

## ZONING ADMINISTRATOR AGENDA

Notice is hereby given that the Draper City Zoning Administrator will hold a public meeting on Thursday, July 9, 2015 at 4:00 p.m., in the Administration Conference Room located on the main floor in City Hall, at 1020 East Pioneer Road.

The Agenda will be as follows:

1. **Public Hearing:** At the request of Derek Wright, representing JTL Investments, LLC and DTD Investments, LLC for approval of a 2-Lot Minor Commercial Subdivision in the DC (Destination Commercial) zone on 4.6 acres located at approximately 13420 S. Pony Express Road. This application is otherwise known as the *Corner Creek Plaza Minor Subdivision Request*, Application #150512-13420S. Staff contact is Jennifer Jastremsky at (801) 576-6328 or email [jennifer.jastremsky@draper.ut.us](mailto:jennifer.jastremsky@draper.ut.us).

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Any person adversely affected by a decision of the Zoning Administrator regarding the transfer, issuance, approval or denial may appeal such decision to the Planning Commission by filing written notice of appeal stating the grounds therefore within fourteen (14) days from the date of such final determination.

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SALT LAKE COUNTY/UTAH COUNTY, STATE OF UTAH

I, the City Recorder of Draper City, certify that copies of the agenda for the **Zoning Administrator Hearing** to be held the **July 9, 2015**, were posted on the Draper City Bulletin Board, Draper City website [www.draper.ut.us](http://www.draper.ut.us), the Utah Public Meeting Notice website at [www.utah.gov/pmn](http://www.utah.gov/pmn), and sent by email to The Salt Lake Tribune, and The Deseret News.

City Seal



  
Rachelle Conner, MMC, City Recorder  
Draper City, State of Utah



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**Development Review Committee**

1020 East Pioneer Road  
Draper, UT 84020  
(801) 576-6539

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**STAFF REPORT**

June 29, 2015

**To:** Keith Morey, Zoning Administrator

\_\_\_\_\_  
Approved                      Date

**From:** Jennifer Jastremsky, AICP, Planner II

**Re: Corner Creek Plaza – Minor Subdivision Request**

Application No.: 150512-13420S  
Applicant: Derek Wright, representing JTL Investments, LLC and DTD Investments, LLC  
Project Location: Approximately 13420 South Pony Express Rd.  
Zoning: DC (Destination Commercial) Zone  
Acreage: Approximately 4.6 Acres (Approximately 200,376 ft<sup>2</sup>)  
Request: Request for approval of a Minor Subdivision in the DC (Destination Commercial) zone regarding the creation of two commercial lots.

**SUMMARY**

This application is a request for approval of a Minor Subdivision for approximately 4.6 acres located on the west side of I-15, at approximately 13420 South Pony Express Rd. The property is currently zoned DC (Destination Commercial). The applicant is requesting that a Minor Subdivision be approved to allow for the development of two commercial lots.

**BACKGROUND**

The property is currently vacant. A portion of Corner Canyon Creek runs through the center of the property.

**ANALYSIS**

*General Plan and Zoning.* The Land Use Map of the General Plan calls for the Destination Commercial land use designation for the subject property. The General Plan itself is silent on the Destination Commercial land use. According to the land use map included within the General Plan, dated April 20, 2004, the area was originally designated as a growth area. The Growth Area land use category was designed to support a mix of four land uses: multi-family residential, office, commercial and industrial/manufacturing uses. The specific growth area that the subject property was originally incorporated into includes several developed properties with a range of uses such as Allegro at Corner



Canyon Apartments, Brickerhaven Subdivision, IKEA, Furniture Row, Cazco Industrial Park, and Reynolds Office Complex. Since the 2004 map, the Growth Area has been reclassified based on the individual uses that were eventually developed.

The purpose of the DC (Destination Commercial) zone is to “provide an area that is uniquely regional in nature, with lodging, food establishments, retail, office, service uses and entertainment as the only allowed uses.” The subject property abuts the DC zone on the west and south, the CSD-DRC (Dahle Retail Center CSD) zone to the north and I-15 to the east.

