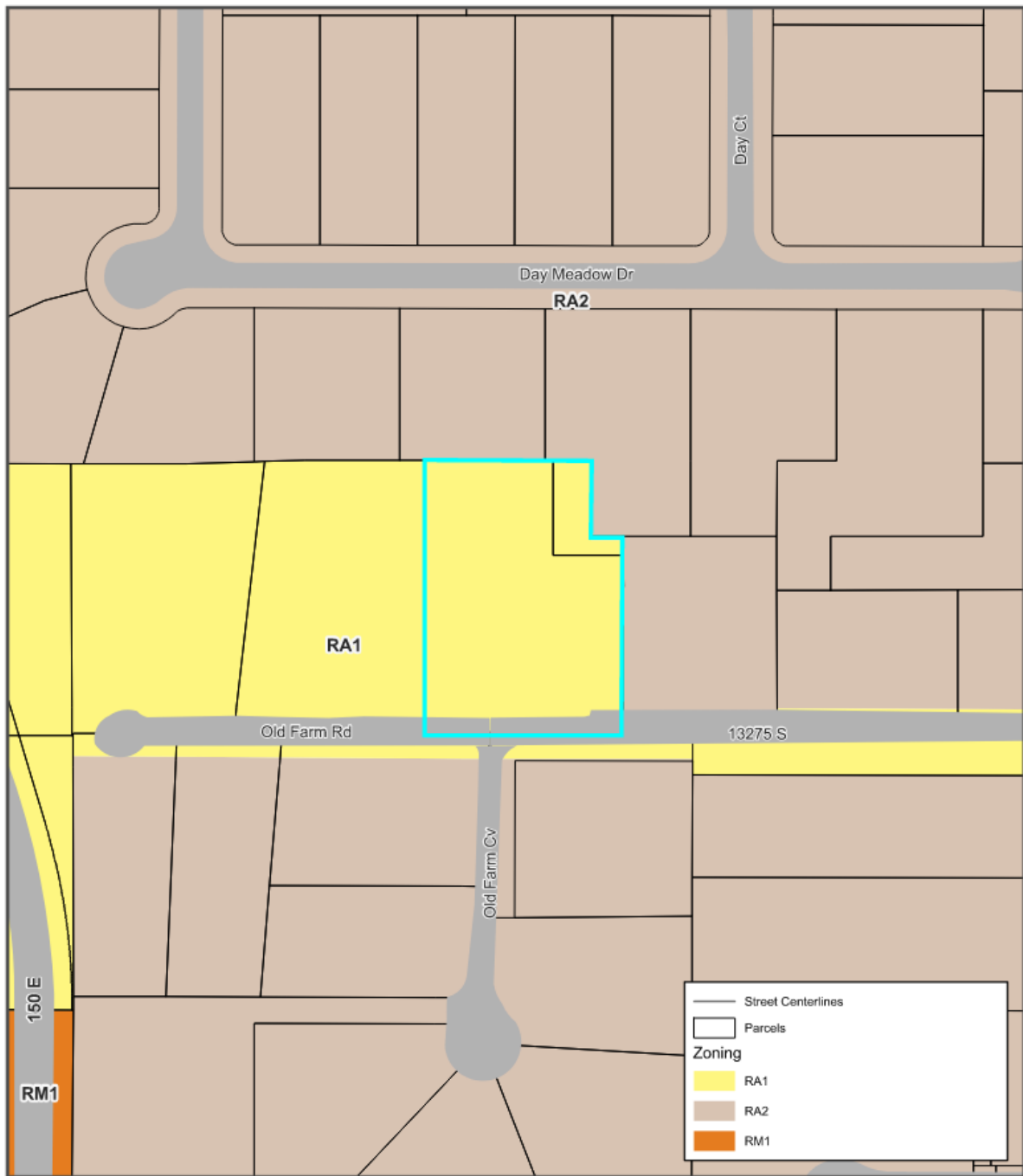


EXHIBIT F ZONING MAP



Date Printed: 6/12/2026

Adamo Zoning Map Amendment

265 E. 13275 S

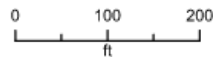


EXHIBIT G
APPLICANT'S RESPONSE – ZONING MAP AMENDMENT

approved that rezone on a 5-0 vote with a staff recommendation of approval, finding it consistent with surrounding development and the General Plan.

The subject parcels are of comparable size, character, and historical use to the McAllister parcel that was already rezoned. Approving this request simply extends consistent RA2 zoning across properties that share identical characteristics, history, and neighborhood context. Leaving the subject parcels zoned RA1 while the immediately adjacent property is zoned RA2 creates an inconsistency in the zoning map that this request would correct.

The broader neighborhood along 300 East in this area consists of single-family residential properties on large lots with a semirural character — exactly the development pattern that RA2 is designed to preserve and accommodate.

4. Are facilities and services, such as roadways and utilities, sufficient to serve the property under the proposed zoning? Explain.

Yes. All facilities and services are already in place and fully adequate to serve the property under RA2 zoning.

The property is an existing developed residential parcel with an established single-family residence. It is currently served by the following:

- **Road access:** The property has legal vehicular and pedestrian access via 300 East and an existing 50-foot right-of-way easement running east to the West boundary of 300 East Street, as recorded in the title documents.
- **Water:** Drinking water is provided by WaterPro to the subject parcel.
- **Sewer:** The property is located within the boundaries of Draper City and Salt Lake County Sewer Improvement District No. 1, with a sewer easement recorded December 12, 1973.
- **Gas:** A Mountain Fuel Supply Company easement is recorded across the property, confirming existing gas infrastructure.
- **Fire and police:** The property is within Draper City limits and currently served by City fire and police services.

No new infrastructure is required or anticipated as a result of this rezone. The Engineering and Public Works Division reached the same conclusion in its review of the adjacent McAllister rezone application under identical infrastructure conditions.

5. Is the proposed zoning designation consistent with the goals, objectives, and policies of the City's General Plan? Explain.

Yes. The proposed RA2 designation is fully consistent with the Draper City General Plan.

The subject property carries a General Plan Land Use designation of Residential Medium Density. The RA2 zone is the zoning designation that implements and is aligned with the Residential Medium Density land use designation on the General Plan map. This was confirmed explicitly in the staff report for the adjacent McAllister rezone at 275 East 13275 South, which stated that the proposed RA2 zone is in alignment with the Residential Medium Density Land Use designation and is consistent with other properties in the area.

The RA1 designation currently applied to the subject parcels is more restrictive than what the General Plan designates for this area. The requested rezone to RA2 brings the zoning map into conformance with the General Plan — which is precisely the kind of amendment the zoning map amendment process is designed to accomplish.

Additionally, the purpose of the RA1 and RA2 zones as stated in the Draper City Municipal Code is to foster low density development, preserve the semirural character of the city, and promote conditions favorable to large lot family life. The requested RA2 designation fully advances these goals while allowing the property to be used in a manner consistent with what the General Plan already envisions for this location.

Submitted by: Michael Richard Adamo and Tori Lynn Adamo 265 East 13275 South Draper, UT 84020

E Saddle Villa Dr

MEMO



To: Planning Commission

From: Todd A. Draper, AICP

Date: 2026-06-25

Re: Public Hearing: Solid Construction Land Use Map and Zoning Map Amendment Requests (Legislative Items)

Comments:

This application is a request for approval of a Land Use Map Amendment and a Zoning Map Amendment for approximately 0.31 acres located on the north side of 13800 South, at 273 E. 13800 S. The subject property is currently zoned RA1 (Residential, Agricultural). The applicant is requesting that the Land Use Map and Zoning Map Amendments be approved to allow for the development of the site as a construction sales and service yard.

Land Use Map

Findings for Approval:

1. The proposed map amendment is consistent with goals, objectives, and policies of the city's general plan.
2. The proposed map amendment is harmonious with the overall character of existing development in the vicinity of the subject property.
3. The proposed map amendment will not adversely affect adjacent property.
4. There are adequate facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.
5. The proposed land use map amendment complies with DCMC Section 9-2-020(F).
6. The legislative body may adopt any amendment to the general plan land use map that the legislative body considers appropriate.

Findings for Denial:

1. The proposed map amendment is not consistent with goals, objectives, and policies of the city's general plan.
2. The proposed map amendment is not harmonious with the overall character of existing development in the vicinity of the subject property.
3. The proposed 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 legislative body may reject any amendment to the general plan land use map that the legislative body considers appropriate.

Zoning Map Amendment

Findings for Approval:

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

Findings for Denial:

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

ATTACHMENTS:

[Solid Construction LUMA and ZMA - final.pdf](#)



Development Review Committee

1020 East Pioneer Road

Draper, UT 84020

June 16, 2026

To: Draper City Planning Commission
Business Date: June 25, 2026

From: Development Review Committee

Prepared By: Todd A. Draper, AICP, Planning Manager
Planning Division
Community Development Department
801-576-6335, todd.draper@draperutah.gov

Re: Solid Construction – Land Use Map and Zoning Map Amendment Requests

Application No.: 2026-0016-MA and 2026-0044-MA

Applicant: Morgan Lovato representing JLF Ventures, LLC

Project Location: Approximately 273 E. 13800 S.

Current Zoning: RA1 (Residential Agricultural, 40,000 ft² min. lot size) Zone

Acreage: Approximately 0.31 Acres (Approximately 13,504 ft²)

Request: Request for approval of a Land Use Map Amendment from the Office/Service land use designation to the Regional Commercial land use designation and from the RA1 to the CR (Regional Commercial) zone regarding future potential development of the property as a construction sales and service yard.

BACKGROUND AND SUMMARY

This application is a request for approval of a Land Use Map Amendment and a Zoning Map Amendment for approximately 0.31 acres located on the north side of 13800 South, at approximately 273 E. 13800 S. (Exhibit C & D). The subject property is currently zoned RA1. The applicant is requesting that the Land Use Map and Zoning Map Amendments be approved to allow for the development of the site as a construction sales and service yard.

The subject property includes a garage that was constructed in approximately 1988 and an unpermitted addition to that garage constructed in approximately 2021. No records were located that would suggest that a single-family dwelling was ever constructed on the property. The LeBaron Company, LLC purchased the property in 2019 and Solid Construction Group, LLC began using the property as a construction service yard in



approximately 2020 in violation of the current RA1 zoning. The property was transferred to the current owner JLF Ventures, LLC in December of 2021. Frank LeBaron is the manager of both corporations and a principal member of Solid Construction Group, LLC. If approved the zone change would allow for the establishment of the desired use as a construction sales and service yard through the conditional use permit process.

ANALYSIS

General Plan and Zoning.

Table 1	General Plan and Zoning Designations	Exhibit
Existing Land Use	Office/Service	Exhibit E
Current Zoning	RA1	Exhibit F
Proposed Use	Construction Sales and Service	
Adjacent Zoning		
East	RA1	
West	RA1	
North	CR	
South	CC (Community Commercial), RM1 (Multiple-Family Residential)	

The Office/Service land use designation is characterized as follows:

Office/Service

LAND USE DESCRIPTION	
CHARACTERISTICS	- Includes a variety of office and service uses that range from residential scale and character to major offices that have multiple stories and underground parking, which generate moderate traffic volumes - Development and landscaping standards vary, depending upon the location of the use, and underlying zoning regulations - For minor offices strict development and landscaping requirements will protect adjacent residential uses - For major offices and services, arterial access is desirable and should be located around the central business district, other major commercial cores, or freeway interchanges and away from residential areas
LAND USE MIX	- Small-scale commercial - Planned retail - Office buildings
DENSITY	Up to 12 dwelling units per acre for residential
COMPATIBLE ZONING	- Professional Office (CO2) - Professional Office (CO1) - Office Residential (OR)
LOCATION	Near retail centers, offices, or other compatible uses

The Regional Commercial land use designation is characterized as follows:

Regional Commercial

LAND USE DESCRIPTION	
CHARACTERISTICS	• Include a wide range of commercial uses that combine destination oriented businesses, retail commercial, entertainment and related uses • Include uses that serve both residents and nonresidents of the City • Uniform design standards and aesthetics • Well landscaped street frontages • Limited traffic access points for the site
LAND USE MIX	• Large-scale master-planned commercial centers • Big box centers • Upscale office buildings
COMPATIBLE ZONING	• Regional Commercial (CR)
LOCATION	• Excellent transportation access to major highways • Strategically placed along high-traffic corridors

According to Draper City Municipal Code (DCMC) Section 9-8-020 the purpose of the RA1 zone is to *“foster low density development with little impact on its surroundings and municipal services; to generally preserve the character of the city's semirural areas; and to promote and preserve conditions favorable to large lot family life, including the keeping of limited numbers of animals and fowl. The predominant use in these zones is intended to be detached single-family dwellings, protected from encroachment by commercial and industrial uses.”*

The purpose of the CR zone as listed in DCMC Section 9-8-020 is to, *“provide areas where a combination of destination oriented business, retail commercial, entertainment, and related uses may be established, maintained and protected to serve both residents and nonresidents of the city. Typical uses in this zone include large scale, master planned commercial centers with outlying commercial pads, big box stores, and offices.”*

The applicant's responses and addition documentation submitted regarding their request for review and approval of the Land Use Map Amendment and the Zoning Map Amendment requests are provided in Exhibit G of this report. The applicant initially attempted to apply for a zone change to the CBP (Business Park) zone, but the property did not meet the 10-acre minimum area for establishment of the CBP zone. The applicant later amended the request to the CR zone and submitted the application for the Land Use Map change, after the approximately 17 acres of land abutting on the north were zoned to CR. The revised proposal meets the 10-acre minimum area for the CR zone.

Criteria For Approval.

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

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

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

chapter. Following the public hearing, the city council may approve, approve with modifications, or deny the proposed amendment.

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

1. Map Amendments:

- a. Whether the proposed amendment is consistent with goals, objectives and policies of the city's general plan;*
- b. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;*
- c. Whether the proposed amendment is consistent with the standards of any applicable overlay zone;*
- d. The extent to which the proposed amendment may adversely affect adjacent property; and*
- e. The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.*

REVIEWS

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

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

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

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

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

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

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

STAFF RECOMMENDATION

Staff recommends that the Planning Commission review the requests, receive public comment, and make decisions based on the findings listed below and the criteria for approval, or denial, as listed within the staff report.

MODEL MOTIONS

Land Use Map Amendment

Sample Motion for Positive Recommendation – I move that we forward a positive recommendation to the City Council for the Land Use Map Amendment, as requested by Morgan Lovato representing JLF Ventures, LLC, application 2026-0044-MA, based on the following findings and the criteria for approval listed in the Staff Report dated June 16, 2026.

Findings for Approval:

1. The proposed map amendment is consistent with goals, objectives, and policies of the city's general plan.
2. The proposed map amendment is harmonious with the overall character of existing development in the vicinity of the subject property.
3. The proposed map amendment will not adversely affect adjacent property.
4. There are adequate facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.
5. The proposed land use map amendment complies with DCMC Section 9-2-020(F).
6. The legislative body may adopt any amendment to the general plan land use map that the legislative body considers appropriate.

Sample Motion for Modified Positive Recommendation – I move that we forward a positive recommendation to the City Council for the Land Use Map Amendment, as requested by Morgan Lovato representing JLF Ventures, LLC, application 2026-0044-MA, based on the findings and the criteria for approval listed in the Staff Report dated June 16, 2026, and as modified by the following additional findings:

1. (List any additional findings ...)

Sample Motion for Negative Recommendation – I move that we forward a negative recommendation to the City Council for the Land Use Map Amendment, as requested by Morgan Lovato representing JLF Ventures, LLC, application 2026-0044-MA, based on the findings and the criteria for denial as listed in the Staff Report dated June 16, 2026.

Findings for Denial:

1. The proposed map amendment is not consistent with goals, objectives, and policies of the city's general plan.
2. The proposed map amendment is not harmonious with the overall character of existing development in the vicinity of the subject property.
3. The proposed 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 legislative body may reject any amendment to the general plan land use map that the legislative body considers appropriate.

Zoning Map Amendment

Sample Motion for Positive Recommendation – I move that we forward a positive recommendation to the City Council for the Zoning Map Amendment, as requested by Morgan Lovato representing JLF Ventures, LLC, application 2026-0016-MA, based on the following findings and the criteria for approval as listed in the Staff Report dated June 16, 2026.

Findings for Approval:

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

Sample Motion for Modified Positive Recommendation – I move that we forward a positive recommendation to the City Council for the Zoning Map Amendment, as requested by

Morgan Lovato representing JLF Ventures, LLC, application 2026-0016-MA, based on the findings and the criteria for approval as listed in the Staff Report dated June 16, 2026, and as modified by the following additional findings:

1. (List any additional findings ...)

Sample Motion for Negative Recommendation – I move that we forward a negative recommendation to the City Council for the Zoning Map Amendment, as requested by Morgan Lovato representing JLF Ventures, LLC, application 2026-0016-MA, based on the findings and the criteria for denial as listed in the Staff Report dated June 16, 2026.

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3. The proposed map amendment will adversely affect adjacent property.
4. There are not adequate facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.

DEVELOPMENT REVIEW COMMITTEE ACKNOWLEDGEMENT

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

Brien Maxfield

Digitally signed by Brien Maxfield
DN: C=US, E=brien.maxfield@draperutah.gov,
O=Draper, OU=Public Works - Engineering,
CN=Brien Maxfield
Date: 2026.06.16 17:45:37-06'00'

Draper City Public Works Department

Todd Draper

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O=Draper City Community
Development Department,
OU=Planning and Zoning,
CN=Todd Draper
Date: 2026.06.16 17:38:17-06'00'

Draper City Planning Division

Don Buckley

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E=don.buckley@draper.ut.us, O=Draper
City Fire Department, OU=Fire Marshal,
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Date: 2026.06.17 07:32:22-06'00'

Draper City Fire Department

Draper City Legal Counsel

Matt Symes

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O=Draper City Corporation, CN=Matt Symes
Date: 2026.06.17 16:50:20-06'00'

Draper City Building Division

EXHIBIT A DEPARTMENT REVIEWS

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

Planning Division Review.

1. No additional Comments

Engineering and Public Works Divisions Review.

1. We have reviewed the subject zone map amendment application, proposing approximately 0.31 acres to be zoned from Residential/Agricultural one acre (RA1) to Regional Commercial (CR) in accordance with the provisions of Section 9-5-060(E)(1)(e) of the Draper City Municipal Code (DCMC). We speak primarily to the adequacy of facilities and services intended to serve the subject property. In making an amendment, the City Council should consider the following factors. Accordingly, the following comments are recommended for your consideration:
2. The adequacy of facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection;
3. Other than noted below, we are not aware of any inadequacies of the facilities intended to serve this property.
 - A. The change in zone from residential/agricultural (RA1) to the CR commercial zone, as stated, would change the general use of the zone and the nature of the traffic impacts. The proposed change is dependent on the potential uses of the commercial site. From the existing use, compared to the potential uses, this expands the demands on the existing infrastructure, where a commercial zone has differing traffic patterns based on use and intensity. The fronting street to the subject site is 13800 South, classified as an major collector street. This classification consists of the significant traffic volume in the city. Based on the capacity of the fronting public street, 12300 South, the change from residential zoning to a commercial zone does represent a significant increase in density. Mitigation measures would be analyzed with a proposed use. Typically, a use where 100 peak hour trips are generated triggers the need to have a traffic impact study (TIS) completed to analyze

mitigation requirements. The size of the subject parcel and the potential number of trips generated from a parcel of this size does not automatically trigger a TIS. There are public frontage improvements fronting the public street and maintaining those will be a requirement of any site development.