*Subdivision Layout.* The property will be split into two lots, Lot 1 at 1.97 acres in size and Lot 2 at 2.68 acres in sizes. For the majority of the property the creek will act as a property line, however, near the public right of way the property line will leave the creek line to allow for greater parking along Lot 2.

*Trails.* The applicant is providing a 25-foot wide trail easement along the creek way. A trail along Corner Canyon Creek is included within the Trails Master Plan. Due to the freeway, a crossing at this location may not be feasible, and therefore the trail may not be needed at this location. The Parks and Trails Committee determined that due to the difficulty a trail in this area may include, trail improvements will not be required at this time. The easement will allow the City to install the trail at a future date if the difficulties can be mitigated.

*Criteria For Approval.* The criteria for review and potential approval of a Minor Subdivision request is found in Sections 17-8-020 of the Draper City Municipal Code. This section depicts the standard of review for such requests as:

“The Zoning Administrator, or designee, shall have the ability to approve, approve with conditions, or deny a minor subdivision in accordance with the regulations of this Chapter. Alternatively, the Zoning Administrator may direct that the application follow the standard procedure for subdivision approval. The applicant may appeal the decision of the Zoning Administrator to the City Council.”

## **REVIEWS**

*Planning Division Review.* The Draper City Planning Division has completed their review of the Minor Subdivision submission and has issued a recommendation for approval for the request without further comment.

*Engineering and Public Works Divisions Review.* The Draper City Engineering and Public Works Divisions have completed their reviews of the Minor Subdivision submission and have issued a recommendation for approval for the request with the following proposed comments:

1. A portion of the sidewalk along the frontage is outside the ROW. In to correct this one of the following three things needs to be done.
  - (a) Provide a public access easement on the plat for the portion of sidewalk that is outside the ROW (is this what the UDOT perpetual easement is for, does easement grant the public access to use sidewalk?);
  - (b) Adjust the lot boundaries through the plat so that sidewalk is within the ROW; or
  - (c) Adjust the location of the sidewalk that is located outside the ROW to within the ROW. Where sidewalk abuts curb and gutter, sidewalk is to be 6 feet wide.
2. Provide construction drawings all improvements that are to be completed as part of the subdivision (grading, site improvements, erosion control plan, details, etc.). Frontage

improvements are the only required items that need to be installed. Do not include any concept plans or items that will be installed at a later date.

3. Accesses shown on the concept plan for the two site plans are concept only. Approval for all access will be granted on a site by site case and will be reviewed at the time of the site plan application.
4. Plat needs to provide/show the Corner Canyon Creek Public access and trail easement. Parking lot shown in concept at time of site plan application will need to be modified to be consistent with the trail easement.
5. Plat needs to provide PUEs.

*Building Division Review.* The Draper City Building Division has completed their review of the Minor Subdivision submission and has issued a recommendation for approval for the request without further comment.

*Unified Fire Authority Review.* The Unified Fire Authority has completed their review of the Minor Subdivision submission and has issued a recommendation for approval for the request without further comment.

*Parks & Trails Committee Review.* The Draper City Parks and Trails Committee has completed their review of the Minor Subdivision submission and has issued a recommendation for approval for the request with the following proposed conditions:

1. Provide a public trail easement along Corner Canyon Creek per the Trails Master Plan.

*South Valley Sewer District Review.* The South Valley Sewer District has completed their initial review of the Minor Subdivision submission and has issued notice, dated June 2, 2015, that sewer system capacity is available for the proposed development.

*Noticing.* The applicant has expressed their desire to obtain a minor subdivision the subject property and do so in a manner which is compliant with the City Code. As such, notice has been properly issued in the manner outlined in the City and State Codes.

### **STAFF RECOMMENDATION**

Staff recommends approval of the request for a Minor Subdivision by Derek Wright, representing the JTL Investments, LLC and DTD Investments, LLC, application #150512-13420S, subject to the following conditions:

1. That all requirements of the Draper City Engineering and Public Works 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 Draper City Building and Planning Divisions are satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
3. That all requirements of the Unified Fire Authority are satisfied throughout the development of the site and the construction of all buildings on the site.
4. That all requirements of the geotechnical report are satisfied throughout the development of the site and the construction of all buildings on the site.
5. Provide a public trail easement along Corner Canyon Creek per the Trails Master Plan.