- B. Connectivity with the subject parcel to public rights-of-way is to 13800 South. There is existing access from the subject parcel to 13800 South. However, a change in use and density would require the access meet the city's access requirements. Access onto the fronting street would have to be evaluated and follow the cross-access and shared access requirements due to the site not meeting current access spacing requirements. Based on the size and location of the subject parcel, would be required to be evaluated at the time of a site plan application and potentially limit any development. Accesses are required to meet Draper City standards as outlined in our Master Transportation Plan and city code. Any development will need to be evaluated for access location due to the required spacing along 13800 South. Access is evaluated at the time of a site plan or subdivision application.
 - C. There are no existing storm drainage facilities fronting the subject parcel, but are located in the general area. Any future site drainage will be required to be addressed with any subdivision or site plan application and shall comply with the provisions of the development requirements within the Draper City Municipal Code.
 - D. Sanitary sewer facilities will be provided by Jordan Basin Improvement District. Any subdivision or site plan application will require a commitment to serve from the sewer district that facilities are adequate to provide service for the proposed uses.
 - E. Drinking water is provided by WaterPro to the subject parcel. Any subdivision or site plan application will require review and evaluation by WaterPro to ensure adequate supply, transmission and source for the proposed use. Any subdivision or site plan application will require a commitment to serve from WaterPro that facilities are adequate to provide service for the proposed uses.
4. Accordingly, we will provide comments relative to the potential construction activities when the appropriate application is received.

Building Division Review.

- 1. No additional Comments

Fire Division Review.

1. No additional Comments

GIS Division Review.

1. No additional Comments

Legal Division Review.

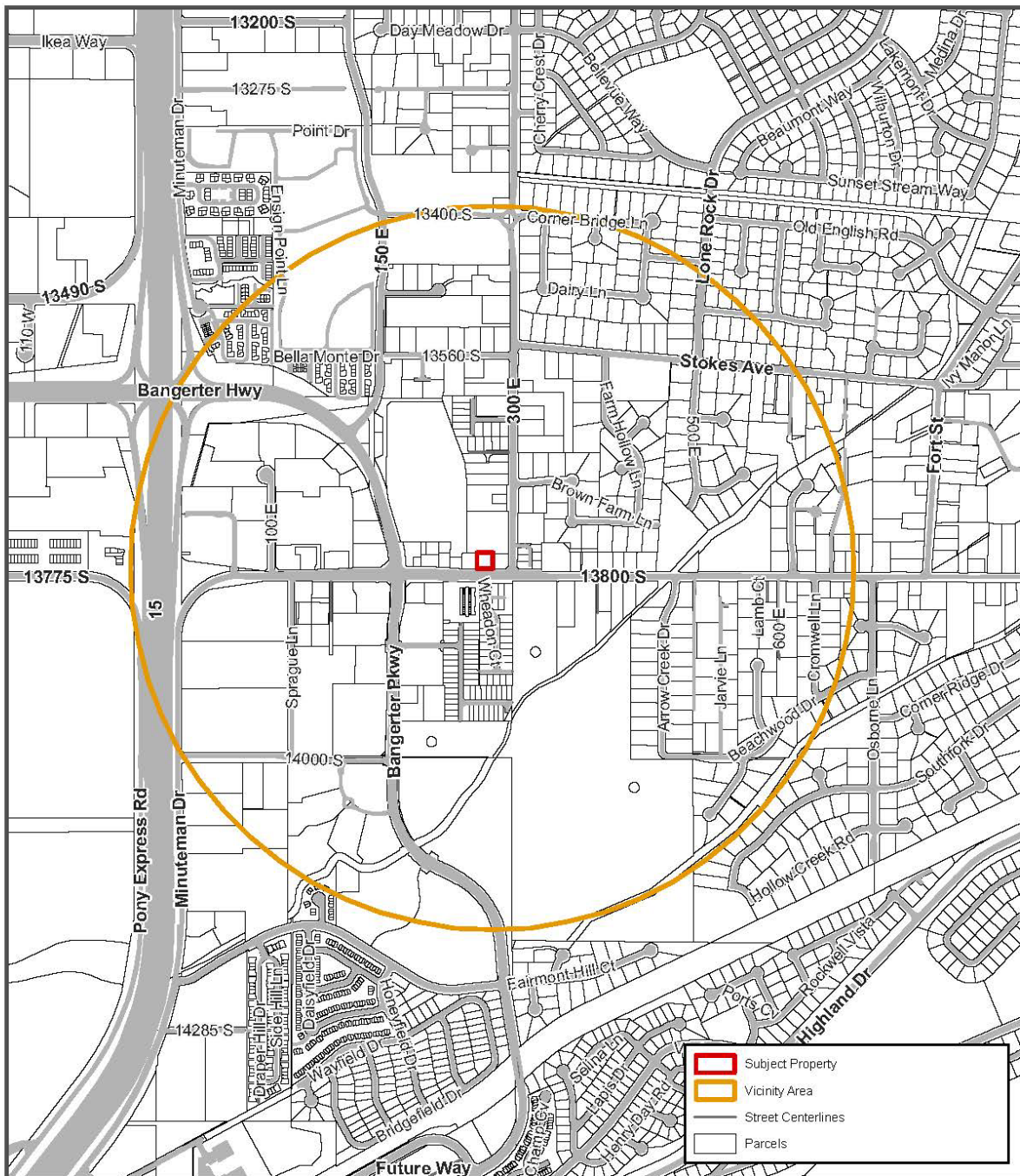
1. No additional Comments

EXHIBIT B
PERIMETER MEETS AND BOUNDS DESCRIPTION

BEGINNING 259 FEET 11.41 INCHES WEST FROM THE CENTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE EAST 113 FEET 2.12 INCHES; THENCE NORTH 165 FEET; THENCE WEST 113 FEET 2.12 INCHES; THENCE SOUTH 165 FEET TO THE POINT OF BEGINNING LESS STREET.

LESS AND EXCEPT THE FOLLOWING: BEGINNING SOUTH 89°44'54" WEST 146.77 FEET AND NORTH 00°15'06" EAST 33.01 FEET AND NORTH 01°40'04" WEST 8.86 FEET FROM CENTER OF SECTION 6; THENCE SOUTH 89°45'08" WEST 113.19 FEET; THENCE NORTH 0°14'55" WEST 18.13 FEET; THENCE NORTH 89°48'43" EAST 113.19 FEET; THENCE SOUTH 0°15'06" EAST 18.02 FEET TO BEGINNING.

EXHIBIT C VICINITY MAP



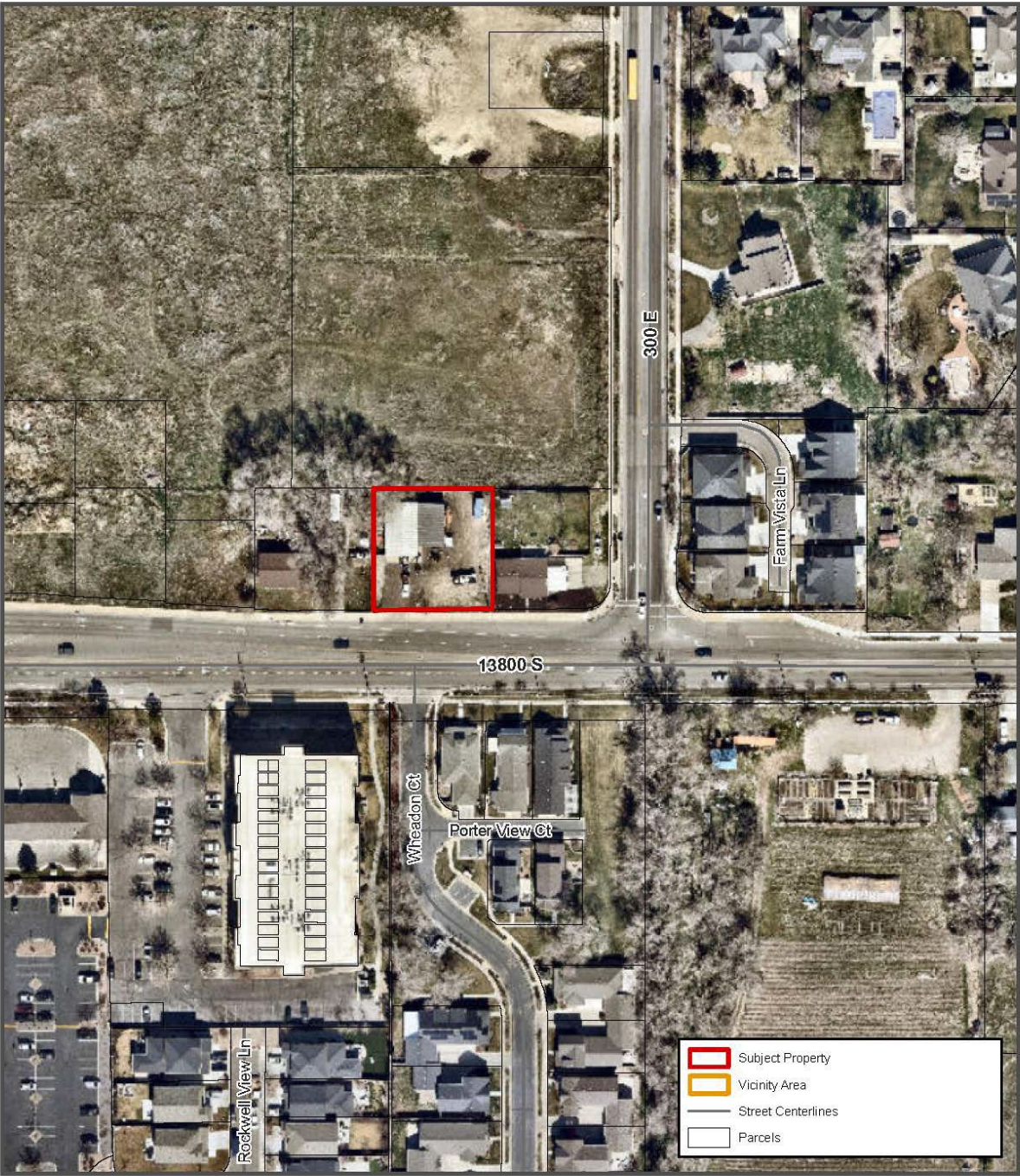
Date Printed: 6/12/2026

Solid Construction Land Use Map and Zoning

273 E. 13800 S.



EXHIBIT D
AERIAL MAP



Date Printed: 6/12/2026

Solid Construction Land Use Map and Zoning

273 E. 13800 S.

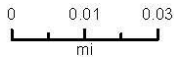
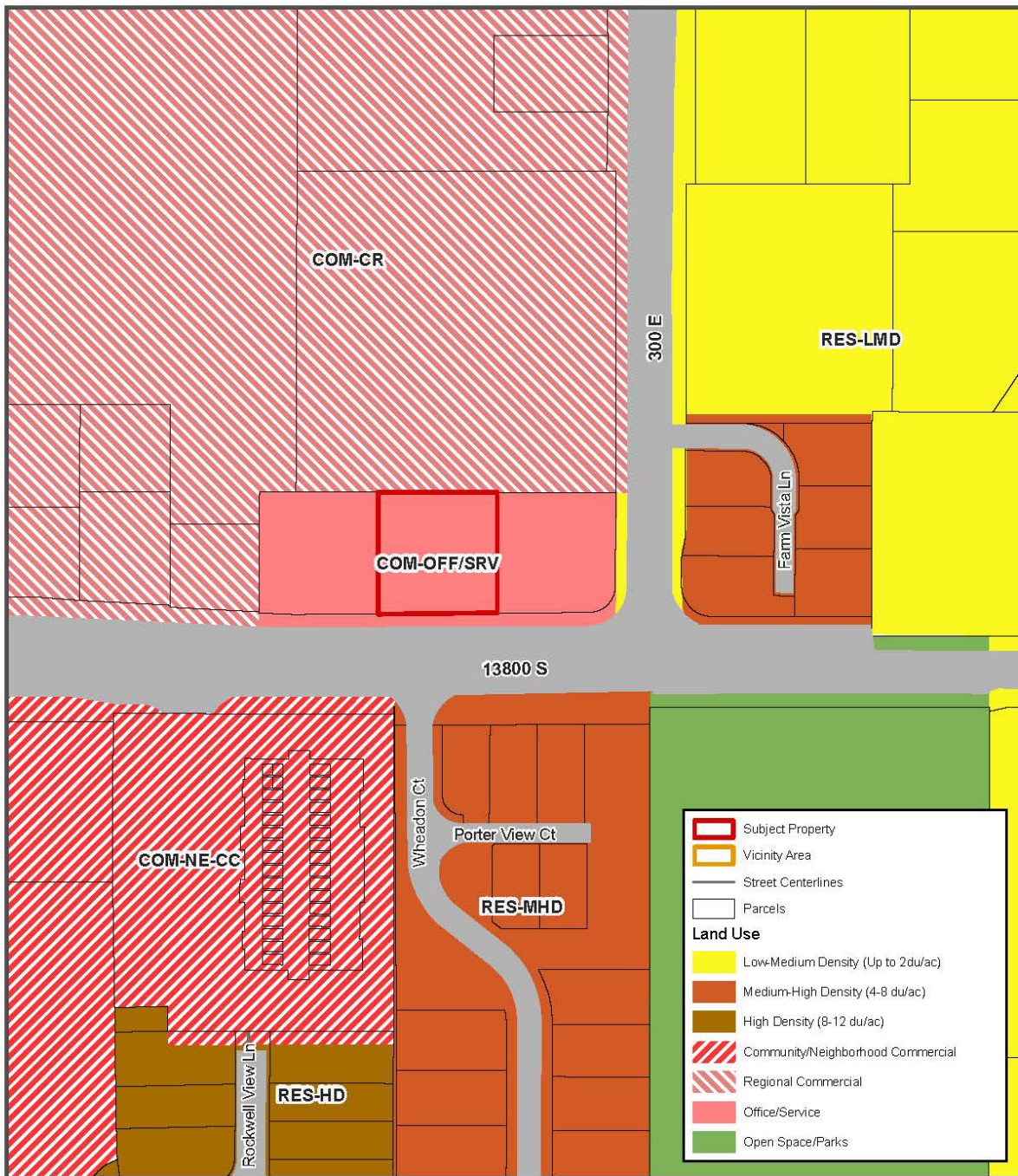


EXHIBIT E LAND USE MAP



Date Printed: 6/12/2026

Solid Construction Land Use Map and Zoning

273 E. 13800 S.

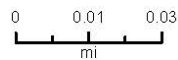
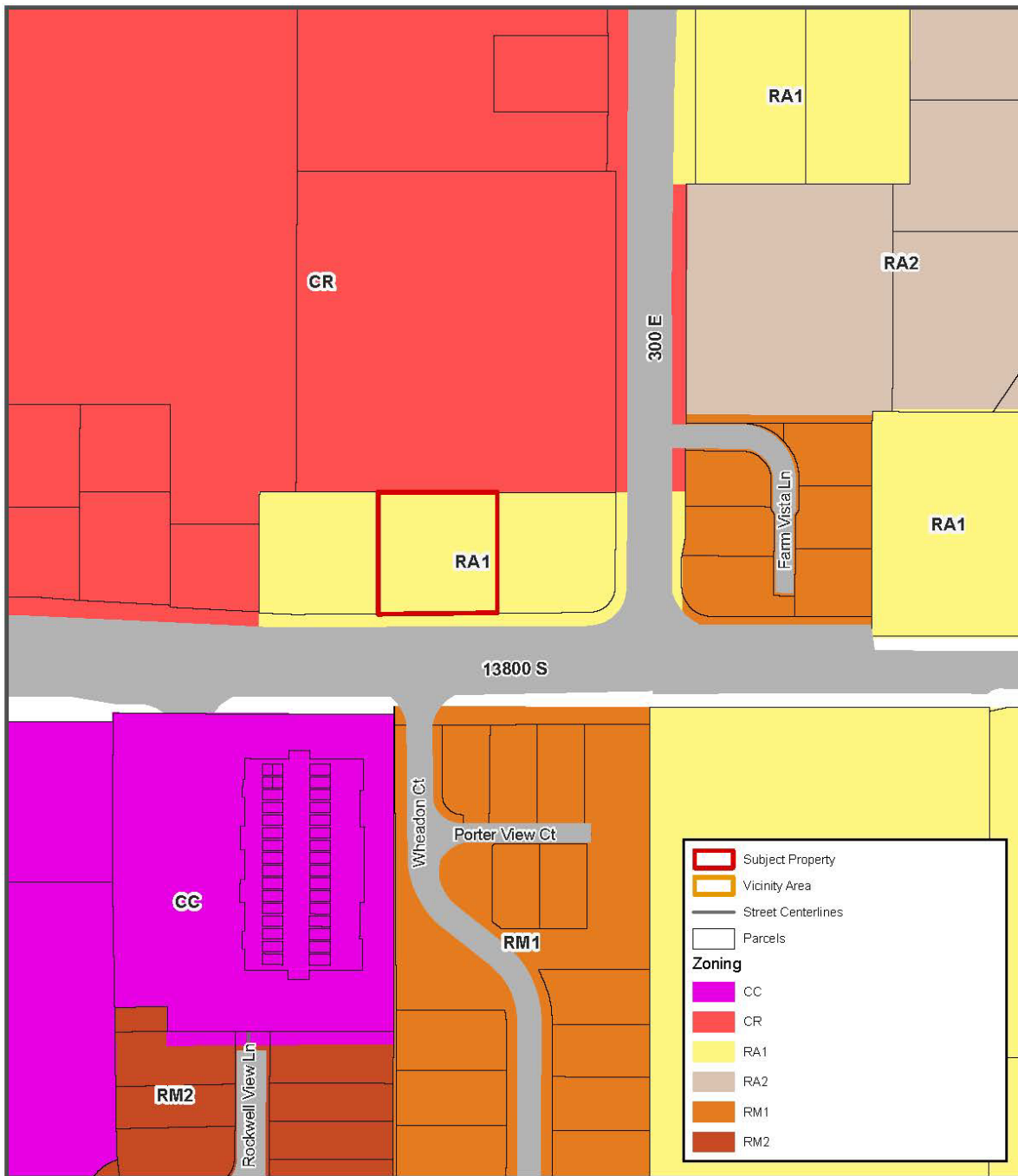


EXHIBIT F ZONING MAP



Date Printed: 6/12/2026

Solid Construction Land Use Map and Zoning

273 E. 13800 S.

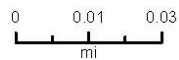


EXHIBIT G
APPLICANTS RESPONSES

Request for Zoning Map Amendment

Property: 273 E 13800 S, Draper, Utah

Existing Land Use: Office/Service

Proposed Land Use: Regional Commercial

1. What is the requested land use designation?

The applicant is requesting a Land Use Map Amendment to Regional Commercial for the property located at 273 E 13800 S, Draper, Utah. This amendment is requested in conjunction with a Zoning Map Amendment to rezone the property from RA1 (Residential Agricultural) to CR (Commercial Regional).

2. Please explain the reason for the request and the justification for approval.

The purpose of the requested Land Use Map Amendment is to align the property's land use designation with the intended and existing use of the site—Construction Sales and Service—and to ensure consistency with surrounding properties that have recently been amended to Regional Commercial and rezoned to CR.

The existing Office/Service land use designation does not fully align with the CR zoning district, and the prior CBP rezoning request was not viable due to minimum acreage requirements and permitted use limitations. The Regional Commercial land use designation more accurately reflects the development pattern occurring in this corridor and supports commercial activity of a broader scale.