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Draper City General Plan.
2. The proposed development plans meet the requirements and provisions of the Draper City Municipal Code.
3. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
4. The proposed development conforms to the general aesthetic and physical development of the area.
5. The public services in the area are adequate to support the subject development.

**DEVELOPMENT REVIEW COMMITTEE ACKNOWLEDGEMENT**

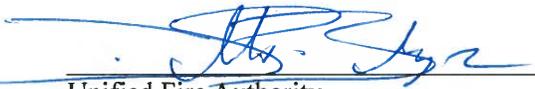
We, the undersigned, as duly appointed members of the Draper City Development Review Committee, do acknowledge that the application which provides the subject for this staff report has been reviewed by the Committee and has been found to be appropriate for review by the Draper City Planning Commission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

  
\_\_\_\_\_  
Draper City Engineering Division

  
\_\_\_\_\_  
Draper City Building Division

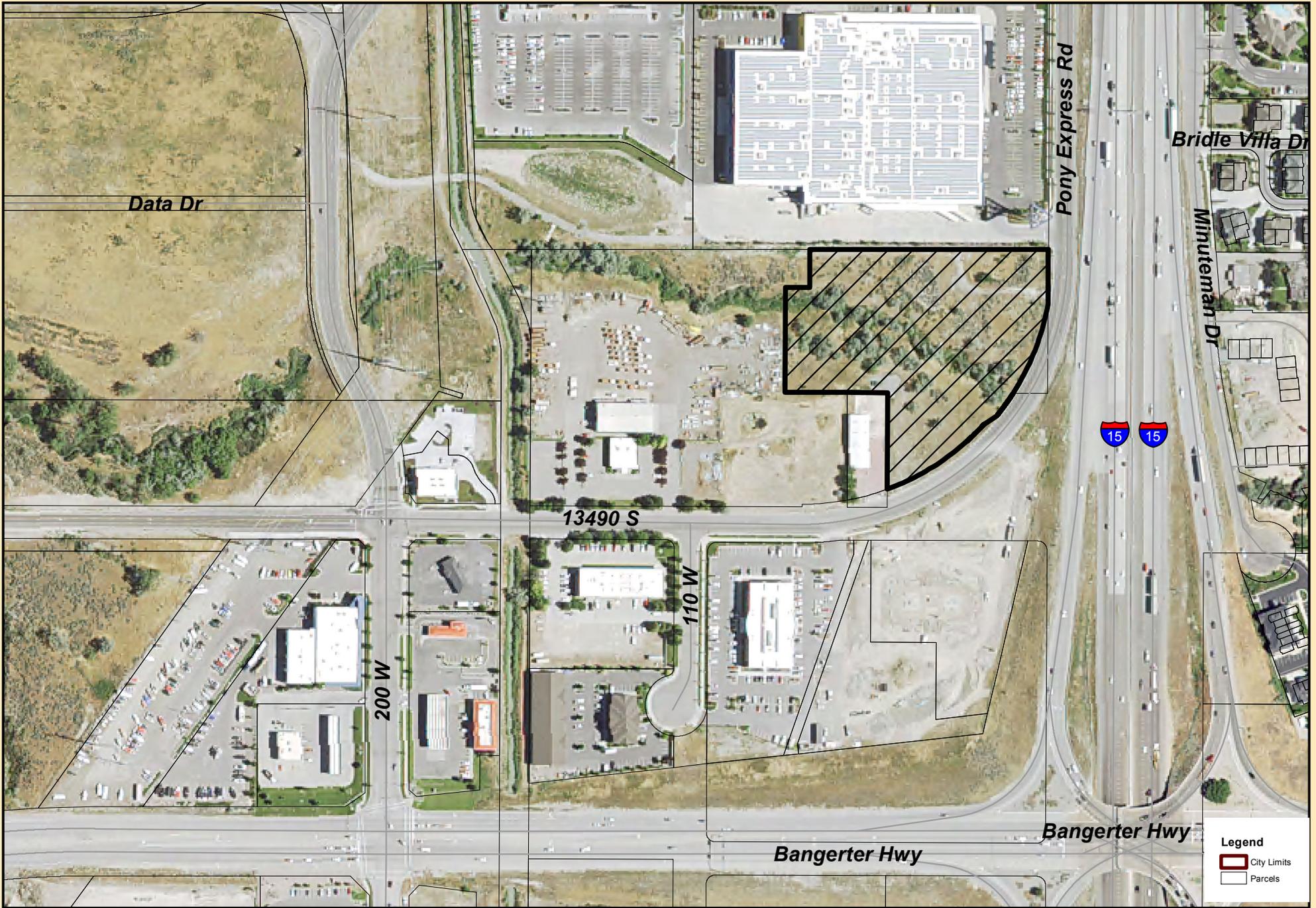
  
\_\_\_\_\_  
Draper City Operations Division

  
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Draper City Planning Division

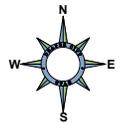
  
\_\_\_\_\_  
Unified Fire Authority

  
\_\_\_\_\_  
Draper City Legal Counsel

**EXHIBIT A**  
**AERIAL MAP**



Corner Creek Plaza Minor Subdivision  
Aerial Map



**EXHIBIT B**  
**LAND USE MAP**

Residential Medium-High Density

Data Dr

Destination Commercial

13490 S

200 W

110 W

Pony Express Rd

Bridle Villa Dr

Minuteman Dr

Residential High Density



Business & Light Manufacturing

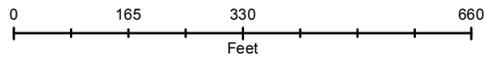
Bangerter Hwy

Bangerter Hwy

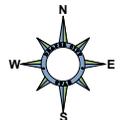
Community/Neighborhood

Community Commercial

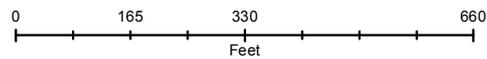
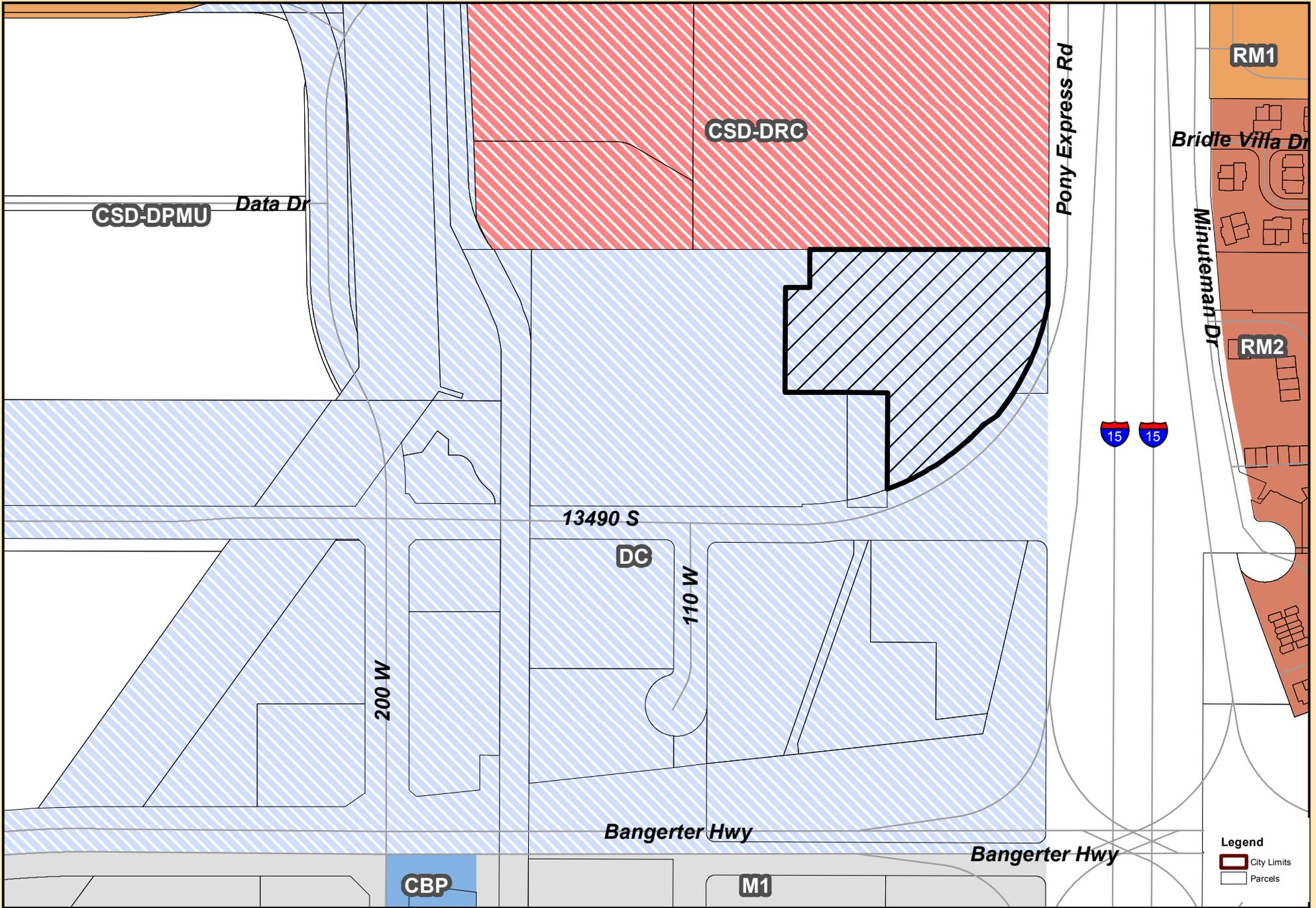
- Legend**
- City Limits
  - Parcels



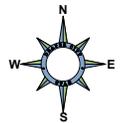
Corner Creek Plaza Minor Subdivision  
Land Use Map



**EXHIBIT C  
ZONING MAP**



Corner Creek Plaza Minor Subdivision  
Zoning Map



**EXHIBIT D**  
**MINOR SUBDIVISION PLAT**

# CORNER CREEK PLAZA SUBDIVISION

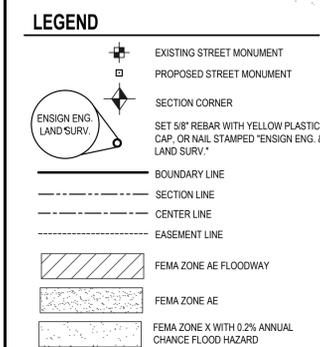
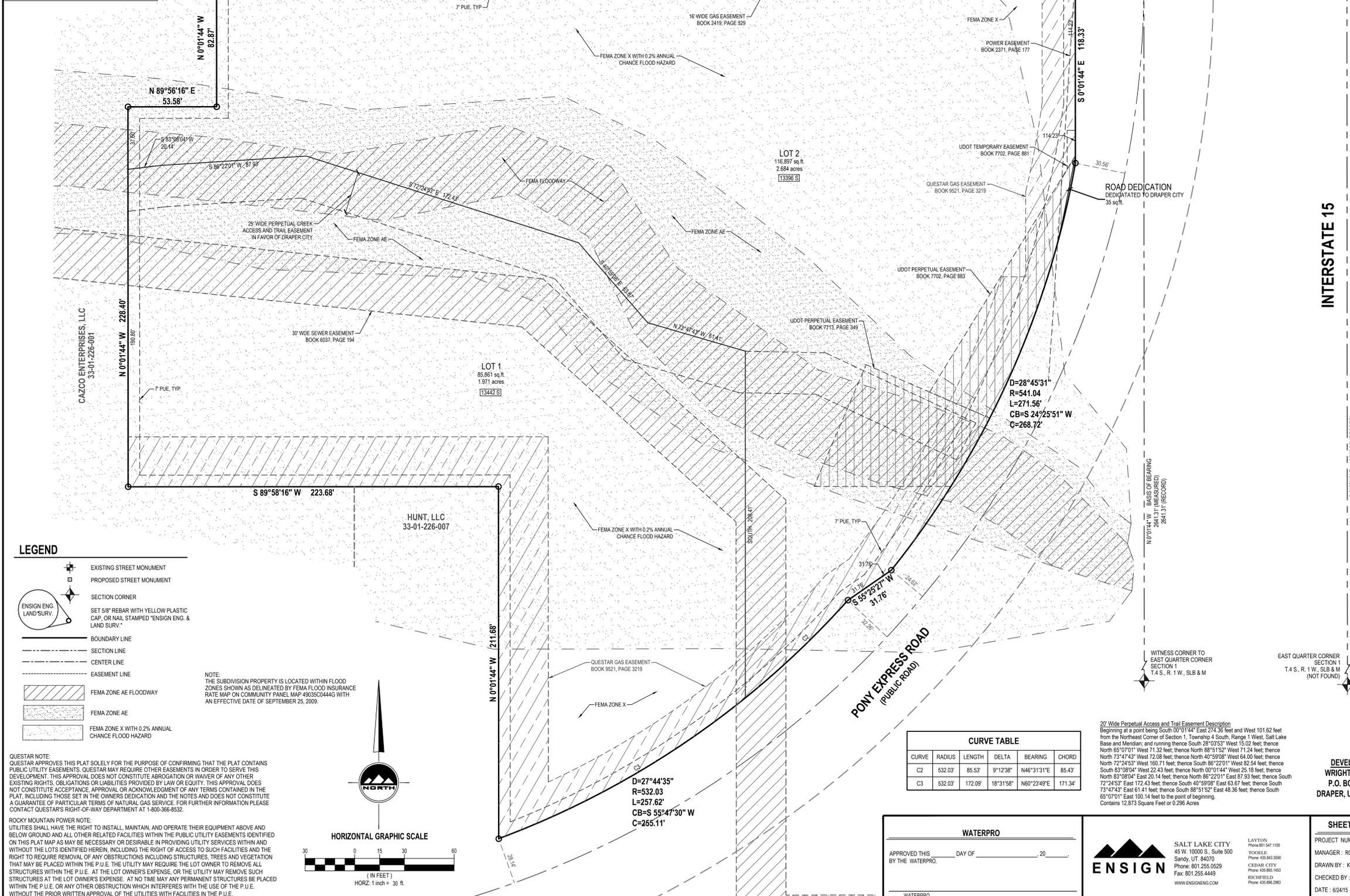
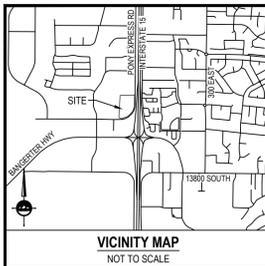
LOCATED IN THE NORTHEAST QUARTER OF SECTION 1,  
TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN  
DRAPER CITY, SALT LAKE COUNTY, UTAH

IKEA RETAIL SUBDIVISION  
LOT 1

POINT OF  
BEGINNING

WITNESS CORNER TO  
NE CORNER SECTION 1  
T 4 S., R. 1 W., SLB & M

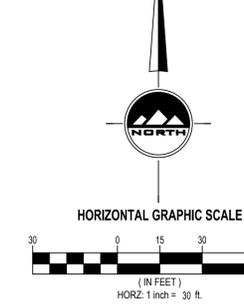
NE CORNER SECTION 1  
T 4 S., R. 1 W., SLB & M  
(NOT FOUND)



NOTE: THE SUBDIVISION PROPERTY IS LOCATED WITHIN FLOOD ZONES SHOWN AS DELINEATED BY FEMA FLOOD INSURANCE RATE MAP ON COMMUNITY PANEL MAP 49035C0444G WITH AN EFFECTIVE DATE OF SEPTEMBER 25, 2009.

ROCKY MOUNTAIN POWER NOTE: UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE P.U.E. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE P.U.E. AT THE LOT OWNER'S EXPENSE, OR THE UTILITY MAY REMOVE SUCH STRUCTURES AT THE LOT OWNER'S EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE P.U.E. OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE P.U.E. WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE P.U.E.

NOTE: THE SUBDIVISION PROPERTY IS LOCATED WITHIN FLOOD ZONES SHOWN AS DELINEATED BY FEMA FLOOD INSURANCE RATE MAP ON COMMUNITY PANEL MAP 49035C0444G WITH AN EFFECTIVE DATE OF SEPTEMBER 25, 2009.