Approval of the requested amendment will:

- Provide consistency between land use policy and zoning implementation,
 - Align the subject property with adjacent CR-zoned properties to the north,
 - Allow the existing Construction Sales and Service use to operate in conformance with City code as a Conditional Use, and
 - Support orderly commercial growth along the 13800 South corridor.
-

3. How is the requested land use designation harmonious with the overall character of existing development in the vicinity of the subject property?

The requested Regional Commercial designation is harmonious with the evolving character of the surrounding area. Properties immediately north of the subject site were recently amended to Regional Commercial and rezoned to CR, reflecting the City's planned transition of this corridor toward more intensive commercial uses.

The area has been shifting away from agricultural and low-density residential patterns toward commercial and employment-based development. Applying the Regional Commercial designation to the subject property promotes continuity of land use along the corridor and avoids creating an isolated or inconsistent zoning pattern.

Additionally, the CR zone provides development standards, buffering requirements, and conditional use review processes that ensure compatibility with adjacent properties while supporting quality commercial development.

5. Is the proposed zoning designation consistent with the goals, objectives, and policies of the City's General Plan? Explain.

Yes. The proposed Regional Commercial land use designation is consistent with the goals and policies of the Draper City General Plan. The General Plan anticipates commercial growth in appropriate corridors where infrastructure and roadway capacity can support higher-intensity uses.

Amending the land use designation to Regional Commercial:

- Supports economic vitality and commercial service expansion,
- Reinforces planned commercial nodes along major transportation corridors,
- Promotes logical and contiguous zoning patterns,
- Ensures regulatory alignment between the General Plan and the City's zoning map, and
- Provides a structured process for reviewing Construction Sales and Service as a Conditional Use within the CR zone.

The requested amendment advances the City's long-term planning objectives by facilitating appropriate commercial development in an area already transitioning toward Regional Commercial use.

Request for Zoning Map Amendment

Property: 273 E 13800 S, Draper, Utah

Existing Zoning: RA1 – Residential Agricultural

Proposed Zoning: CBP – Business / Manufacturing Park

1. What is the requested zoning designation?

The applicant is requesting a Zoning Map Amendment to rezone the subject property from **RA1 (Residential Agricultural)** to **CBP (Business / Manufacturing Park)**.

2. Please explain the reason for the request and the justification for approval.

The purpose of the requested rezoning is to align the zoning designation of the property with its existing **Office/Service** designation on the Draper City Land Use Map and to allow for development that is consistent with current City planning policies. The existing RA1 zoning no longer reflects the intended land use pattern for this area and limits the ability to develop the property in a manner consistent with surrounding development.

The CBP zoning district is the most appropriate zone to implement the Office/Service land use designation while allowing flexibility for modern employment-oriented development. The applicant intends to develop the property primarily with **office and service uses**, with only **limited, accessory warehouse space** as permitted by the CBP zone. No land use amendment is being requested as part of this application.

Approval of the requested rezoning will provide regulatory consistency, support orderly growth, and allow the property to be developed in a manner that is compatible with its context and the City's long-term planning objectives.

3. How is the requested zoning designation harmonious with the overall character of existing development in the vicinity of the subject property?

The requested CBP zoning is harmonious with the overall character of the surrounding area, which has been transitioning toward **office, service, and employment-oriented uses**. Several nearby properties have already been rezoned or developed with similar non-residential uses, reflecting the City's planned shift away from agricultural or low-density residential zoning in this corridor.

The CBP zone provides standards that encourage high-quality development, buffering, and site design compatible with adjacent properties. By maintaining an office/service focus, the proposed zoning will complement existing development patterns and avoid introducing incompatible or intensive industrial uses.

4. Are facilities and services, such as roadways and utilities, sufficient to serve the property under the proposed zoning? Explain.

Yes. The property is adequately served by existing **roadway access, utilities, and public services** necessary to support development under the proposed CBP zoning designation. The surrounding infrastructure has been planned and constructed to accommodate commercial and employment-related uses consistent with the Office/Service land use designation.

Any future development on the property will be required to comply with Draper City standards for traffic, utilities, drainage, and public services, ensuring that infrastructure capacity is sufficient and impacts are appropriately addressed at the time of site plan review.

5. Is the proposed zoning designation consistent with the goals, objectives, and policies of the City's General Plan? Explain.

Yes. The proposed CBP zoning designation is consistent with the goals, objectives, and policies of the Draper City General Plan. The property's existing **Office/Service** land use designation anticipates employment-based development that supports economic vitality, job creation, and efficient use of land.

Rezoning the property to CBP implements the General Plan by:

- Supporting planned employment and office uses,
- Encouraging development patterns consistent with surrounding properties, and
- Providing flexibility for high-quality, low-impact commercial development.

The requested zoning amendment advances the City's long-term vision for this area and ensures regulatory alignment between land use policy and zoning implementation.

REFERENCE DOCUMENTS

1)	WARRANTY DEED ENTRY NO. 13844220, BK 11280, PG 5189-5190
2)	DEED OF DEDICATION AND ACCEPTANCE ENTRY NO. 11349362, BK 9999, PG 549
3)	WARRANTY DEED ENTRY NO. 12463305, BK 10524, PG 2017-2019
4)	QUIT CLAIM DEED ENTRY NO. 10151054, BK 9486, PG 1115-1117
5)	WARRANTY DEED ENTRY NO. 12432809, BK 10510, PG 3800-3802
6)	WARRANTY DEED ENTRY NO. 12432809, BK 10510, PG 3800-3802
7)	WARRANTY DEED ENTRY NO. 13971531, BK 11349, PG 3907
8)	WARRANTY DEED ENTRY NO. 14156976, BK 11447, PG 2026
9)	ROCKWELL SQUARE CONDOMINIUMS ENTRY NO. 10470401, BK 2007, PG 174
10)	THE COVE AT BROWN FARM ENTRY NO. 12849339, BK 2018F, PG 327
11)	WHEADON PRESERVE ENTRY NO. 11110043, BK 2011P, PG 2
12)	SALT LAKE COUNTY MONUMENT THE SHEETS
13)	AREA REFERENCE PLAT
14)	RECORD OF SURVEY S2013-04-0171

- | EASEMENT REFERENCES | |
|---------------------|---|
| 1) | PERPETUAL EASEMENT ENTRY NO. 12463306, BK 10524, PG 2020-2022 |
| 2) | TEMPORARY EASEMENT ENTRY NO. 12463307, BK 10524, PG 2023-2025XX |

A. EXISTING CHAIN LINK FENCE LIES $\pm 0.4'$ TO $\pm 1.1'$ EASTERLY OF THE WESTERLY LINE OF THE SUBJECT PROPERTY, AS SHOWN HEREON. OWNERSHIP OF SAID FENCE LINE IS UNKNOWN.

B. EXISTING CHAIN LINK FENCE OSCILLATES $\pm 0.2'$ TO $\pm 0.5'$ SOUTHERLY NORTHERLY OF THE NORTHERLY LINE OF THE SUBJECT PROPERTY, AS SHOWN HEREON. OWNERSHIP OF SAID FENCE LINE IS UNKNOWN.

C. EXISTING CHAIN LINK FENCE LIES $\pm 0.8'$ TO $\pm 0.9'$ WESTERLY OF THE EASTERLY LINE OF THE SUBJECT PROPERTY, AS SHOWN HEREON. OWNERSHIP OF SAID FENCE LINE IS UNKNOWN.

A map showing the proposed site location. The site is marked with a black dot and labeled "SITE" on 13800 SOUTH, between 200 EAST and 300 EAST. Other streets shown include I-15, 13540 SOUTH, and 660 EAST.

MEMO



To: Planning Commission

From: Todd A. Draper, AICP

Date: 2026-06-25

Re: Public Hearing: Kuwahara Nursery Land Use Map Amendment, Zoning Map Amendment, and Development Agreement Requests (Legislative Items)

Comments:

This application is a request for approval of a Land Use Map Amendment to the Residential High Density Designation, a Zoning Map Amendment to the RM2 (Multiple-Family Residential) zone, and a Development Agreement for approximately 1.95 acres located on the north side of 12300 South, at approximately 762 W. 12300 S. The property is currently zoned CO1 (Professional Office). The applicant is requesting that the requests be approved to allow for the development of the site for construction of 21 detached Single-Family Dwellings.

Development Agreement

Findings for Approval:

1. The proposed development agreement complies DCMC Section 9-5-200(C) and (D).

Findings for Denial:

1. The proposed development agreement does not comply with DCMC Section 9-5-200(C) and (D).

Land Use Map Amendment

Findings for Approval:

1. The proposed land use map amendment is consistent with goals, objectives and policies of the city's general plan.
2. The proposed land use map amendment is harmonious with the overall character of existing development in the vicinity of the subject property.
3. The proposed land use map amendment is consistent with the standards of any applicable overlay zone.
4. The proposed land use map amendment will not adversely affect adjacent property.
5. Adequate facilities and services exist to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.
6. The proposed land use map amendment complies with DCMC Section 9-2-020(F).
7. The legislative body may adopt any amendment to the general plan land use map

that the legislative body considers appropriate.

Findings for Denial:

1. The proposed land use map amendment is not consistent with goals, objectives and policies of the city's general plan.
2. The proposed land use map amendment is not harmonious with the overall character of existing development in the vicinity of the subject property.
3. The proposed land use map amendment would be inconsistent with the standards of any applicable overlay zone.
4. The proposed land use map amendment will adversely affect adjacent property.
5. Adequate facilities and services to serve the subject property do not exist, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, wastewater disposal, or refuse collection.
6. The legislative body may reject any amendment to the general plan land use map that the legislative body considers appropriate.

Zoning Map Amendment

Findings for Approval:

1. The proposed zoning map amendment is consistent with goals, objectives and policies of the city's general plan.
2. The proposed zoning map amendment is harmonious with the overall character of existing development in the vicinity of the subject property.
3. The proposed zoning map amendment is consistent with the standards of any applicable overlay zone.
4. The proposed zoning map amendment will not adversely affect adjacent property.
5. Adequate facilities and services exist to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.

Findings for Denial:

1. The proposed zoning map amendment is not consistent with goals, objectives and policies of the city's general plan.
2. The proposed zoning map amendment is not 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. Adequate facilities and services to serve the subject property do not exist, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, wastewater disposal, or refuse collection.

ATTACHMENTS:

[Kuwahara Nursery DA_LUMA_ZMA Staff report - final.pdf](#)



Development Review Committee

1020 East Pioneer Road

Draper, UT 84020

June 17, 2026

To: Draper City Planning Commission
Business Date: June 25, 2026

From: Development Review Committee

Prepared By: Todd Draper, AICP, Planning Manager
Planning Division
Community Development Department
801-576-6335, todd.draper@draperutah.gov

Re: **Kuwahara Nursery – Land Use Map Amendment, Zoning Map Amendment, and Development Agreement Requests**

Application No.: 2026-0021-DA, 2026-0020-MA, 2026-0019-MA
Applicant: Cameron Smith, representing Alpine Homes, LLC and Kuwahara Produce, LLC
Project Location: 762 W. 12300 S.
Current Zoning: CO1 (Professional Office) Zone
Acreage: Approximately 1.95 Acres (Approximately 84,942 ft²)
Request: Request for approval of a Land Use Map Amendment, Zoning Map Amendment and a Development Agreement to allow for the construction of 21 detached Single-Family Dwellings on the property.

BACKGROUND AND SUMMARY

This application is a request for approval of a Land Use Map Amendment to the Residential High Density Designation, a Zoning Map Amendment to the RM2 (Multiple-Family Residential) zone, and a Development Agreement for approximately 1.95 acres located on the north side of 12300 South, at approximately 762 W. 12300 S. (Exhibit B & C). The property is currently zoned CO1. The applicant is requesting that the requests be approved to allow for the development of the site for construction of 21 detached Single-Family Dwellings.

There are multiple buildings located on the site. The initial structure built on the property



existed in 1977, predating city incorporation, and is located towards the east side of the property. The property has been in the ownership of various members of the Kuwahara family since 1992. Additional buildings have been added to the property in approximately 2000, 2009, 2012, 2015, and 2018. The site has operated under temporary use permits as either a produce stand or Christmas tree lot since approximately December of 2005. Currently the site is operating as a temporary produce stand under the name Sandy's Farmer's Market LLC.

ANALYSIS

General Plan and Zoning.

Table 1	General Plan and Zoning Designations	Exhibit
Existing Land Use	Office/Service	Exhibit D
Current Zoning	CO1	Exhibit E
Proposed Use	High Density Residential	
Adjacent Zoning		
East	RM2 (Multiple-Family Residential)	
West	RA2 (Residential Agricultural, 20,000 ft ² min lot size)	
North	RA2 (Residential Agricultural, 20,000 ft ² min lot size)	
South	RA1 (Residential Agricultural, 40,000 ft ² min lot size)	

The Office/Service land use designation is characterized as follows:

Office/Service

LAND USE DESCRIPTION	
CHARACTERISTICS	- Includes a variety of office and service uses that range from residential scale and character to major offices that have multiple stories and underground parking, which generate moderate traffic volumes - Development and landscaping standards vary, depending upon the location of the use, and underlying zoning regulations - For minor offices strict development and landscaping requirements will protect adjacent residential uses - For major offices and services, arterial access is desirable and should be located around the central business district, other major commercial cores, or freeway interchanges and away from residential areas
LAND USE MIX	- Small-scale commercial - Planned retail - Office buildings
DENSITY	Up to 12 dwelling units per acre for residential
COMPATIBLE ZONING	- Professional Office (CO2) - Professional Office (CO1) - Office Residential (OR)
LOCATION	Near retail centers, offices, or other compatible uses

According to Draper City Municipal Code (DCMC) Section 9-8-020 the purpose of the CO zones is to *“provide locations primarily along arterial or major collector streets which will accommodate offices or laboratories for professional persons and other related uses. The zone is intended to provide availability of professional services conveniently to all neighborhoods in the city. Two (2) CO zones are provided: CO1 and CO2. CO1 zones are intended to allow office and related uses on relatively small tracts of land so they can be conveniently and compatibly located adjacent to residential areas. CO2 zones allow larger office and related use developments adjacent to commercial areas and away from residential areas. Typical uses in this zone include offices for doctors, dentists, accountants, and other similar professions, medical and dental laboratories, and pharmacies.”*

Land Use Map Amendment. The applicant has requested a land use amendment to the Residential High Density land use designation (Exhibit I). The proposed designation is compatible with the requested zoning designation of RM2. The Residential High Density land use designation is described as follows:

Residential High Density

LAND USE DESCRIPTION		
CHARACTERISTICS	• Abundant landscaping • Architectural variation between units and/or buildings, designed to look like houses, not boxes • Avoid walls and fences, except for screening and buffering with neighboring developments	
LAND USE MIX	Primary • Patio homes • Townhouses • Multifamily housing	Secondary • Parks • Churches • Schools • Open Space
DENSITY	• Density range: 8-12 dwelling units per acre	
COMPATIBLE ZONING	• Institutional care (IC) • Multiple-family Residential (RM1) • Multiple-family Residential (RM2) • Master Planned Community (MPC)	
LOCATION	• Near retail centers, offices, or other compatible uses • Near major transit investment corridors	
OTHER CRITERIA	• Care must be taken to minimize impacts on other residential areas to provide adequate circulation to accommodate the traffic demands • The developer must demonstrate that the project provides a quality living environment	

Zoning Map Amendment. The applicant has requested the RM2 zoning designation for the property (Exhibit I). According to Draper DCMC Section 9-8-020, the purpose of the RM2 zone is to *“permit well designed apartments, townhomes, twin homes, and condominiums at relatively high densities that are appropriately buffered from and compatible with surrounding land uses.”*

Development Agreement. A copy of the draft development agreement is included in this report as Exhibit H. It will also include a conceptual site plan and conceptual architectural elevations that are included as separate exhibits to this report (Exhibits F and G). As part of the Development Agreement the applicant is proposing to create a Home Owners Association (HOA) to manage the private roadways and water connection and to include in the CC&R's restrictions requiring that 70% of the units to be owner occupied and limiting rentals to 30% the units. As benefits to the city, the agreement calls out the maximum proposed density of 10.7 units per gross acre and the agreement to add owner occupancy requirements into the CC&R's. The draft agreement also indicates that the city would receive right-of-way dedication for 12300 S. Street dedication along 12300 S. is a requirement for development of the site with or without a Development Agreement.

Site Plan Layout. A conceptual site plan is included as an exhibit to the Development Agreement and has been included in this report as Exhibit F. If the Land Use Map Amendment, Zoning Map Amendment and Development Agreement are approved by the City Council, a separate site plan application will be required in order to finalize details regarding construction and landscaping of the site based in accordance with the approved concept plan (Exhibit F) and the Development Agreement (Exhibit H). The site is laid out along a central access street that generally consists of twenty-eight feet (28') of pavement, two feet (2') of curb and gutter on each side, and a five foot (5') wide sidewalk along the west side of the access. Two smaller private streets, with pavement widths of twenty feet (20') and twenty-two feet (22') respectively, provide access to dwellings located west of the main access.

The maximum density for the project is set in the Development Agreement at twenty-one (21) dwelling units, or 10.7 dwelling units per gross acre. The design of the site utilizes a construct called a Building Pad Lot which is defined in the Development Agreement as a lot encompassing the footprint of a single proposed single-family dwelling. These Building Pad Lots measure forty feet (40') deep by twenty feet (20') wide. Additional allowances for eaves and decorative features to overhang the lot boundaries and encroach into the common area of the development by up to two and one-half feet (2.5') are also included within the proposed Development Agreement.

The front of each Building Pad Lot is defined as the side which contains the garage door. Each Building Pad Lot is setback from the curb along the adjacent private street by a minimum of twenty feet (20'). The side opposite the garage or driveway is defined as the rear of the Building Pad Lot and will be setback a minimum of twenty-five feet (25') from other Building Pad Lots. The sides of each Building Pad Lot will be separated by a minimum of ten feet (10'). All Building Pad Lots will be located a minimum of fifteen feet (15') from existing neighboring property lines. Side setback exceptions for Lots 13 and 16 to be as little as three feet (3') from the adjacent sidewalk and Lots 11 and 19 to be fifteen feet (15') from the sidewalk are also included within the development agreement.

Table 2 **Site Design Requirements**

Standard	DCMC Requirements (RM2 zone)	Proposal (Development Agreement)	Notes
Lot/Parcel Size	4,000 ft ²	800 ft ²	Allowed with Development Agreement
Street Frontage	None required	Building Pad Lots do not have frontage on a street	
Setbacks-			
Front	20'	20' between back of curb and Building Pad Lot on garage side.	Complies with intent of DCMC
Rear	20'	25' between rear side of Building Pad Lots (front entry door).	Allowed with Development Agreement
Side	5'	10' between Building Pad Lots	Complies with intent of DCMC

Subdivision Layout. If the development requests are approved by the City Council, Subdivision Plat applications will be required. Dedication of right-of-way for the public street along 12300 South will be required to be completed as part of any subdivision plat approval. The subdivision plat layout would follow the same layout as the conceptual site plan. The proposed lots are 800 ft² in size which is smaller than the otherwise required minimum lot size in the RM2 zone of 4,000 ft², which represents a requested deviation within the Development Agreement. After subtracting the area allocated to streets and right-of-way, including the visitor parking from the total gross acreage and dividing that by the maximum unit count, the calculated ratio of net area per dwelling unit is approximately 2,956 ft². Modifications to otherwise applicable zoning standards are allowed as part of a Development Agreement under the provisions of DCMC Section 9-5-200 and applicable Utah Code in Section 10-20-101 et seq. (as amended) regarding Development Agreements.

Streets and Circulation. The concept plan (Exhibit F) deviates from the typical requirements of the DCMC to provide sidewalks on both sides of the private streets. A five foot (5') wide sidewalk will be provided along the west side of the private street that connects to 12300 S and the proposed guest parking. No sidewalks are proposed for either of the other two private streets that run east to west. A five foot (5') wide community trail is planned to provide internal pedestrian circulation from the front entry of each unit to the sidewalk.

Per the Development Agreement, the private street right-of-way widths vary in width from twenty-four feet (24') to thirty-seven feet (37'). The proposed private street designs and narrower street width for the two smaller streets do represent deviations from the typically required cross section for a private street serving up to 20 single-family homes as found in DCMC Section 9-27-150. Additionally, under the Development Agreement the applicant is seeking approval to exceed the twenty (20) unit single-family home limit of that same Section by one (1) additional dwelling unit.

Landscaping. The Development Agreement (Exhibit H) and Concept Plan (Exhibit F) do not address how common areas of the site would be landscaped. Landscaping will be addressed at the time of the site plan application and will be required to adhere to the then current landscaping requirements found within the DCMC. A street tree plan in compliance with the DCMC will be required to be submitted for review and approval as part of a Subdivision Application.

Parking. According to the proposed concept plan (Exhibit F), eleven (11) visitor or guest parking stalls will be provided directly to the west of the main access road into the property. These parking stalls meet the minimum dimensions for a parking stall specified in the DCMC of nine feet (9') wide by eighteen feet (18') deep. Each dwelling unit will contain a garage that will have an interior dimension of eighteen and one-half feet wide (18.5') and twenty feet (20') deep. This width does not meet the minimum required dimension of twenty feet (20') for a two-car garage as listed in DCMC Section 9-25-070. As part of the Development Agreement the applicant is requesting approval for a modified standard to allow the proposed interior width of the garages to count as two parking spaces within an enclosed garage. A driveway with a minimum depth of twenty feet (20') and width of eighteen feet (18') will provide access to each garage from the adjacent private street and two (2) additional parking spaces in tandem with those located in the garage per the Development Agreement.

Table 3 **Parking Requirements**

Standard	DCMC Requirements	Proposal	Notes
Parking Required (Min/Max)			
Single-family Dwelling	2 spaces within an enclosed garage. (10' x 20' per space)	2 Spaces within an enclosed garage (9.25' X20' per space). 2 tandem spaces behind garage on common area driveway.	Deviation requested per Development Agreement
Guest Parking	n/a	11 spaces	

Pedestrian Connections	Safety features required	Partially but not fully identified on concept plan	Addressed at time of site plan and subdivision applications.
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Architecture. Conceptual architectural elevations are included in this report as Exhibit G. The elevations are not scaled and do not include dimensions; however, the Development Agreement indicates that the footprint of each home will be forty feet (40') deep by twenty feet (20') wide and staff was able to calculate a rough approximate height of thirty-two feet (32') tall based on the given dimensions of the Building Pad Lots. Per the RM2 zone the maximum height for a main building is capped at thirty-five feet (35'). The elevations depict a three-story single-family dwelling with a split pitched roof with short roof overhangs on three of the four sides. The second and third stories are cantilevered out approximately five feet (5') over the first floor on the entry door side which is located on the rear of each dwelling. Specific colors and materials are not identified, on the conceptual elevations but the plans depict the potential use of muted tan and brown tones. Per the language in the Development Agreement, the provided conceptual architectural elevations do not dictate any features, materials, or colors and the developer could submit completely different architectural designs at the time of development.

Lighting. Lighting was not addressed on the provided conceptual site plan (Exhibit F), conceptual architectural elevation Plans (Exhibit G), or within the Development Agreement (Exhibit H). Street lighting will be addressed at the time of the Subdivision Plat. All other lighting will be required to comply with the residential standards as found in the DCMC.

Fencing. The conceptual plan (Exhibit F) indicates that there is existing white vinyl fencing along the east, west, and north sides of the property. There is no existing or proposed fencing along the south of the property adjacent to 12300 S.

Criteria For Approval.

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

1. Map Amendments:

- a. Whether the proposed amendment is consistent with goals, objectives and policies of the city's general plan;*
- b. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;*
- c. Whether the proposed amendment is consistent with the standards of any applicable overlay zone;*

- d. *The extent to which the proposed amendment may adversely affect adjacent property; and*
- e. *The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.*

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

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

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

chapter. Following the public meeting, the planning commission shall recommend approval, approval with modifications, or denial of the proposed amendment and shall submit its recommendation to the city council for review and decision.

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

The DCMC does not contain criteria for review and potential approval of a Development Agreement. It does, however; contain a list of items that are required as part of an Agreement and limitations to a Development Agreement, as found in DCMC Section 9-5-200(C) and (D). This section depicts the required materials for such requests as:

- C. *Procedure: All development agreements, upon proper execution, shall be recorded with the respective County Recorder's Office, shall run with the land, and shall be binding on all successors in the ownership of the affected property. A development agreement shall contain, at a minimum, the following:*

1. *A legal description of the land subject to the development agreement.*
2. *The restrictions or conditions to be attached to the property including development standards and the provision of public facilities.*
3. *The configuration of the project as shown on a project master plan.*
4. *A statement of the benefits and value the development agreement will have for the City as a whole, including, but not limited to, assurances of design standards, dedication and improvement of open space, parks, trails, amenities, or infrastructure such as public rights-of-way or utilities.*
5. *The time frames for performance by the parties.*
6. *A description of the various City approvals required before the commencement of construction and other procedures that will be required after approval of the development agreement.*
7. *Provisions for enforcement of the terms and conditions of the development agreement.*
8. *Provisions for making amendments to the development agreement.*
9. *The time limitation of the agreement.*
10. *Such other terms as may be proposed and agreed to between the City and developer or subdivider.*

- D. *Limitations:*

1. *A development agreement under this section may not:*
 - a. *Limit the City's authority in the future to:*
 - i. *Enact a land use regulation; or*
 - ii. *Take any action allowed under Utah Code Annotated Section 10-8-84, as amended;*

- b. *Require the City to change the zoning designation of an area of land within the City in the future; or*
 - c. *Contain a term that conflicts with, or is different from, a standard set forth in an existing land use regulation that governs the area subject to the development agreement, unless the city council approves the development agreement in accordance with the same procedures for enacting a land use regulation under Utah Code Annotated Section 10-9a-502, including a review and recommendation from the planning commission and a public hearing.*
- 2. *The City may not require a development agreement as the only option for developing land within the City.*
- 3. *To the extent that a development agreement does not specifically address a matter or concern related to land use or development, the matter or concern is governed by;*
 - a. *Utah Code Annotated 10-9a-530, as amended; and*
 - b. *Applicable land use regulations of this Title.*

REVIEWS

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

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

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

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

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

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

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

STAFF RECOMMENDATION

Staff recommends that the Planning Commission review the requests, hear from the applicant, receive public comment, and make recommendations to the City Council based on the findings and criteria for approval, or denial, as listed within the staff report.

MODEL MOTIONS

Development Agreement

Sample Motion for Positive Recommendation – I move that we forward a positive recommendation to the City Council for the Kuwahara Nursery Development Agreement as requested by Cameron Smith, representing Alpine Homes, LLC and Kuwahara Produce, LLC, application 2026-0021-DA, based on the findings for approval as listed in the Staff Report dated June 17, 2026.

Findings for Approval:

1. The proposed development agreement complies DCMC Section 9-5-200(C) and (D).

Sample Motion for Modified Positive Recommendation I– I move that we forward a positive recommendation to the City Council for the Kuwahara Nursery Development Agreement as requested by Cameron Smith, representing Alpine Homes, LLC and Kuwahara Produce, LLC, application 2026-0021-DA, based on the findings for approval listed in the Staff Report dated June 17, 2026, and as modified by the following additional findings or specific recommendations:

1. (List any additional findings...)
2. (List any specific recommendations...)

Sample Motion for Denial – I move that we forward a negative recommendation to the City Council for the Kuwahara Nursery Development Agreement as requested by Cameron Smith, representing Alpine Homes, LLC and Kuwahara Produce, LLC, application 2026-0021-DA, based on the findings for denial as listed in the Staff Report dated June 17, 2026

Findings for Denial:

1. The proposed development agreement does not comply with DCMC Section 9-5-200(C) and (D).

Land Use Map Amendment

Sample Motion for Positive Recommendation – I move that we forward a positive recommendation to the City Council for the Land Use Map Amendment to Residential High Density, as requested by Cameron Smith, representing Alpine Homes, LLC and Kuwahara Produce, LLC, application 2026-0019-MA, based on the findings for approval as listed in the Staff Report dated June 17, 2026.

Findings for Approval:

1. The proposed land use map amendment is consistent with goals, objectives and policies of the city's general plan.
2. The proposed land use map amendment is harmonious with the overall character of existing development in the vicinity of the subject property.
3. The proposed land use map amendment is consistent with the standards of any applicable overlay zone.
4. The proposed land use map amendment will not adversely affect adjacent property.
5. Adequate facilities and services exist to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.
6. The proposed land use map amendment complies with DCMC Section 9-2-020(F).
7. The legislative body may adopt any amendment to the general plan land use map that the legislative body considers appropriate.

Sample Motion for Modified Positive Recommendation I– I move that we forward a positive recommendation to the City Council for the Land Use Map Amendment to Residential High Density, as requested by Cameron Smith, representing Alpine Homes, LLC and Kuwahara Produce, LLC, application 2026-0019-MA, based on the findings for approval as listed in the Staff Report dated June 17, 2026, together with the following additional or modified findings:

1. (List any additional or modified findings...)

Sample Motion for Denial – I move that we forward a negative recommendation to the City Council for the Land Use Map Amendment to Residential High Density, as requested by Cameron Smith, representing Alpine Homes, LLC and Kuwahara Produce, LLC, application 2026-0019-MA, based on the findings for denial as listed in the Staff Report dated June 17, 2026

Findings for Denial:

1. The proposed land use map amendment is not consistent with goals, objectives and policies of the city's general plan.

1. The proposed land use map amendment is not harmonious with the overall character of existing development in the vicinity of the subject property.
2. The proposed land use map amendment would be inconsistent with the standards of any applicable overlay zone.
3. The proposed land use map amendment will adversely affect adjacent property.
4. Adequate facilities and services to serve the subject property do not exist, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, wastewater disposal, or refuse collection.
5. The legislative body may reject any amendment to the general plan land use map that the legislative body considers appropriate.

Zoning Map Amendment

Sample Motion for Positive Recommendation – I move that we forward a positive recommendation to the City Council for the Zoning Map Amendment to the RM2 Zone, as requested by Cameron Smith, representing Alpine Homes, LLC and Kuwahara Produce, LLC, application 2026-0020-MA, based on the findings for approval as listed in the Staff Report dated June 17, 2026.

Findings for Approval:

1. The proposed zoning map amendment is consistent with goals, objectives and policies of the city's general plan.
2. The proposed zoning map amendment is harmonious with the overall character of existing development in the vicinity of the subject property.
3. The proposed zoning map amendment is consistent with the standards of any applicable overlay zone.
4. The proposed zoning map amendment will not adversely affect adjacent property.
5. Adequate facilities and services exist to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.

Sample Motion for Modified Positive Recommendation I– I move that we forward a positive recommendation to the City Council for the Zoning Map Amendment to the RM2 Zone, as requested by Cameron Smith, representing Alpine Homes, LLC and Kuwahara Produce, LLC, application 2026-0020-MA, based on the findings for approval as listed in the Staff Report dated June 17, 2026, together with the following additional or modified findings:

1. (List any additional or modified findings or conditions...)

Sample Motion for Denial – I move that we forward a negative recommendation to the City Council for the Zoning Map Amendment to the RM2 Zone, as requested by Cameron Smith, representing Alpine Homes, LLC and Kuwahara Produce, LLC, application 2026-0020-MA, based on the findings for denial as listed in the Staff Report dated June 17, 2026

Findings for Denial:

1. The proposed zoning map amendment is not consistent with goals, objectives and policies of the city's general plan.
2. The proposed zoning map amendment is not 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. Adequate facilities and services to serve the subject property do not exist, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, wastewater disposal, or refuse collection.

DEVELOPMENT REVIEW COMMITTEE ACKNOWLEDGEMENT

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

Brien Maxfield

Digitally signed by Brien Maxfield
DN: C=US, E=brien.maxfield@draperutah.gov,
O=Draper, OU=Public Works - Engineering,
CN=Brien Maxfield
Date: 2026.06.18 10:42:59-06'00'

Draper City Public Works Department

Don Buckley

Digitally signed by Don Buckley
DN: C=US,
E=don.buckley@draper.ut.us,
O=Draper City Fire Department,
OU=Fire Marshal, CN=Don Buckley
Date: 2026.06.18 12:24:45-06'00'

Draper City Fire Department

Matt Symes

Digitally signed by Matt Symes
DN: C=US, E=MattSymes@draperutah.gov,
O=Draper City Corporation, CN=Matt Symes
Date: 2026.06.18 21:19:46-06'00'

Draper City Building Division

Todd Draper

Digitally signed by Todd Draper
DN: C=US,
E=todd.draper@draperutah.gov,
O=Draper City Community
Development Department,
OU=Planning and Zoning,
CN=Todd Draper
Date: 2026.06.18 10:31:29-06'00'

Draper City Planning Division

Draper City Legal Counsel

EXHIBIT A DEPARTMENT REVIEWS

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

Planning Division Review.

1. The draft development agreement will need to have formatting and typographical issues corrected prior to being presented to the City Council for their review. In particular this includes adding in correct dates and formatting for written dates where applicable throughout the document. Also the required street dedication is for the public road on 12300 S and 12600 South.
2. Staff recommends that the width of the units and garage be increased so that the typical twenty-foot (20') minimum interior width and depth for two parking stalls located within a garage be maintained.
3. Staff recommends that exterior design, including quality materials and a typical color palate be set as part of the development agreement so that the individual units withing the project will have a cohesive design.

Engineering and Public Works Divisions Review.

1. We have reviewed the subject zone map amendment application, proposing 1.95 acres to be zoned from Professional Office (CO1) to Residential/Multifamily (RM2) in accordance with the provisions of Section 9-5-060(E)(1)(e) of the Draper City Municipal Code (DCMC). We speak primarily to the adequacy of facilities and services intended to serve the subject property. In making an amendment, the City Council should consider the following factors. Accordingly, the following comments are recommended for your consideration Other than noted below, we are not aware of any inadequacies of the facilities intended to serve this property.
 - a. The change in zone from professional office (CO1) to residential/multifamily (RM2) would change the general use of the zone and the nature of the traffic impacts. The proposed change to RM2 is the highest residential density zone with the greatest potential of residential traffic, typically consisting of morning and evening peaks and general traffic throughout the week and weekend. This differs from the existing zone, where a commercial zone has differing traffic patterns based on use and intensity. The fronting street to the subject site is 12300 South, classified as an arterial street. This classification

consists of the greatest traffic volume in the city. It is owned by Utah Department of Transportation (UDOT). Based on the capacity of the fronting public street, 12300 South, the change to residential zoning does not represent a significant increase in density. Mitigation measures would be analyzed with a proposed use. Typically, a use where 100 peak hour trips are generated triggers the need to have a traffic impact study (TIS) completed to analyze mitigation requirements. The size of the subject parcel and the potential number of trips generated from a parcel of this size does not automatically trigger a TIS. There are public frontage improvements fronting the public street and maintaining those will be a requirement of any site development.

- b. Connectivity with the subject parcel to public rights-of-way is to 12300 South. Access onto the fronting street would be permitted through both UDOT and the city. Based on the size and location of the subject parcel, would be limited to a single access point for any development. Accesses are required to meet Draper City standards as outlined in our Master Transportation Plan and city code. Any development will need to be evaluated for access location due to the required spacing along 12300 South. Access is evaluated at the time of a site plan or subdivision application.
 - c. There are existing storm drainage facilities fronting the subject parcel. Any future site drainage will be required to be addressed with any subdivision or site plan application and shall comply with the provisions of the development requirements within the Draper City Municipal Code.
 - d. Sanitary sewer facilities will be provided by Jordan Basin Improvement District. Any subdivision or site plan application will require a commitment to serve from the sewer district that facilities are adequate to provide service for the proposed uses.
 - e. Drinking water is provided by the city to the subject parcel. Any subdivision or site plan application will require review and evaluation by the city to ensure adequate supply, transmission and source for the proposed use. All improvements shall comply with the provisions of the city code and standards.
2. Accordingly, we will provide comments relative to the potential construction activities when the appropriate application is received. Thank you for the opportunity to review the Zone Amendment Request.

Building Division Review.

1. Building Division review of the Development Agreement is not an approval of any geotechnical investigation requirements.

Fire Division Review.

1. No additional comments.

GIS Division Review.

1. No additional comments.

Legal Division Review.

1. The Draper City legal division has some concerns with this development agreement as it functions as a contract. In short, the agreement may not have adequate consideration, which could render the agreement void. For this reason, the legal division advises that the agreement remain under negotiation and review until such a time that adequate consideration attaches to the agreement and the agreement can be considered valid, objective, and enforceable.

Each development agreement is a contract. Each contract requires three essential elements. Those elements are: offer, acceptance, and consideration. As to the matter of offer and acceptance, the proposed terms that will go before the council make up the offer. The council's legislative action on the proposed terms will serve as either acceptance or rejection of the offer.

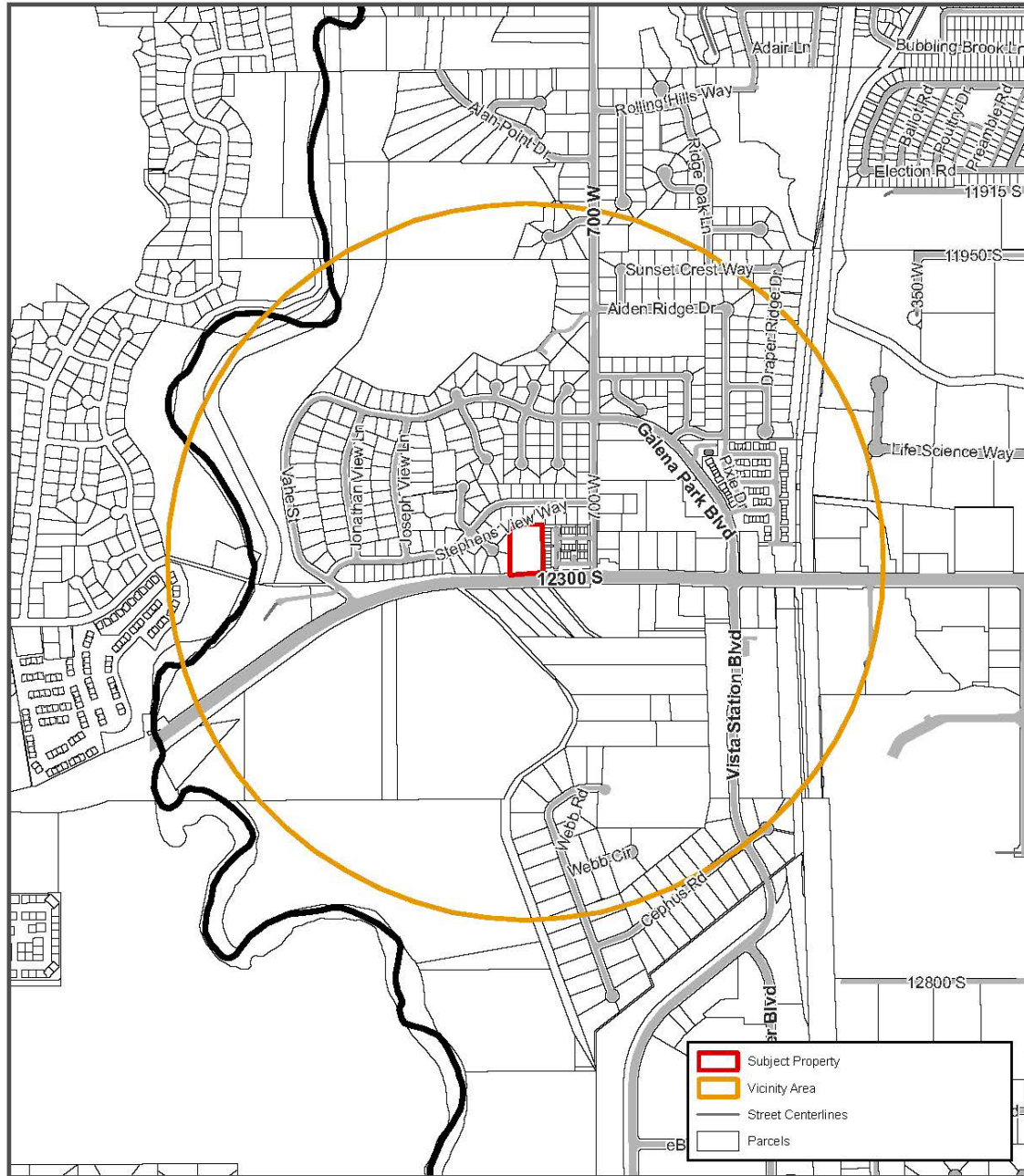
Consideration in a contract is, "Something (such as an act, a forbearance, or a return promise) bargained for and received by a promisor from a promisee." See Black's Law Dictionary, Eighth Ed. Each party to a contract serves as a promisor and promisee. In this case, the applicant has promised, "orderly development of the property as a master planned residential development,... increase[d] revenues to the city based on improvements to be constructed on the property,... detached single-family homes with a maximum density of 10.7 units per acre,... and property included as a right of way dedication for 12600 South."