CURVE TABLE				
CURVE	RADIUS	LENGTH	DELTA	CHORD
C2	532.03'	85.53'	9°12'38"	N46°31'31"E 85.43'
C3	532.03'	172.09'	18°31'58"	N60°23'49"E 171.34'

D=27°44'35"  
R=532.03'  
L=257.62'  
CB=S 55°47'30" W  
C=265.11'

20' Wide Perpetual Access and Trail Easement Description  
Beginning at a point being South 00°01'44" East 274.36 feet and West 101.62 feet from the Northeast Corner of Section 1, Township 4 South, Range 1 West, Salt Lake Base and Meridian; and running thence South 29°10'33" West 15.02 feet; thence North 65°07'01" West 71.32 feet; thence North 88°5'152" West 71.24 feet; thence North 73°47'43" West 72.08 feet; thence North 40°59'08" West 64.00 feet; thence North 72°24'53" West 160.71 feet; thence South 86°22'01" West 82.54 feet; thence South 83°08'04" West 22.43 feet; thence North 00°01'44" West 25.18 feet; thence North 83°08'04" East 20.14 feet; thence North 86°22'01" East 87.93 feet; thence South 72°24'53" East 172.43 feet; thence South 40°59'08" East 83.67 feet; thence South 73°47'43" East 61.41 feet; thence South 89°51'50" East 48.36 feet; thence South 65°07'01" East 100.14 feet to the point of beginning. Contains 12,873 Square Feet or 0.296 Acres

WATERPRO

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
BY THE WATERPRO.

WATERPRO

**ENSIGN**

SALT LAKE CITY  
45 W. 10000 S., Suite 500  
Sandy, UT 84070  
Phone: 801.255.0529  
Fax: 801.255.4448  
WWW.ENSIGNENG.COM

LAYTON  
Phone: 801.947.1100  
TUCUENCA  
Phone: 435.643.3030  
CEDAR CITY  
Phone: 435.865.1453  
RICHFIELD, UT  
Phone: 435.866.2963

DEVELOPER  
WRIGHT HOMES  
P.O. BOX 1324  
DRAPER, UTAH 84020

SHEET 1 OF 1

PROJECT NUMBER: 6505  
MANAGER: ROE  
DRAWN BY: KFW  
CHECKED BY: KFW  
DATE: 6/24/15

**SURVEYOR'S CERTIFICATE**

I, KAREN F. WHITE, do hereby certify that I am a Licensed Land Surveyor, and that I hold Certificate No. 191326 as prescribed under laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as CORNER CREEK PLAZA SUBDIVISION, and that the same has been correctly surveyed and staked on the ground as shown on this plat. I further certify that all lots meet frontage width and area requirements of the applicable zoning ordinances.

**BOUNDARY DESCRIPTION**

Beginning at a point on the Westerly Right-of-Way Line of a State Road known as Pony Express Road and the Southerly Boundary Line of the IKEA Retail Subdivision, recorded as Entry No. 96641326 in Book 2006P at Page 64 in the Office of the Salt Lake County Recorder, said point also being South 89°54'55" West 163.90 feet from the Northeast Corner of Section 1, Township 4 South, Range 1 West, Salt Lake Base and Meridian; and running

thence South 00°01'44" East 118.33 feet along the Westerly Right-of-Way Line of said Pony Express Road;

thence Southwesterly 271.57 feet along the arc of a 541.04 foot radius curve to the right (center bears North 79°56'54" West and the chord bears South 24°25'51" West 268.72 feet with a central angle of 28°45'31") along the Westerly Right-of-Way Line of said Pony Express Road;

thence South 55°25'27" West 31.76 feet along the Westerly Right-of-Way Line of said Pony Express Road;

thence Southwesterly 257.61 feet along the arc of a 532.03 foot radius curve to the right (center bears North 48°04'48" West and the chord bears South 55°47'30" West 255.10 feet with a central angle of 27°44'35") along the Westerly Right-of-Way Line of said Pony Express Road;

thence North 00°01'44" West 211.68 feet;

thence South 89°58'16" West 223.68 feet;

thence North 00°01'44" West 228.40 feet;

thence North 89°56'16" East 53.58 feet;

thence North 00°01'44" West 82.87 feet to the Southerly Boundary Line of said IKEA Retail Subdivision;

thence North 89°49'40" East 518.57 feet along the Southerly Boundary Line of said IKEA Retail Subdivision to the point of beginning.