These promises are a cause of concern when compared to applicable provisions of Title 9 of the Draper City Municipal Code ("DCMC") as well as state laws governing land use. Orderly development pursuant to the master plan is required by the DCMC. The applicant has not demonstrated how city revenue will increase by the redevelopment of the property. As this development would replace a commercial use with a residential use, it could be argued that revenues to the city may decrease. The number of units per

acre proposed surpasses what would be feasible in the RM2 zone, and so the density serves as a benefit to the applicant and not the city. Dedication of property for right-of-way is a standard condition of development for developments across the city with or without a development agreement.

Conditions upon which the legal division would recommend that the planning commission forward a positive recommendation to the city council are: if after the planning commission meeting, the applicant includes additional promises or bargained for benefits in the development agreement; and those promises or bargained for benefits are not already required by standard development procedures, the city code, or state law.

EXHIBIT B VICINITY MAP





Kuwahara Nursery D.A., LUMA and ZMA

762 W. 12300 S.

N



0 0.15 0.3

mi

Date Printed: 6/12/2026

EXHIBIT C
AERIAL MAP





Kuwahara Nursery D.A., LUMA and ZMA

762 W. 12300 S.

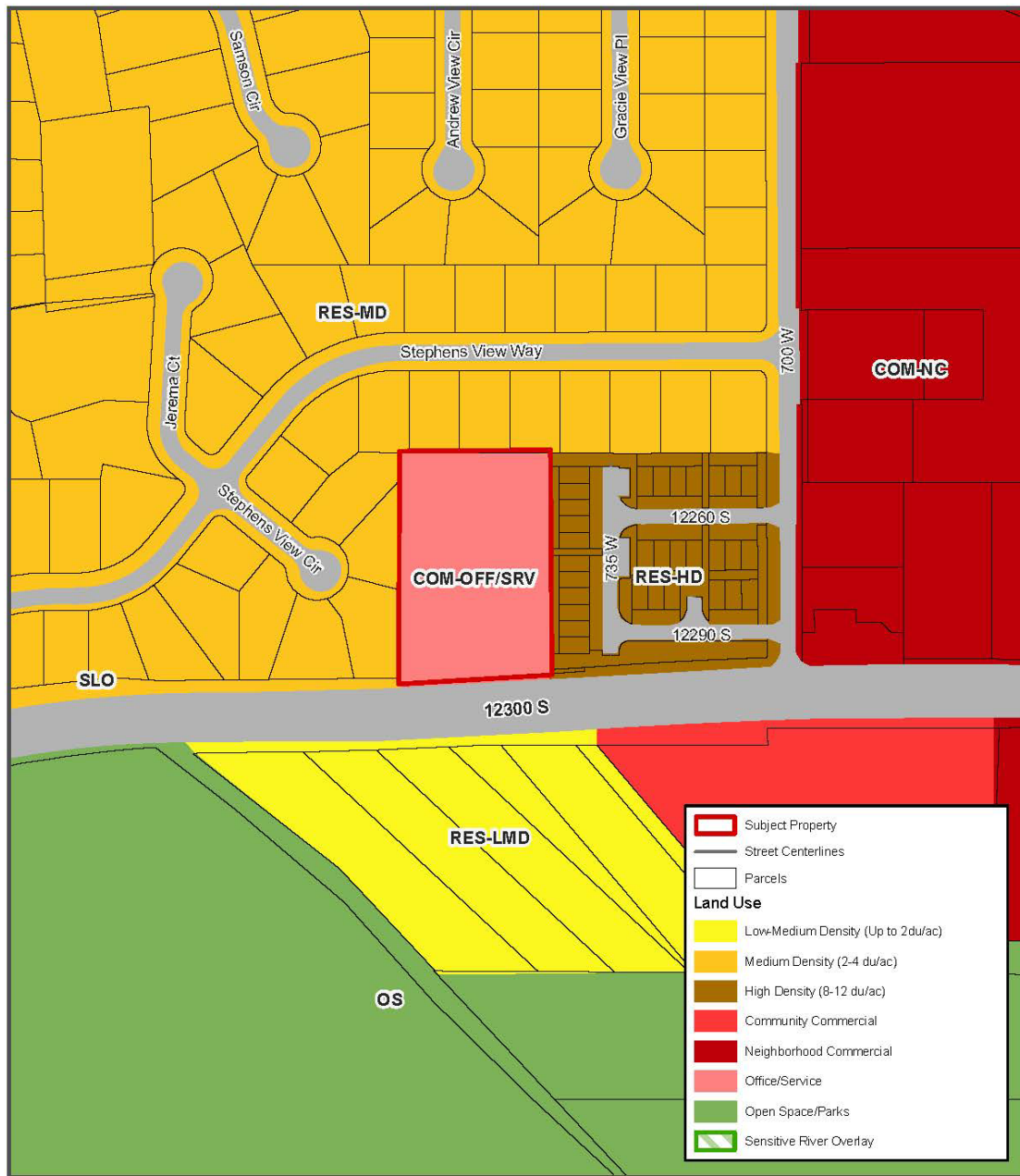
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Date Printed: 6/12/2026

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EXHIBIT D LAND USE MAP





Kuwahara Nursery D.A., LUMA and ZMA

762 W. 12300 S.

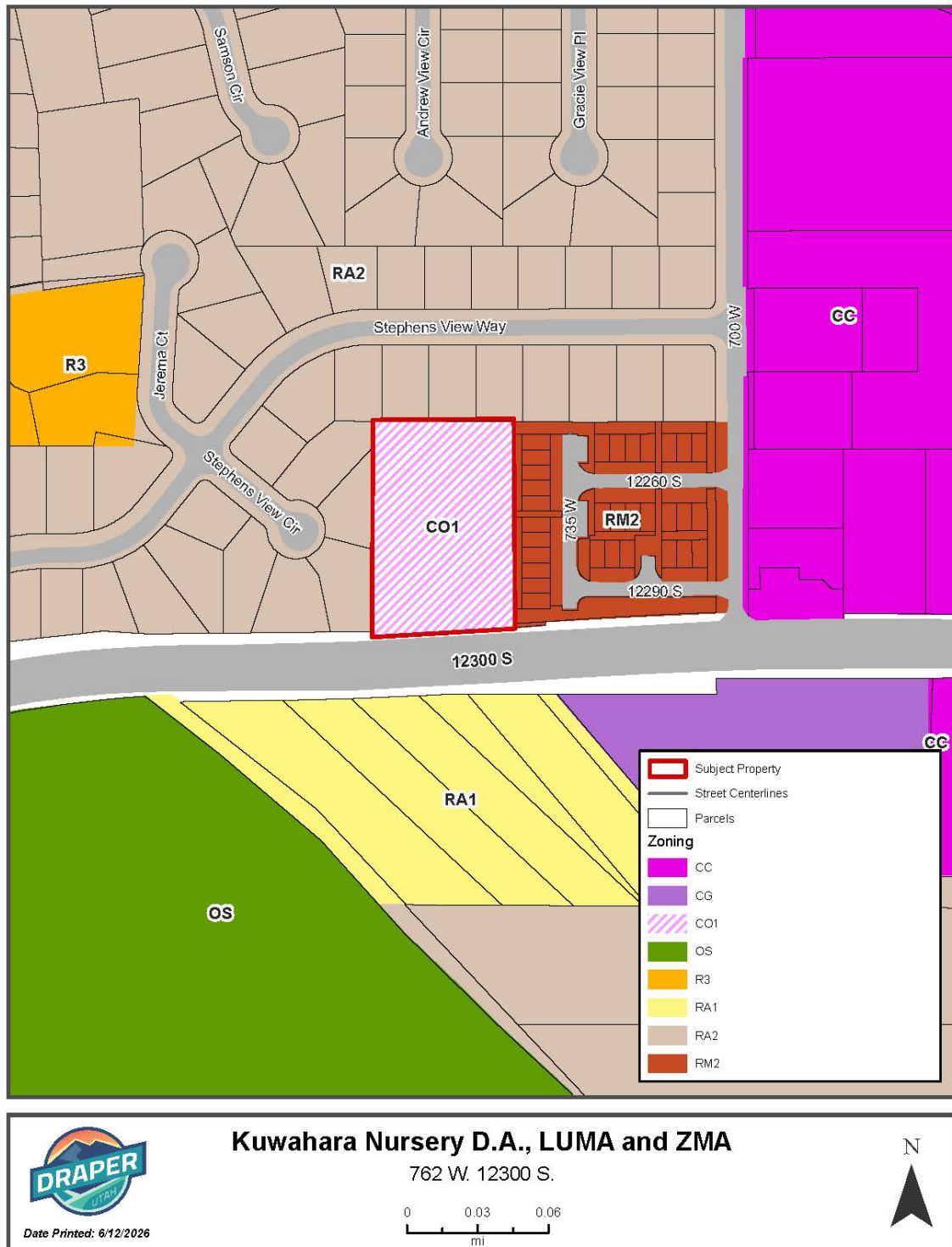
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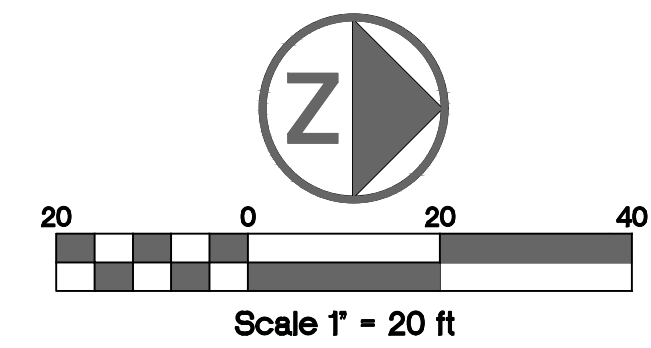


Date Printed: 6/12/2026

EXHIBIT E ZONING MAP



**EXHIBIT F
SITE PLAN**



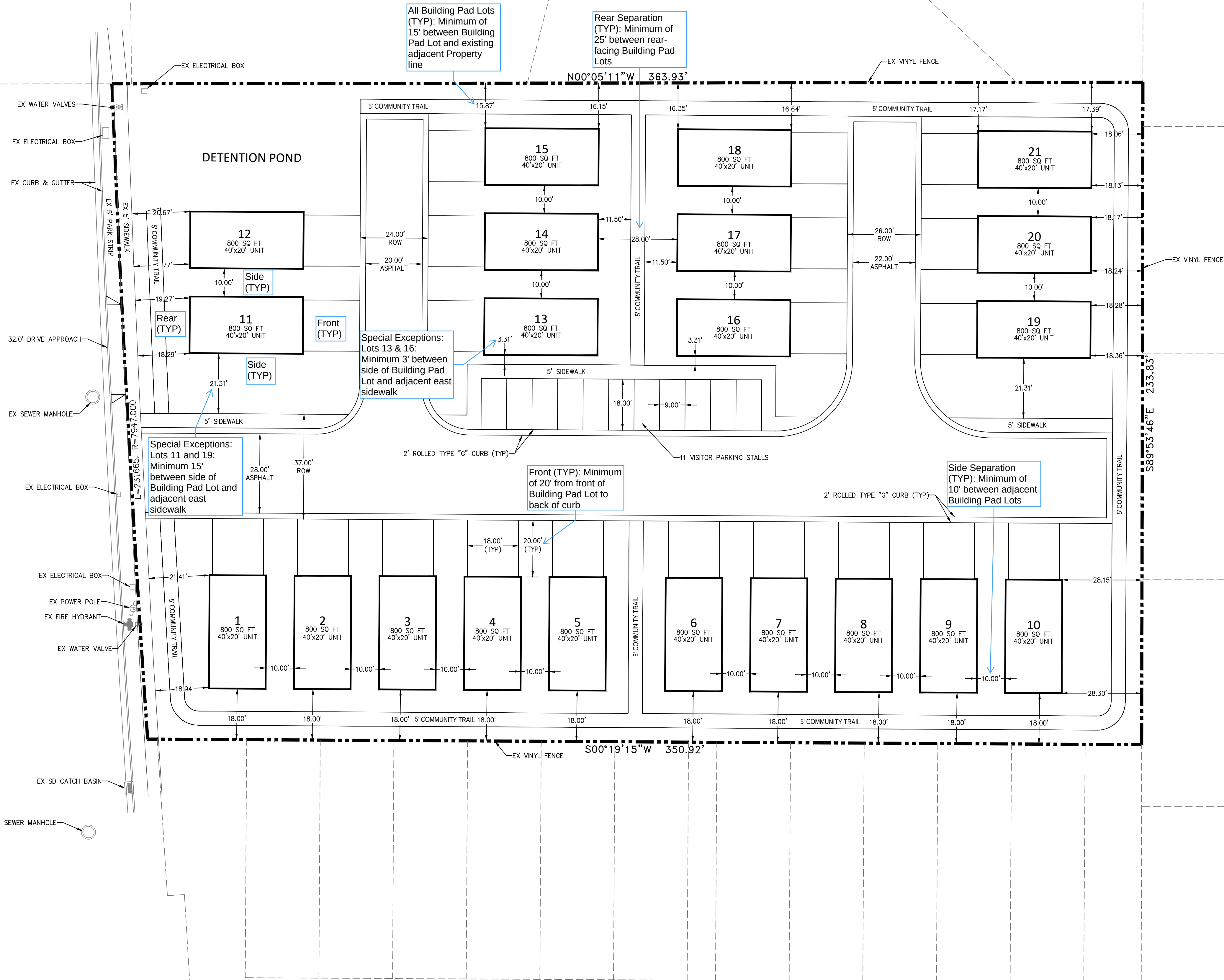


WILDING
ENGINEERING

14721 SOUTH HERITAGE DREST WAY
BLUFFDALE, UTAH 84065
801.553.8112
WWW.WILDINGENGINEERING.COM

DRAWING NOTES:

12300 SOUTH



G:\DATA\25632 Alpine Homes - 762 W 12300 S Draper\dwg\25632 Concept Plan.dwg
PLOT DATE: Apr 30, 2025

NO.	REVISION	DATE

PROJECT INFORMATION

762 WEST 12300 SOUTH

CONCEPT SITE PLAN

DRAPER, UTAH

DRAWN BDA	CHECKED	PROJECT # 25632
ENGINEER'S STAMP		DATE 4/30/26
		SCALE 1" = 20'
		SHEET CONCEPT

EXHIBIT G
ELEVATIONS

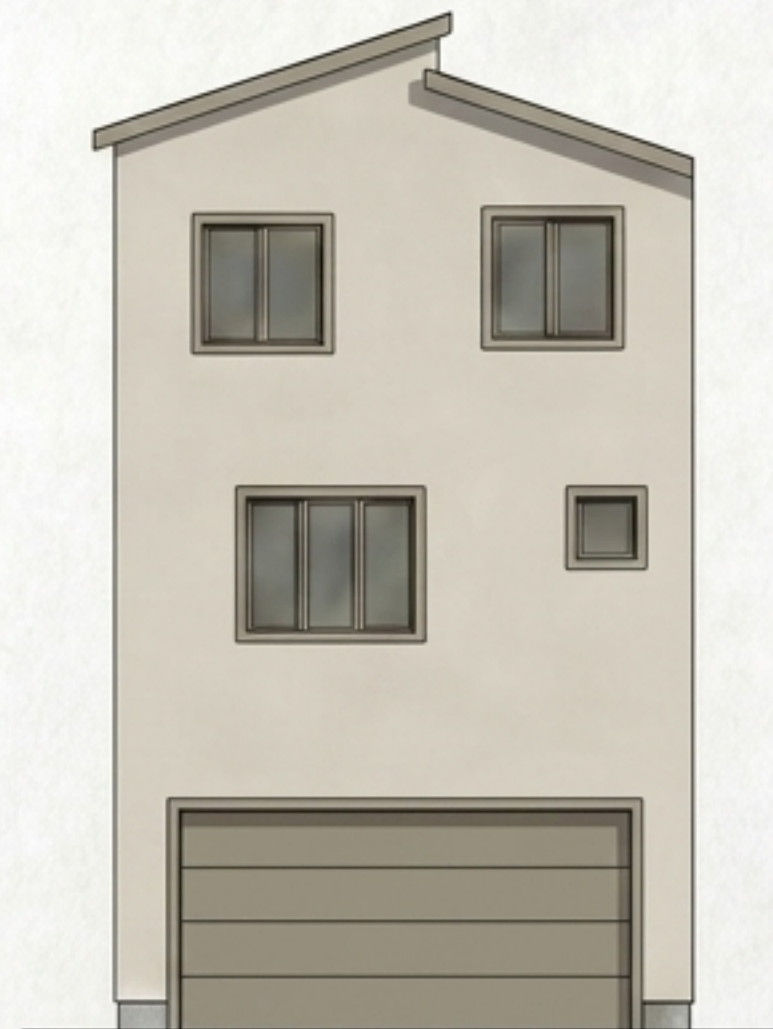
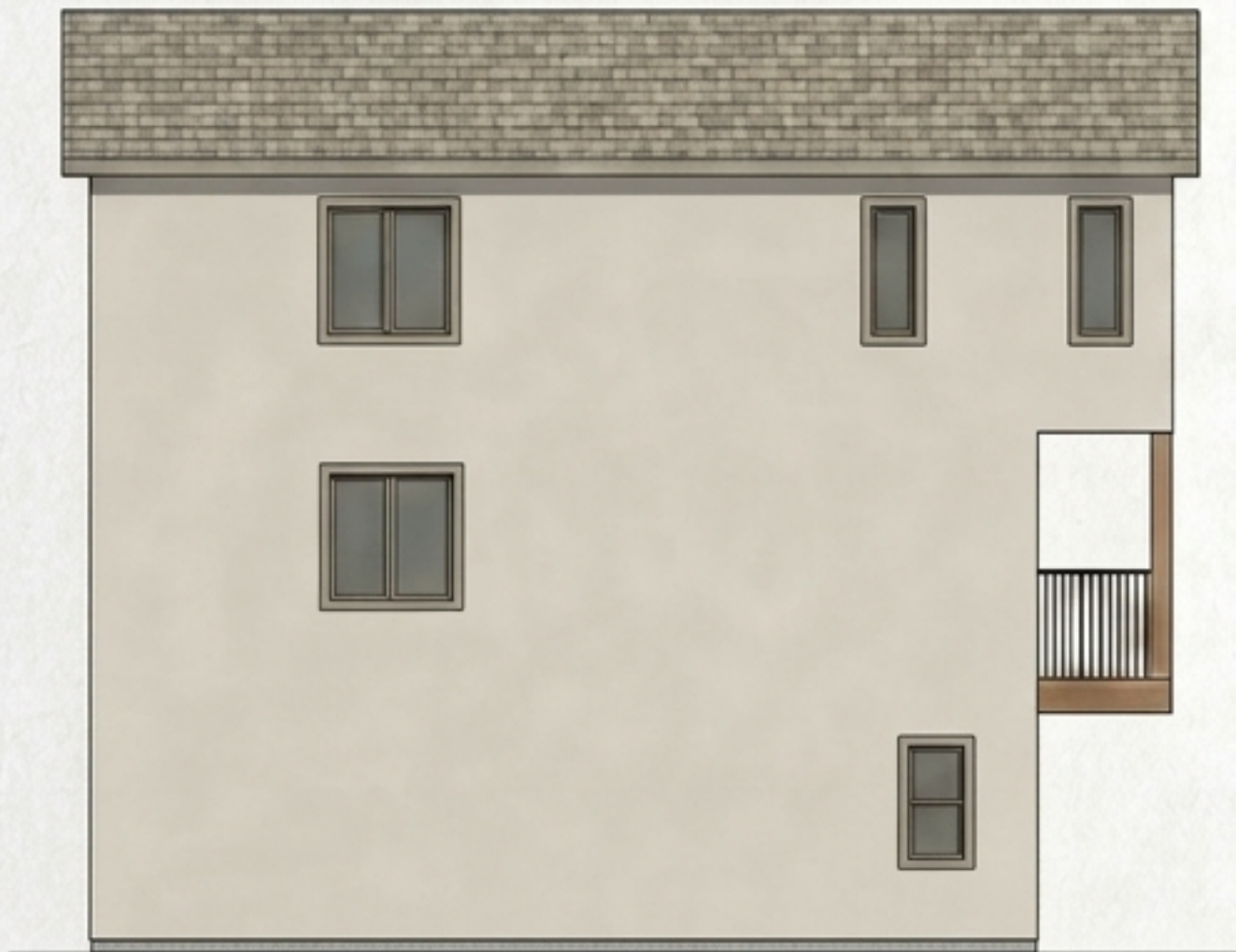


EXHIBIT H
DEVELOPMENT AGREEMENT

**MASTER DEVELOPMENT AGREEMENT
FOR
KUWAHARA NURSERY**

Month xx, 2026

DRAFT

WHEN RECORDED, RETURN TO:

**Nicole Smedley
Draper City Recorder
1020 E Pioneer Rd.
Draper, UT 84020**

**MASTER DEVELOPMENT AGREEMENT
FOR
KUWAHARA NURSERY**

THIS MASTER DEVELOPMENT AGREEMENT is made and entered into as of the xx day of July, 2026, by and between Draper City, a Utah municipality and Alpine Homes, LLC, a limited liability company, incorporated in the state of Utah.

RECITALS

- A. The capitalized terms used in this MDA and in these Recitals are defined in Section 1.2, below.
- B. Master Developer is under contract to purchase and develop the Property.
- C. Master Developer and the City desire that the Property be developed in a unified and consistent fashion pursuant to the Master Plan.
- D. The Parties acknowledge that development of the Property pursuant to this MDA will result in significant planning and economic benefits to the City and its residents by, among other things requiring orderly development of the Property as a master planned residential development known as Kuwahara Nursery and increase revenues to the City based on improvements to be constructed on the Property. The City will benefit from detached single-family homes with a maximum density of 10.7 units per acre that are owner occupied with rental restrictions in the CC&Rs and enforced by the HOA. The city will also receive property included as a right of way

dedication for 12600 South.

E. The Parties desire to enter into this MDA to specify the rights and responsibilities of the Master Developer to develop the Property as expressed in this MDA and the rights and responsibilities of the City to allow and regulate such development pursuant to the requirements of this MDA.

F. The Parties understand and intend that this MDA is a “development agreement” within the meaning of, and entered into pursuant to the terms of Utah Code Ann. §10-20-101 *et seq.*

G. On July 7, 2026, the City zoned the Property RM2.

H. This MDA conforms with the intent of the City’s General Plan and the Zoning.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and Master Developer hereby agree to the following:

TERMS

1. Incorporation of Recitals and Exhibits/ Definitions.

1.1. **Incorporation.** The foregoing Recitals and Exhibits “A” - “E” are hereby incorporated into this MDA.

1.2. **Definitions.** As used in this MDA, the words and phrases specified below shall have the following meanings:

1.2.1. **Act** means the Land Use, Development, and Management Act, Utah Code Ann. § 10-20-101, *et seq.*

1.2.2. **Administrator** means the person designated by the City as the Administrator of this MDA.

1.2.3. **Applicant** means a person or entity submitting a Development Application.

1.2.4. **Building Pad Lot** means a platted lot limited to the footprint of a single-family dwelling.

1.2.5. **Buildout** means the completion of all of the development on the entire Project in accordance with the approved plans.

1.2.6. **City** means Draper City, a Utah municipality.

1.2.7. **City Consultants** means those outside consultants employed by the City in various specialized disciplines such as traffic, hydrology or drainage for reviewing certain aspects of the development of the Project.

1.2.8. **City's Future Laws** means the ordinances, policies, standards, and procedures which may be in effect as of a particular time in the future when a Development Application is submitted for a part of the Project and which may or may not be applicable to the Development Application depending upon the provisions of this MDA.

1.2.9. **City's Vested Laws** means the ordinances, policies, standards and procedures of the City in effect as of the date of this MDA, a digital copy of which is attached as Exhibit "C".

1.2.10. **Common Area** means all Property located within the Project not included within a Building Pad Lot

1.2.11. **Council** means the elected City Council of the City.

1.2.12. **Default** means a material breach of this MDA as specified herein.

1.2.13. **Denied** means a formal denial issued by the final decision-making body of the City for a particular type of Development Application but does not include review comments or “redlines” by City staff.

1.2.14. **Development** means the development of a portion of the Property pursuant to an approved Development Application.

1.2.15. **Development Application** means an application to the City for development of a portion of the Project including a Subdivision or any other permit, certificate or other authorization from the City required for development of the Project.

1.2.16. **Final Plat** means the recordable map or other graphical representation of land prepared in accordance with Utah Code Ann. § 10-20-803 (2025), or any successor provision, and approved by the City, effectuating a Subdivision of any portion of the Project.

1.2.17. **Homeowners Association (HOA)** means a legally formed association of property owners within the Project responsible for ownership, management, maintenance, and enforcement of the Project’s Common Area, shared improvements, and CC&R’s, which is enabled by Utah Code Title 57, Chapter 8a.

1.2.18. **Master Developer** means Alpine Homes, LLC, and its assignees or transferees as permitted by this MDA.

1.2.19. **Master Plan** means the conceptual layout for Residential Dwelling Units and Public Infrastructure for the Project.

1.2.20. **Maximum Residential Units** means the development on the Property of Twenty One (21) Residential Dwelling Units.

1.2.21. **MDA** means this Master Development Agreement including all of its Exhibits.

1.2.22. **Notice** means any notice to or from any Party to this MDA that is either required or permitted to be given to another party.

1.2.23. **Open Space** shall have the meaning specified in Section 9-3-040 of the City's Vested Laws.

1.2.24. **Outsource[e][ing]** means the process of the City contracting with City Consultants or paying overtime to City employees to provide technical support in the review and approval of the various aspects of a Development Application as is more fully set out in this MDA.

1.2.25. **Parcel** means a portion of the Property that is created by the Master Developer to be sold to a Subdeveloper as a Subdivision that is not an individually developable lot as specified in Section 5.9.

1.2.26. **Party/Parties** means, in the singular, Master Developer or the City; in the plural Master Developer and the City.

1.2.27. **Planning Commission** means the City's Planning Commission.

1.2.28. **Project** means the total development to be constructed on the Property pursuant to this MDA with the associated public and private facilities, and all of the other aspects approved as part of this MDA.

1.2.29. **Property** means the real property owned by and to be developed by Master Developer more fully described in Exhibit "A".

1.2.30. **Public Infrastructure** means those elements of infrastructure that are planned to be dedicated to the City as a condition of the approval of a Development Application.

1.2.31. **Residential Dwelling Unit** means a structure or portion thereof designed and intended for use as a detached single-family residences as illustrated on the Master Plan.

1.2.32. **Site Plan** shall have the same meaning specified in Section 9-3-040 of the City's Vested Laws.

1.2.33. **Site Plan Application** means the application to review and approve a site plan.

1.2.34. **Subdeveloper** means a person or an entity not “related” (as defined by Section 165 of the Internal Revenue Code) to Master Developer which purchases a Parcel for development.

1.2.35. **Subdivision** means the division of any portion of the Project into developable lots pursuant to State Law and/or the Zoning Ordinance.

1.2.36. **Subdivision Application** means the application to create a Subdivision.

1.2.37. **Zoning** means the zone for the Property adopted by the City on month xx, 20xx.

1.2.38. **Zoning Ordinance** means the City's Land Use and Development Ordinance adopted pursuant to the Act that was in effect as of the date of this MDA as a part of the City's Vested Laws.

2. Development of the Project.

2.2. 2.1 Compliance with the Master Plan and this MDA. Development of the Project shall be in accordance with the City's Vested Laws, the City's Future Laws (to the extent that these are applicable as otherwise specified in this MDA), the Master Plan and this MDA.**Subdivision Format – Building Pad Lots**

2.2.1 The Project shall be platted as a subdivision consisting of up to twenty-one (21) Building Pad Lots for single-family residential units.2.2.2 Each Building Pad Lot shall be limited in size to the footprint of the residential structure.

2.2.2.1 Roof overhangs and projections: similar to Draper City Municipal Code 9-27-140(I)(2), the ordinary projections of roof overhangs shall be allowed to project 2.5' into the Common Area.

2.2.3 All Property outside of the Building Pad Lot shall be designated as Common Area owned and maintained by the Homeowners Association (HOA).

2.3. Building Separation

2.3.1 All dwelling units shall be constructed entirely within their respective Building Pad Lots according to the separation standards listed below and further depicted in Exhibit D.

2.3.2 The following minimum Building Pad Lot separation standards shall apply:

2.3.2.1 Front (driveway depth): minimum of twenty (20') feet from the front of the Building Pad Lot to back of curb

2.3.2.2 Rear Separation (opposite driveway): minimum of twenty-five (25) feet between Building Pad Lots

2.3.2.3 Side Separation: minimum of ten (10) feet between adjacent Building Pad Lots

2.3.2.4 All Building Pad Lots shall be a minimum of fifteen (15') feet from existing neighboring property lines.

2.3.3 Special Exceptions:

2.3.3.1 Lots 13 and 16: minimum of three (3) feet between side of Building Pad Lot and adjacent sidewalk.

2.3.3.2 Lots 11 and 19: minimum of fifteen (15) feet between east side of Building Pad Lot and adjacent sidewalk

2.4 Parking

2.4.1 Four (4) parking spaces per unit will be provided; two (2) within the garage, and two (2) on the driveway. The garage shall be a 2 car garage with a minimum inside dimension of eighteen and a half feet (18.5'), which is a deviation from Draper City Municipal Code 9-25-070(A)(3).

2.4.2 An additional 11 guest parking spaces shall be provided within common areas

2.5 Private Roads:

2.5.1 Number of Units: A maximum of twenty-one (21) units shall be permitted on private roads, which is a deviation from Draper City Municipal Code 9-27-150(A)

2.5.2 Roadway Standards: The project shall include three (3) private roads

constructed as follows:

2.5.2.1 Main North-South Road (Connection to 12600 South)

2.5.2.1.1 37-foot right-of-way

2.5.2.1.2 28 feet of asphalt

2.5.2.1.3 Two (2) Type G curb and gutter on both sides

2.5.2.1.4 Five (5') foot sidewalk on one side of the road.

2.5.2.2 South Road (East-West)

2.5.2.2.1 24-foot right-of-way

2.5.2.2.2 20 feet of asphalt, a deviation from Draper City Municipal
Code 9-27-150(B)

2.5.2.2.3 Two (2) foot Type G curb and gutter on both sides

2.5.2.3 North Road (East-West)

2.5.2.3.1 26-foot right-of-way

2.5.2.3.2 22 feet of asphalt, a deviation from Draper City Municipal
Code 9-27-150(B)

2.5.2.3.3 Two (2) foot Type G curb and gutter on both sides

2.6 Community Trail

2.6.1 The Project shall include a community trail system designed to enhance internal connectivity, walkability, and access throughout the development.

2.6.2 The trail system shall consist of pedestrian pathways generally a minimum of five (5) feet in width and may be located within common areas, private roads, or within recorded easements that may be shown on the future subdivision plat.

2.6.3 The final alignment and configuration of the trail system shall be determined during the subdivision and engineering review process, and may be designed to connect residential units, open spaces, parking areas, and adjacent public or private pedestrian networks.

2.7 Rentals. The Master Developer agrees to place rental restrictions within the Homeowners Association Covenants, Conditions and Restrictions documents that will be recorded with the subdivision plat. These restrictions shall state that no more than 30% of all homes in the Project may be used as rentals. At least seventy percent (70%) of the homes in the Project shall be owner occupied.

2.8. Building Elevations. Conceptual building elevations are shown as an Exhibit E to this Agreement. The included elevations show an example of the structure and planned housing type, but are not intended to dictate building materials, final architectural designs and features, or colors.

2.9. Maximum Residential Units. Subject to Section 1.2.17, at Buildout of the Project, Master Developer shall be entitled to have developed the Maximum Residential Units as specified in and pursuant to this MDA of the type and in the general location as shown on the Master Plan.

2.10. Limitation and No Guarantee. Master Developer acknowledges that the development of the Maximum Residential Units and every other aspect of the Master Plan requires that each Development Application comply with the City's Vested Laws including, without limitation, the City's geologic hazards requirements. The City's entry into this MDA does not guarantee that the Master Developer will be able to construct the Maximum Residential Units or any other aspect of the Project until and unless all the applicable requirements of the City's Vested Laws are complied with.

2.11. Accounting for Residential Units for Parcels Sold to Subdevelopers. Any Parcel sold by Master Developer to a Subdeveloper shall include the transfer of a specified portion of the Maximum Residential Units sold with the Parcel.

3. Vested Rights.

3.8. Vested Rights Granted by Approval of this MDA. To the maximum extent permissible under the laws of Utah and the United States and at equity, the Parties intend that this MDA grants Master Developer all rights to develop the Project in fulfillment of this MDA, the City's Vested Laws, the Zoning and the Master Plan except as specifically provided herein. The Parties specifically intend that this MDA grant to Master Developer "vested rights" as that term is construed in Utah's common law.

3.9. Exceptions. The restrictions on the applicability of the City's Future Laws to the Project as specified in Section 3.1 are subject to only the following exceptions:

3.9.1. Master Developer Agreement. City's Future Laws that Master Developer agrees in writing to the application thereof to the Project;

3.9.2. State and Federal Compliance. City's Future Laws which are generally

applicable to all properties in the City and which are required to comply with State and Federal laws and regulations affecting the Project;

3.9.3. Codes. Any City's Future Laws that are updates or amendments to existing building, plumbing, mechanical, electrical, dangerous buildings, drainage, fire, or similar construction or safety related codes, such as the International Building Code, the APWA Specifications, AAHSTO Standards, the Manual of Uniform Traffic Control Devices or similar standards that are generated by a nationally or statewide recognized construction/safety organization, or by the State or Federal governments and are required to meet legitimate concerns related to public health, safety or welfare;

3.9.4. Taxes. Taxes, or modifications thereto, so long as such taxes are lawfully imposed and charged uniformly by the City to all properties, applications, persons and entities similarly situated;

3.9.5. Fees. Changes to the amounts of fees for the processing of Development Applications that are generally applicable to all development within the City (or a portion of the City as specified in the lawfully adopted fee schedule) and which are adopted pursuant to State law;

3.9.6. Impact Fees. Impact Fees or modifications thereto which are lawfully adopted, and imposed by the City and which meet all requirements of the U. S. Constitution, Utah Constitution, law and applicable statutes, including but not limited to Utah Code Ann. Section 11-36a-101 *et seq.*;

3.9.7. Planning and Zoning Modification. Changes by the City to its planning

principles and design standards such as architectural or design requirements, setbacks or similar items so long as such changes do not work to reduce the Maximum Residential Units, are generally applicable across the entire City and do not materially and unreasonably increase the costs of any Development; or

3.9.8. Compelling, Countervailing Interest. Laws, rules or regulations that the City's land use authority finds, on the record, are necessary to avoid jeopardizing a compelling, countervailing public interest.

4. **Term of Agreement.** The effective date of this MDA shall be May 1, 2026. This MDA shall expire May 1, 2036. If Master Developer has not been declared to be currently in Default as of May 1, 2036 (and if any such Default is not being cured) then this MDA shall be automatically extended until May 1, 2038. This MDA shall also terminate automatically at Buildout.

5. **Processing of Development Applications.**

5.8. **Outsourcing of Processing of Development Applications.** Within twenty-one (21) calendar days after receipt of a Development Application and upon the request of Applicant the City and Applicant will confer to determine whether the City desires to Outsource the review of any aspect of the Development Application to ensure that it is processed on a timely basis. If the City determines that Outsourcing is necessary to ensure the timely processing of the Development Application then the City shall promptly estimate the reasonably anticipated differential cost of Outsourcing in good faith consultation with the Applicant (either overtime to City employees or the hiring of a City Consultant). If Applicant notifies the City that it desires to proceed with the

Outsourcing based on the City's estimate of costs then Applicant shall deposit in advance with the City the estimated differential cost and the City shall then promptly proceed with having the work Outsourced. Upon completion of the Outsourcing services and the provision by the City of an invoice (with such reasonable supporting documentation as may be requested by Applicant) for the actual differential cost (whether by way of paying a City Consultant or paying overtime to City employees) of Outsourcing, Applicant shall, within thirty (30) calendar days pay or receive credit (as the case may be) for any difference between the estimated differential cost deposited for the Outsourcing and the actual cost differential.

5.9. Acceptance of Certifications Required for Development Applications. Any Development Application requiring the signature, endorsement, or certification and/or stamping by a person holding a license or professional certification required by the State of Utah in a particular discipline shall be so signed, endorsed, certified or stamped signifying that the contents of the Development Application comply with the applicable regulatory standards of the City. The City should endeavor to make all of its redlines, comments or suggestions at the time of the first review of the Development Application unless any changes to the Development Application raise new issues that need to be addressed.