Contains 202,792 Square Feet or 4.656 Acres

DATE \_\_\_\_\_ KAREN F. WHITE  
P.L.S. 191326

**OWNER'S DEDICATION**

Known all men by these presents that I/we, the undersigned owner (s) of the heron described tract of land, hereby set apart and subdivide the same into lots and street as shown on this plat and said plat

**CORNER CREEK PLAZA SUBDIVISION**

and do hereby dedicate, grant and convey to Draper City, Utah: (1) all those parts or portions of said tract of land designated as streets, the same to be used as public thoroughfares forever; (2) those certain public utility and drainage easements as shown hereon, the same to be used for the installation, maintenance, and operation of public utility service lines and drainage.

In witness whereof I/we have hereunto set our hand (s) this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

**CORPORATE ACKNOWLEDGMENT**

STATE OF UTAH \_\_\_\_\_ J.S.S.  
County of Salt Lake \_\_\_\_\_

On the \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_, personally appeared before me \_\_\_\_\_, the signer of the foregoing instrument, who duly acknowledged to me that he/she is the \_\_\_\_\_ of \_\_\_\_\_, a Utah Corporation, and is authorized to execute the foregoing Agreement in its behalf and that he/she executed it in such capacity.

MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY PUBLIC \_\_\_\_\_ RESIDING IN \_\_\_\_\_ COUNTY.

**LIMITED LIABILITY COMPANY ACKNOWLEDGMENT**

STATE OF UTAH \_\_\_\_\_ J.S.S.  
County of Salt Lake \_\_\_\_\_

On the \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_, personally appeared before me \_\_\_\_\_, the signer of the foregoing instrument, who duly acknowledged to me that he/she is a \_\_\_\_\_ of \_\_\_\_\_, a Utah limited liability company, and is authorized to execute the foregoing Agreement in its behalf and that he/she executed it in such capacity.

MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY PUBLIC \_\_\_\_\_ RESIDING IN \_\_\_\_\_ COUNTY.

**EASEMENT APPROVAL**

CENTURYLINK DATE \_\_\_\_\_

ROCKY MOUNTAIN POWER DATE \_\_\_\_\_

QUESTAR GAS CO. DATE \_\_\_\_\_

COMCAST DATE \_\_\_\_\_

**SOUTH VALLEY SEWER DISTRICT APPROVAL**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
BY THE SOUTH VALLEY SEWER DISTRICT.

SOUTH VALLEY SEWER DISTRICT MANAGER

**ZONING ADMINISTRATOR APPROVAL**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
BY THE DRAPER CITY ZONING ADMINISTRATOR.

DRAPER CITY ZONING ADMINISTRATOR

**SALT LAKE COUNTY HEALTH DEPARTMENT APPROVAL**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
BY THE SALT LAKE VALLEY HEALTH DEPARTMENT.

SALT LAKE VALLEY HEALTH DEPARTMENT

**CITY ENGINEER APPROVAL**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
BY THE DRAPER CITY ENGINEER.

DRAPER CITY ENGINEER

**CITY MAYOR APPROVAL**

PRESENTED TO THE MAYOR AND DRAPER CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_ AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

ATTEST: CLERK \_\_\_\_\_ MAYOR \_\_\_\_\_

**CITY ATTORNEY'S APPROVAL**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
BY THE DRAPER CITY ATTORNEY

DRAPER CITY ATTORNEY

**CORNER CREEK PLAZA SUBDIVISION**

LOCATED IN THE NORTHEAST QUARTER OF SECTION 1,  
TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN  
DRAPER CITY, SALT LAKE COUNTY, UTAH

RECORDED # \_\_\_\_\_

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE  
REQUEST OF: \_\_\_\_\_

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_

FEES \_\_\_\_\_ DEPUTY SALT LAKE COUNTY RECORDER \_\_\_\_\_