5.10. Independent Technical Analyses for Development Applications. If the City needs technical expertise beyond the City's internal resources to determine impacts of a Development Application such as for structures, bridges, water tanks, and other similar matters which are not required by the City's Vested Laws to be certified by such experts

as part of a Development Application, the City may engage such experts as City Consultants with the actual and reasonable costs being the responsibility of Applicant. The City Consultant undertaking any review by the City required or permitted by this MDA shall be selected from a list generated by the City for each such City review pursuant to a “request for proposal” process or as otherwise allowed by City ordinances or regulations. Applicant may, in its sole discretion, strike from the list of qualified proposers any of such proposed consultants so long as at least three (3) qualified proposers remain for selection. The anticipated cost and timeliness of such review may be a factor in choosing the expert. The actual and reasonable costs being the responsibility of Applicant.

5.11. City Denial of a Development Application. If the City denies a Development Application the City shall provide a written determination advising the Applicant of the reasons for denial including specifying the reasons the City believes that the Development Application is not consistent with this MDA, the Zoning and/or the City’s Vested Laws (or, if applicable, the City’s Future Laws).

5.12. Meet and Confer regarding Development Application Denials. The City and Applicant shall meet within twenty-one (21) calendar days of any Denial to resolve the issues specified in the Denial of a Development Application.

5.13. City Denials of Development Applications Based on Denials from Non-City Agencies. If the City’s denial of a Development Application is based on the denial of the Development Application by a Non-City Agency, Applicant shall appeal any such denial through the appropriate procedures for such a decision and not through the processes

specified below.

5.14. Mediation of Development Application Denials.

5.14.1. Issues Subject to Mediation. Issues resulting from the City's Denial of a Development Application that the parties are not able to resolve by "Meet and Confer" shall be mediated.

5.14.2. Mediation Process. If the City and Applicant are unable to resolve a disagreement subject to mediation, the parties shall attempt within fifteen (15) calendar days to appoint a mutually acceptable mediator with knowledge of the legal issue in dispute. If the City and Applicant are unable to agree on a single acceptable mediator they shall each, within fifteen (15) calendar days, appoint their own representative. These two representatives shall, between them, choose the single mediator. Applicant and the City shall split the fees of the chosen mediator, each Party paying 50% of the fees. The chosen mediator shall within fifteen (15) calendar days, review the positions of the parties regarding the mediation issue and promptly attempt to mediate the issue between the parties. If the parties are unable to reach agreement, the mediator shall notify the parties in writing of the ordinance that the mediator deems appropriate. The mediator's opinion shall not be binding on the parties.

5.15. Arbitration of Development Application Objections.

5.15.1. Arbitration Process. If the City and Applicant are unable to resolve an issue through mediation, the parties may then attempt within fifteen (15) calendar days to appoint a mutually acceptable arbitrator with knowledge of the legal issue in dispute.

If the parties are unable to agree on a single acceptable arbitrator they shall each, within fifteen (15) calendar days, each Party shall appoint their own individual appropriate expert. These two experts shall, between them, choose the single arbitrator. Applicant and the City shall split the fees of the chosen arbitrator, each Party paying 50% of the fees. The chosen arbitrator shall within fifteen (15) calendar days, review the positions of the parties regarding the arbitration issue and render a decision. The arbitrator shall ask the prevailing party to draft a proposed order for consideration and objection by the other side. Upon adoption by the arbitrator, and consideration of such objections, the arbitrator's decision shall be final and binding upon both parties. If the arbitrator determines as a part of the decision that the City's or Applicant's position was not only incorrect but was also maintained unreasonably and not in good faith then the arbitrator may order the City or Applicant to pay the arbitrator's fees.

5.16. Parcel Sales. The City acknowledges that the precise location and details of the public improvements, lot layout and design and any other similar item regarding the development of a particular Parcel may not be known at the time of the creation of or sale of a Parcel. Master Developer may obtain approval of a Subdivision that does not create any individually developable lots in the Parcel without being subject to any requirement in the City's Vested Laws to complete or provide security for any Public Infrastructure at the time of such subdivision. The responsibility for completing and providing security for completion of any Public Infrastructure in the Parcel shall be that of the Master Developer or a Subdeveloper upon a subsequent re-Subdivision of the Parcel that creates

individually developable lots. However, construction of improvements shall not be allowed until the Master Developer or Subdeveloper complies with the City's Vested Laws.

6. **Application Under City's Future Laws.** Without waiving any rights granted by this MDA, Master Developer may at any time, choose to submit a Development Application for all or part of the Project under the City's Future Laws in effect at the time of the Development Application so long as Master Developer is not in current breach of this Agreement.

7. **Public Infrastructure.**

7.8. **Construction by and Master Developer.** Master Developer shall have the right and the obligation to construct or cause to be constructed and installed all Public Infrastructure reasonably and lawfully required as a condition of approval of the Development Application pursuant to the City's Vested Laws.

7.9. **Water System Maintenance. Maintenance of the water system will be the responsibility of the homeowners' association.**

7.9.1. **Private Community Responsibilities.**

7.9.1.1. **Post-Transfer Maintenance.** Once the water system has been completed and transferred, the homeowners' association will assume full responsibility for the ongoing maintenance, repairs, and upgrades of the water infrastructure. This includes ensuring compliance with water quality regulations, scheduling regular inspections, and promptly addressing any identified issues to prevent risks to public health and safety.

7.9.1.2.Responsibility After City Water Meter. All water infrastructure beyond the city water meter, including pipes and connections on private property, is the responsibility of the homeowners' association. The City is responsible only for infrastructure up to and including the water meter. Any issues beyond the meter, such as leaks or contamination, fall under the homeowners' association responsibility.

7.9.1.3.Funding for Maintenance. The homeowners' association will establish and manage a maintenance fund to cover the costs associated with the water system's upkeep. All residents will contribute to this fund through assessments or fees as determined by the homeowners' association.

7.9.1.4.Third-Party Services. The homeowners' association may hire licensed third-party contractors for specialized maintenance and repairs as needed. The homeowners' association will oversee these contracts and ensure contractors comply with all relevant water safety standards.

7.9.1.5.City Oversight and Intervention. The City reserves the right to intervene if the homeowners' association fails to maintain the water system in a manner that ensures the health and safety of the public. If the City determines that the water infrastructure poses a risk to public health, it may step in to correct deficiencies at the homeowners' association expense. Homeowners' association grants to the city an express right of entry in order to correct such deficiencies that are contemplated by this section. Additionally, the City has the authority to conduct routine flushing, water quality sampling, and other necessary testing to ensure

compliance with health and safety standards. However, the City is not responsible for any infrastructure failures, damages, or disruptions resulting from these activities or from issues within the private water system.

7.10. **Bonding.** If and to the extent required by the City's Vested Laws, unless otherwise provided by Chapter 10-20-807 of the Utah Code as amended, security for any Public or private Infrastructure is required by the City, the Applicant shall provide it in a form acceptable to the City as specified in the City's Vested Laws. Partial releases of any such required security shall be made as work progresses based on the City's Vested Laws.

8. Upsizing/Reimbursements to Master Developer.

8.8. **"Upsizing".** The City shall not require Master Developer to “upsized” any future Public Infrastructure (i.e., to construct the infrastructure to a size larger than required to service the Project) unless financial arrangements reasonably acceptable to Master Developer are made to compensate Master Developer for the incremental or additive costs of such upsizing. For example, if an upsizing to a water pipe size increases costs by 10% but adds 50% more capacity, the City shall only be responsible to compensate Master Developer for the 10% cost increase. An acceptable financial arrangement for upsizing of improvements means reimbursement agreements, payback agreements, and impact fee credits and reimbursements.

9. Default.

9.8. **Notice.** If Master Developer, a Subdeveloper, or the City fails to perform their respective obligations hereunder or to comply with the terms hereof, the Party believing that a Default has occurred shall provide Notice to the other Party. If the City believes

that the Default has been committed by a Subdeveloper then the City shall also provide a courtesy copy of the Notice to Master Developer.

9.9. Contents of the Notice of Default. The Notice of Default shall:

9.9.1. Specific Claim. Specify the claimed event of Default;

9.9.2. Applicable Provisions. Identify with particularity the provisions of any applicable law, rule, regulation or provision of this MDA that is claimed to be in Default;

9.9.3. Materiality. Identify why the Default is claimed to be material; and

9.9.4. Optional Cure. If the City chooses, in its discretion, it may propose a method and time for curing the Default which shall be of no less than thirty (30) calendar days duration.

9.10. Meet and Confer, Mediation, Arbitration. Upon the issuance of a Notice of Default the parties shall engage in the “Meet and Confer” and “Mediation” processes specified in Sections 5.5 and 5.7. If the claimed Default is subject to Arbitration as provided in Section 5.8 then the parties shall follow such processes.

9.11. Remedies. If the parties are not able to resolve the Default by “Meet and Confer” or by “Mediation”, and if the Default is not subject to arbitration then the parties may have the following remedies, except as specifically limited in 9.9:

9.11.1. Law and Equity. All rights and remedies available at law and in equity, including, but not limited to, injunctive relief and/or specific performance.

9.11.2. Security. The right to draw on any security posted or provided in connection with the Project and relating to remedying of the particular Default.

9.11.3. Future Approvals. The right to withhold all further reviews, approvals, licenses, building permits and/or other permits for development of the Project in the case of a default by Master Developer, or in the case of a default by a Subdeveloper, development of those Parcels owned by the Subdeveloper until the Default has been cured.

9.12. **Public Meeting.** Before any remedy in Section 9.4 may be imposed by the City the party allegedly in Default shall be afforded the right to attend a public meeting before the City Council and address the City Council regarding the claimed Default.

9.13. **Emergency Defaults.** Anything in this MDA notwithstanding, if the City Council finds on the record that a default materially impairs a compelling, countervailing interest of the City and that any delays in imposing such a default would also impair a compelling, countervailing interest of the City then the City may impose the remedies of Section 9.4 without the requirements of Sections 9.5. The City shall give Notice to Master Developer and/or any applicable Subdeveloper of any public meeting at which an emergency default is to be considered and the Master Developer and/or any applicable Subdeveloper shall be allowed to address the City Council at that meeting regarding the claimed emergency Default.

9.14. **Extended Cure Period.** If any Default cannot be reasonably cured within thirty (30) calendar days then such cure period shall be extended so long as the defaulting party is pursuing a cure with reasonable diligence.

9.15. **Default of Assignee.** A default of any obligations assumed by an assignee shall not be deemed a default of Master Developer.

9.16. Limitation on Recovery for Default – No Damages. Anything in this MDA notwithstanding no Party shall be entitled to any claim for any monetary damages as a result of any breach of this MDA and each Party waives any claims thereto. The sole remedy available to Master Developer or any Subdeveloper shall be that of specific performance.

10. Notices. All notices required or permitted under this MDA shall, in addition to any other means of transmission, be given in writing by certified mail and regular mail to the following address:

To the Master Developer:

Austin Richards
Alpine Homes, LLC
11814 S. Election Rd, Suite 150
Draper, UT 84020
arichards@alpinehomes.com
801-838-9990

With a Copy to:

Christian Lawler
Geonerco Management, LLC
18329 98th Avenue NE, Suite 300
Bothell, WA 87011
clawler@geonerco.com
206-352-2020

To the City:

Draper City
Attn: City Manager
Mike Barker
1020 East Pioneer Road
Draper, UT 84020
mike.barker@draperutah.gov
(801) 576-6500

With a Copy to:

Draper City
Attn: City Attorney
Traci Gundersen
1020 East Pioneer Road
Draper, UT 84020
traci.gundersen@draperutah.gov
(801) 576-6500

10.8. Effectiveness of Notice. Except as otherwise provided in this MDA, each Notice shall be effective and shall be deemed delivered on the earlier of:

10.8.1. Hand Delivery. Its actual receipt, if delivered personally, by courier service, or by facsimile provided that a copy of the facsimile Notice is mailed or personally delivered as set forth herein on the same day and the sending party has confirmation of transmission receipt of the Notice. If the copy is not sent on the same day, then notice shall be deemed effective the date that the mailing or personal delivery occurs.

10.8.2. Electronic Delivery. Its actual receipt if delivered electronically by email provided that a copy of the email is printed out in physical form and mailed or personally delivered as set forth herein on the same day and the sending party has an electronic receipt of the delivery of the Notice. If the copy is not sent on the same day, then notice shall be deemed effective the date that the mailing or personal delivery occurs.

10.8.3. Mailing. On the day the Notice is postmarked for mailing, postage prepaid, by First Class or Certified United States Mail and actually deposited in or delivered to the United States Mail. Any party may change its address for Notice under this MDA by giving written Notice to the other party in accordance with the provisions of this

Section.

11. **Headings.** The captions used in this MDA are for convenience only and are not intended to be substantive provisions or evidences of intent.

12. **No Third-Party Rights/No Joint Venture.** This MDA does not create a joint venture relationship, partnership or agency relationship between the City, or Master Developer. Further, the parties do not intend this MDA to create any third-party beneficiary rights. The Parties acknowledge that this MDA refers to a private development and that the City has no interest in, responsibility for or duty to any third parties concerning any improvements to the Property or unless the City has accepted the dedication of such improvements at which time all rights and responsibilities—except for warranty bond requirements under City’s Vested Laws and as allowed by state law—for the dedicated public improvement shall be the City's.

13. **Assignability.** The rights and responsibilities of Master Developer under this MDA may be assigned in whole or in part, respectively, by Master Developer with the consent of the City as provided herein.

13.8. **Sale of Lots.** Master Developer’s selling or conveying lots in any approved Subdivision or Parcels to builders, users, or Subdevelopers, shall not be deemed to be an “assignment” subject to the above-referenced approval by the City unless specifically designated as such an assignment by Master Developer.

13.9. **Related Entity.** Master Developer’s transfer of all or any part of the Property to any entity “related” to Master Developer (as defined by regulations of the Internal Revenue Service in Section 165), Master Developer’s entry into a joint venture for the development of the Project or Master Developer’s pledging of part or all of the Project as

security for financing shall also not be deemed to be an “assignment” subject to the above-referenced approval by the City unless specifically designated as such an assignment by the Master Developer. Master Developer shall give the City Notice of any event specified in this sub-section within fifteen (15) calendar days after the event has occurred. Such Notice shall include providing the City with all necessary contact information for the newly responsible party.

13.10. Notice. Master Developer shall give Notice to the City of any proposed assignment and provide such information regarding the proposed assignee that the City may reasonably request in making the evaluation permitted under this Section. Such Notice shall include providing the City with all necessary contact information for the proposed assignee.

13.11. Time for Objection. Unless the City objects in writing within thirty (30) calendar days of notice, the City shall be deemed to have approved of and consented to the assignment.

13.12. Partial Assignment. If any proposed assignment is for less than all of Master Developer’s rights and responsibilities then the assignee shall be responsible for the performance of each of the obligations contained in this MDA to which the assignee succeeds. Upon any such approved partial assignment Master Developer shall not be released from any future obligations as to those obligations which are assigned but shall remain responsible for the performance of any obligations herein.

13.13. Denial. The City may only withhold its consent if the City is not reasonably satisfied of the assignee’s financial ability to perform the obligations assigned by Master

Developer, proposed to be assigned, or if there is an existing breach of a development obligation owed to the City by the assignee or related entity that has not either been cured or in the process of being cured in a manner acceptable to the City. Any refusal of the City to accept an assignment shall be subject to the “Meet and Confer” and “Mediation” processes specified in Sections 5.5 and 5.7. If the refusal is subject to Arbitration as provided in Section 5.8 then the Parties shall follow such processes.

13.14. **Assignees Bound by MDA.** Any assignee shall consent in writing to be bound by the assigned terms and conditions of this MDA as a condition precedent to the effectiveness of the assignment. That consent shall specifically acknowledge the provisions of Section 2.

14. **Binding Effect.** If Master Developer sells or conveys Parcels of lands to Subdevelopers or related parties, the lands so sold and conveyed shall bear the same rights, privileges, configurations, and number of Residential Dwelling Units as applicable to such Parcel and be subject to the same limitations and rights of the City when owned by or Master Developer and as set forth in this MDA without any required approval, review, or consent by the City except as otherwise provided herein.

15. **No Waiver.** Failure of any Party hereto to exercise any right hereunder shall not be deemed a waiver of any such right and shall not affect the right of such party to exercise at some future date any such right or any other right it may have.

16. **Severability.** If any provision of this MDA is held by a court of competent jurisdiction to be invalid for any reason, the Parties consider and intend that this MDA shall be deemed amended to the extent necessary to make it consistent with such decision and the balance of this

MDA shall remain in full force and affect.

17. **Force Majeure.** Any prevention, delay or stoppage of the performance of any obligation under this Agreement which is due to strikes, labor disputes, inability to obtain labor, materials, equipment or reasonable substitutes therefor; acts of nature, governmental restrictions, regulations or controls, judicial orders, enemy or hostile government actions, wars, civil commotions, fires or other casualties or other causes beyond the reasonable control of the Party obligated to perform hereunder shall excuse performance of the obligation by that Party for a period equal to the duration of that prevention, delay or stoppage.

18. **Time is of the Essence.** Time is of the essence to this MDA and every right or responsibility shall be performed within the times specified.

19. **Appointment of Representatives.** To further the commitment of the Parties to cooperate in the implementation of this MDA, the City and Master Developer each shall designate and appoint a representative to act as a liaison between the City and its various departments and the Master Developer. The initial representative for the City shall be the City Manager. The initial representative for Master Developer shall be Austin Richards. The Parties may change their designated representatives by Notice. The representatives shall be available at all reasonable times to discuss and review the performance of the Parties to this MDA and the development of the Project.

20. **Applicable Law.** This MDA is entered into in Salt Lake County in the State of Utah and shall be construed in accordance with the laws of the State of Utah irrespective of Utah's choice of law rules.

21. **Venue.** Any action to enforce this MDA shall be brought only in the Third District Court

for the State of Utah, Salt Lake City Division.

22. **Entire Agreement.** This MDA, and all Exhibits thereto, is the entire agreement between the Parties and may not be amended or modified except either as provided herein or by a subsequent written amendment signed by all Parties.

23. **Mutual Drafting.** Each Party warrants that they have had the opportunity to be represented by competent legal counsel and have participated in negotiating and drafting this MDA; therefore, no provision of this MDA shall be construed for or against any Party based on which Party drafted any particular portion of this MDA.

24. **Recordation and Running with the Land.** This MDA shall be recorded in the chain of title for the Project. This MDA shall be deemed to run with the land. The data disk of the City's Vested Laws, Exhibit "C", shall not be recorded in the chain of title. A secure copy of Exhibit "C" shall be filed with the City Recorder and each party shall also have an identical copy.

25. **Authority.** The Parties to this MDA each warrant that they have all of the necessary authority to execute this MDA. Specifically, on behalf of the City, the signature of the City Manager of the City is affixed to this MDA lawfully binding the City pursuant to Ordinance No. ____ adopted by the City on month xx, 20xx.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by and through their respective, duly authorized representatives as of the day and year first herein above written.

MASTER DEVELOPER
party to MDA

CITY
Draper City

By: _____
Its: _____
Date: _____

By: _____,
Its: City Manager
Date: _____

Attest:

City Recorder

STATE OF UTAH)
)
) :ss.
)
COUNTY OF SALT LAKE)

NOTARY PUBLIC

Residing at:

STATE OF UTAH)
)ss.
COUNTY OF SALT LAKE)

NOTARY PUBLIC

Residing at:

DRAFT

TABLE OF EXHIBITS

Exhibit “A”	Legal Description of Property
Exhibit “B”	Master Plan
Exhibit “C”	City’s Vested Laws
Exhibit “D”	Site Plan
Exhibit “E”	Building Elevation Concept

DRAFT

Exhibit "A"
Legal Description of Property

DRAFT

Exhibit “B”
Master Plan

DRAFT

Exhibit “C”
City’s Vested Laws

DRAFT

Exhibit “D”
Concept Site Plan

DRAFT

DRAFT

EXHIBIT I
APPLICANT QUESTIONNAIRES AND RESPONSES

General Plan Land Use Map Amendment

1. What is the requested land use designation?
 - a. Requesting a General Plan Land Use Map Amendment from Office/Service Commercial to High Density Residential.
2. Please explain the reason for the request and the justification for approval.
 - a. The General Plan encourages a diversity of housing type for different life stages and income levels, while also promoting the transition of and uses from more intense city-wide activity areas to less intense uses within local neighborhoods. Re-designating the property from Office/Service Commercial to High Density Residential supports a gradual transition in land use intensity and allows residential development that is more compatible with surrounding neighborhoods and community needs by providing attainable housing opportunities for first-time homebuyers and essential workers.
3. How is the requested land use designation harmonious with the overall character of existing development in the vicinity of the subject property? Explain.
 - a. The property is surrounded by existing residential development, including townhomes to the east and single-family homes to the north and west. The General Plan supports residential development that provides appropriate transitions between land uses and densities and integrates with established neighborhoods. The requested High Density Residential designation supports this transition and maintains the residential character of the area. Residential land use at this location reinforces neighborhood stability, supports quality of life, and provides housing options that align with surrounding residential areas.
4. Is the proposed land use designation consistent with the goals, objectives, and policies of the City's General Plan? Explain.
 - a. Yes. The proposed designation directly advances Goal HN-1 by encouraging housing diversity in appropriate locations and Goal HN-4 by supporting attainable housing solutions and increasing homeownership opportunities for first-time buyers and essential workers. It also implements Goal LUC-5 by transitioning land use intensity away from commercial activity and toward residential uses that better integrate with existing residential neighborhoods.

Kuwahara Property Site Overview

Location: 762 W 12300 S, Draper, UT 84020

Size: 1.95 acres

Current Zoning: CO1

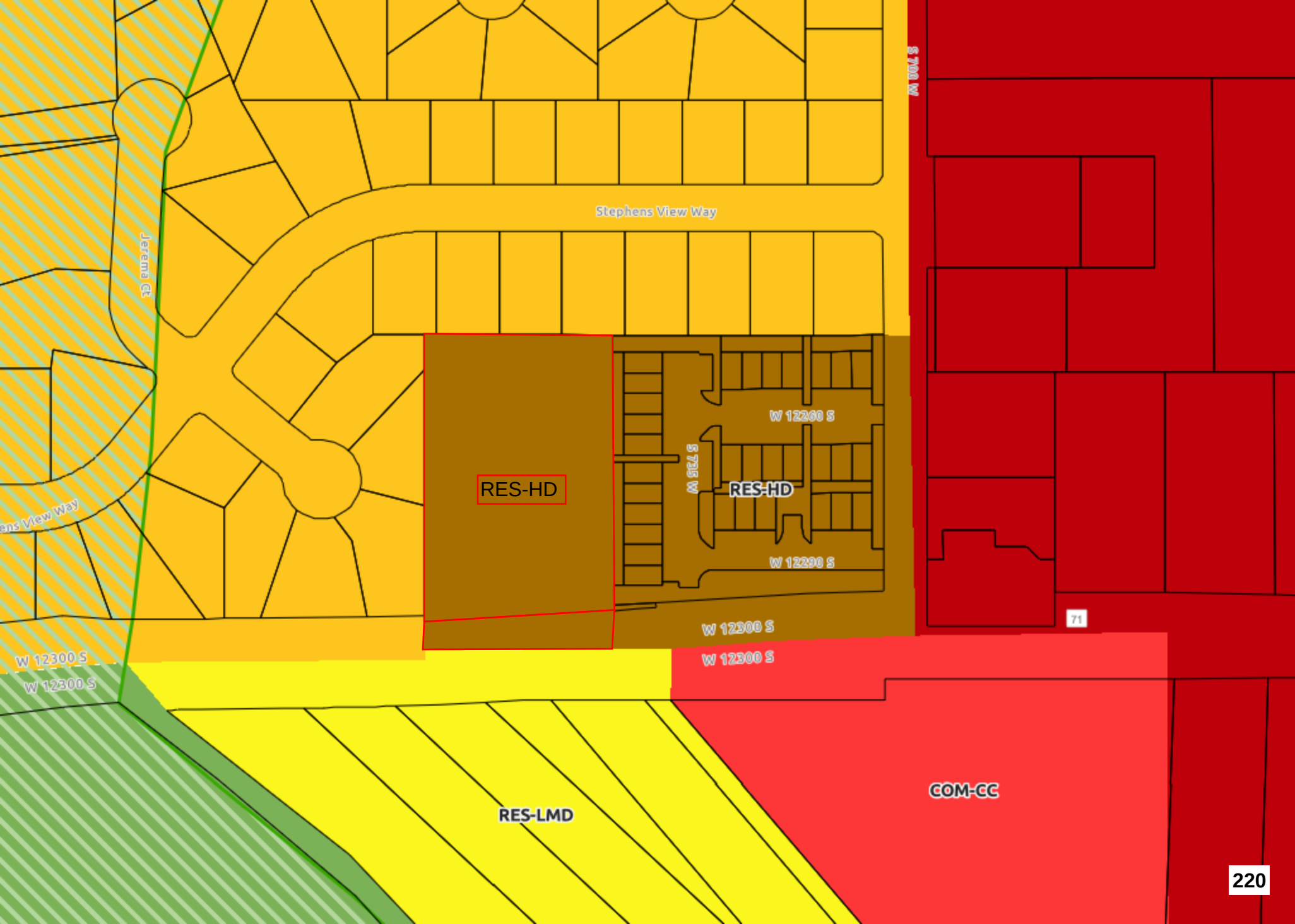
Current Land Use Designation: Office/Service Commercial

Legal Description:

A TRACT OF LAND BEING SITUATE IN THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, HAVING A BASIS OF BEARINGS OF SOUTH 76°54'44" WEST FROM THE FOUND MONUMENT IN THE INTERSECTION OF 700 WEST AND 12210 SOUTH AND THE FOUND MONUMENT IN THE INTERSECTION OF 815 WEST AND 12240 SOUTH, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF RIVER PARK ESTATES PHASE 1 SUBDIVISION WHICH IS SOUTH 00°05'11" EAST ALONG THE SECTION LINE 506.25 FEET TO THE CENTER LINE MONUMENT IN THE INTERSECTION OF 700 WEST AND 12210 SOUTH; THENCE SOUTH 76°54'45" WEST 636.49 FEET; THENCE SOUTH 16.21 FEET FROM THE EAST QUARTER CORNER OF SAID SECTION 26 AND RUNNING; THENCE SOUTH 89°53'46" EAST ALONG THE SAID SOUTH LINE OF RIVER PARK ESTATES PHASE 1 SUBDIVISION 238.66 FEET TO THE WEST LINE OF DRAPER MILL SUBDIVISION; THENCE SOUTH 00°05'11" EAST ALONG SAID DRAPER MILL SUBDIVISION 350.40 FEET TO THE NORTHERLY RIGHT OF WAY OF 12300 SOUTH STREET AND THE POINT OF A 7,947.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT; THENCE ALONG THE NORTHERLY RIGHT OF WAY OF 12300 SOUTH STREET AND SAID CURVE A DISTANCE OF 239.01 FEET THROUGH A CENTRAL ANGLE OF 01°43'23" (CHORD BEARS SOUTH 86°51'32" WEST 239.00 FEET) TO THE EAST LINE OF RIVER PARK ESTATES PHASE 2 SUBDIVISION; THENCE NORTH 00°05'11" WEST ALONG SAID EAST LINE OF RIVER PARK ESTATES PHASE 2 SUBDIVISION 363.93 FEET TO THE POINT OF BEGINNING.

CONTAINS 85,384 SQUARE FEET OR 1.960 ACRES, MORE OR LESS.



RES-HD

RES-HD

RES-LMD

COM-CC

71

Zoning Map Amendment Kuwahara Property

1. What is the requested zoning designation?
 - a. Requesting a zoning map amendment from CO1 to RM2 with an accompanying Development Agreement to address site-specific constraints and design considerations, and to provide a location for attainable housing that supports homeownership opportunities for first-time home buyers and essential workers.
2. Please explain the reason for the request and justification for approval.
 - a. RM2 zoning in this location supports the General Plan's direction to allow higher density development in strategic locations while ensuring compatibility with surrounding neighborhoods. Consistent with Goal HN-4, RM2 allows housing types that increase homeownership opportunities and provide attainable housing options for first-time home buyers and households at various life stages. The Development Agreement provides flexibility to reduce regulatory constraints and promote creative design solutions while maintaining high standards of quality and livability.
3. How is the requested zoning designation harmonious with the overall character of existing development in the vicinity of the subject property? Explain.
 - a. RM2 zoning facilitates gradual transition between differing land use intensities, consistent with Goal LUC-5, which encourages "transitions between different land uses and intensities through the use of gradual land use changes. This encourages compatibility through appropriate density, development patterns, and neighborhood-scale design. The requested zoning supports residential forms that bridge the gap between attached housing and traditional single-family neighborhoods, reinforcing long-term neighborhood cohesion. The zoning maintains the residential character of the area while allowing thoughtful site design.
4. Are facilities and services, such as roadways and utilities, sufficient to serve the property under the proposed zoning? Explain.
 - a. Yes. The General Plan supports residential development in locations where infrastructure, services, and mobility networks are available or can be efficiently extended. The proposed RM2 zoning can be adequately served by existing public facilities, subject to standard City review. We have communicated with JBID to discuss sewer capacity on 9/25/2025 and they stated "the district has a 30-inch line that is located on the north side of 12300 S and there is capacity to serve the 20-unit development."
5. Is the proposed zoning designation consistent with the goals, objectives, and policies of the City's General Plan? Explain.
 - a. Yes. The RM2 zoning district in this location directly implements Goal HN-1, Goal HN-4, and Goal LUC-5 by supporting housing diversity, providing attainable housing options, and encouraging first-time homeownership opportunities. The proposed zoning advances Draper City's objectives for quality of life, neighborhood compatibility, and smart, well-integrated residential growth.

Kuwahara Property Site Overview

Location: 762 W 12300 S, Draper, UT 84020

Size: 1.95 acres

Current Zoning: CO1

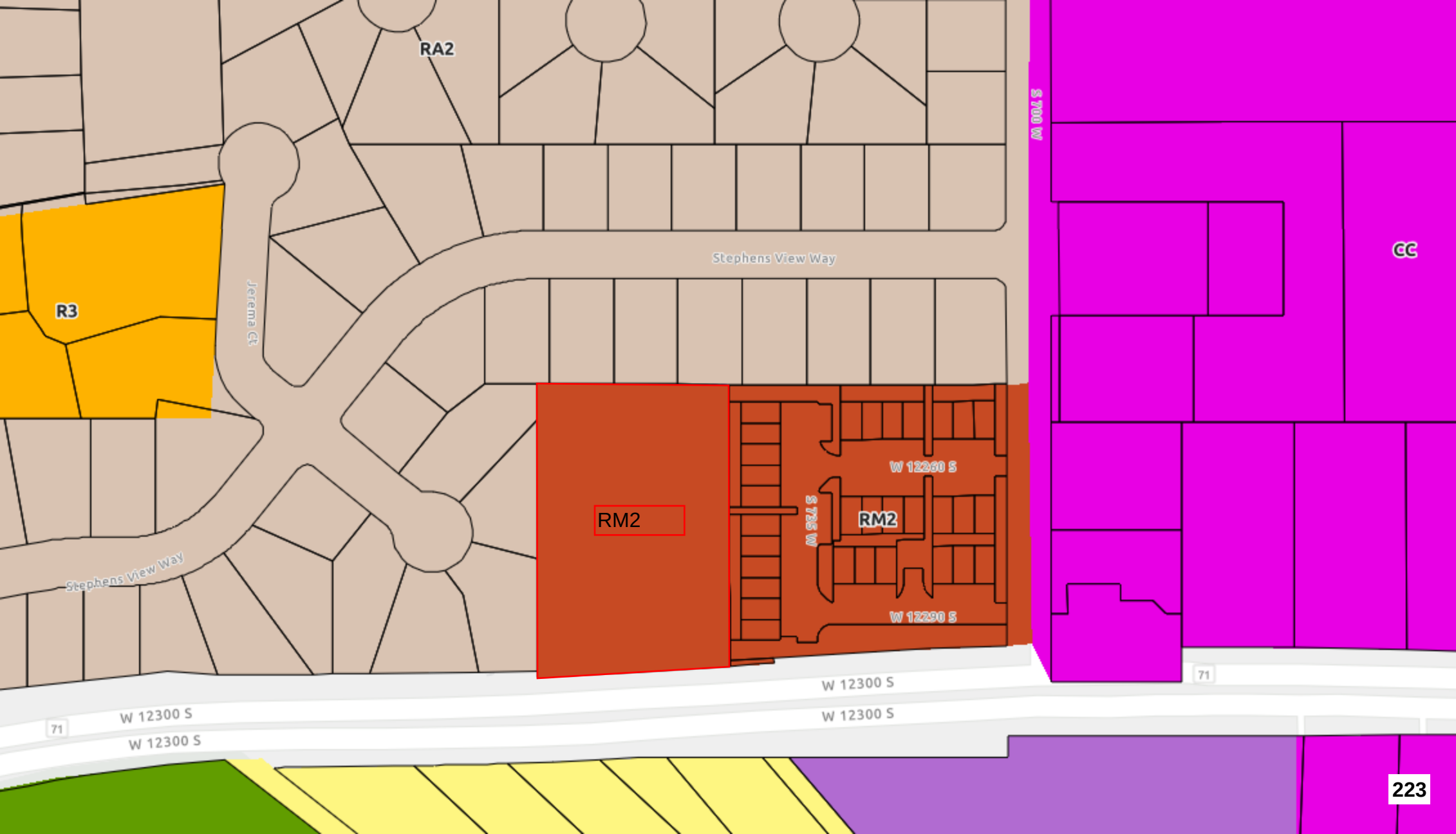
Current Land Use Designation: Office/Service Commercial

Legal Description:

A TRACT OF LAND BEING SITUATE IN THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, HAVING A BASIS OF BEARINGS OF SOUTH 76°54'44" WEST FROM THE FOUND MONUMENT IN THE INTERSECTION OF 700 WEST AND 12210 SOUTH AND THE FOUND MONUMENT IN THE INTERSECTION OF 815 WEST AND 12240 SOUTH, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF RIVER PARK ESTATES PHASE 1 SUBDIVISION WHICH IS SOUTH 00°05'11" EAST ALONG THE SECTION LINE 506.25 FEET TO THE CENTER LINE MONUMENT IN THE INTERSECTION OF 700 WEST AND 12210 SOUTH; THENCE SOUTH 76°54'45" WEST 636.49 FEET; THENCE SOUTH 16.21 FEET FROM THE EAST QUARTER CORNER OF SAID SECTION 26 AND RUNNING; THENCE SOUTH 89°53'46" EAST ALONG THE SAID SOUTH LINE OF RIVER PARK ESTATES PHASE 1 SUBDIVISION 238.66 FEET TO THE WEST LINE OF DRAPER MILL SUBDIVISION; THENCE SOUTH 00°05'11" EAST ALONG SAID DRAPER MILL SUBDIVISION 350.40 FEET TO THE NORTHERLY RIGHT OF WAY OF 12300 SOUTH STREET AND THE POINT OF A 7,947.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT; THENCE ALONG THE NORTHERLY RIGHT OF WAY OF 12300 SOUTH STREET AND SAID CURVE A DISTANCE OF 239.01 FEET THROUGH A CENTRAL ANGLE OF 01°43'23" (CHORD BEARS SOUTH 86°51'32" WEST 239.00 FEET) TO THE EAST LINE OF RIVER PARK ESTATES PHASE 2 SUBDIVISION; THENCE NORTH 00°05'11" WEST ALONG SAID EAST LINE OF RIVER PARK ESTATES PHASE 2 SUBDIVISION 363.93 FEET TO THE POINT OF BEGINNING.

CONTAINS 85,384 SQUARE FEET OR 1.960 ACRES, MORE OR LESS.



RA2

R3

Jerema Ct

Stephens View Way

RM2

RM2

W 12260 S

W 12290 S

W 12300 S

W 12300 S

CC

71

71

W 12300 S

W 12300 S

223

Legal Description of Property

The property subject to the Development Agreement is the real property proposed by the Master Developer and more fully described in Exhibit “A” (Legal Description of Property) attached to and incorporated into the Development Agreement.

Restrictions and Conditions of Approval

Development of the property shall comply with the standards and conditions of the Master Development Agreement, including but not limited to:

- Maximum of 21 detached single-family residential dwelling units
- Minimum lot size of 2,000 square feet and minimum lot width of 32 feet
- Required setbacks for front, rear, and side yards as specified in the Agreement
- Minimum of four (4) parking spaces per lot (two in garage and two in driveway)
- Internal accessory dwelling units (I-ADUs) are prohibited
- No more than 30% of the units may be used as rentals and at least 70% must be owner-occupied, enforced through recorded covenants and an HOA
- Private road, alley, sidewalk, and right-of-way standards as defined in the Agreement
- A five (5) foot wide perimeter community trail
- Compliance with city vested laws and applicable city future laws

Public facilities and infrastructure improvements, including roads, utilities, sidewalks, and trail improvements, shall be constructed and dedicated in accordance with the Master Plan and subdivision approvals.

Project Configuration (Concept Plan)

The proposed development consists of a master-planned residential project with up to 21 detached single-family homes, private internal roadways, a perimeter community trail, and associated public and private infrastructure. The general lot layout, circulation system, and open space elements are depicted on the Concept Plan (Exhibit “B”).

Benefits to the City

The Development Agreement provides the following benefits to the City:

- Downzoning from Office/Service (CO1) to RM2, resulting in a less intensive land use
- Assurance of consistent design and development standards through the concept plan and Development Agreement

- Promotion of owner-occupied housing and neighborhood stability through rental restrictions
- Dedication and construction of public infrastructure, including streets, utilities, sidewalks, and trail connections
- Provision of a perimeter community trail to enhance pedestrian connectivity and recreation
- Increased property tax base and long-term economic benefit
- Development in conformance with the city's General Plan and land use policies

Timeframes for Performance

The project is anticipated to be constructed and reach buildout within four (4) years from commencement of development activities.

Required City Approvals

Prior to commencement of construction, the following approvals are required:

- Approval of the Master Development Agreement
- Land Use Map amendment approval from Office/Service Commercial to Residential High Density
- Zoning Map amendment approval from CO1 to RM2
- Subdivision and Final Plat approvals
- Development applications for public infrastructure
- Building permits

Following approval of the Development Agreement, the developer must complete subdivision approvals, construct required public improvements, post bonding as required and comply with all inspection and acceptance requirements.

Enforcement Provisions

The Development Agreement provides enforcement mechanisms including:

- Written Notice of Default
- Meet-and-confer process
- Mediation and arbitration procedures
- Withholding of future approvals

- Use of posted securities or bonds
- Public hearing prior to imposition of remedies
- Emergency default provisions for compelling public interests

Amendment Provisions

The Development Agreement may be amended only by written agreement executed by both the City and the Master Developer and in accordance with applicable State law.

Term of Agreement

The Development Agreement shall have an initial term of ten (10) years, with a potential two (2) year extension if the Master Developer is not in default.

Additional Terms

Additional provisions include vested rights protections, public infrastructure construction and bonding requirements, upsizing and reimbursement provisions, assignment and transfer conditions, force majeure provisions, dispute resolution procedures, and recordation of the Agreement so that it runs with the land.

MEMO



To: Planning Commission

From:

Date: 2026-06-25

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

Comments: