

MINUTES OF THE DRAPER CITY PLANNING COMMISSION MEETING HELD ON THURSDAY, FEBRUARY 26, 2015 IN THE DRAPER CITY COUNCIL CHAMBERS

“This document, along with the digital recording, shall constitute the complete minutes for this Planning Commission meeting.”

PRESENT: Chairperson Drew Gilliland, Planning Commissioners, Andrew Adams, Traci Gundersen, Craig Hawker, Scott McDonald, and Kent Player

ABSENT: Commissioner Leslie Johnson and Jeff Head

STAFF PRESENT: Keith Morey, Dan Boles, Dennis Workman, Jennifer Jastremsky, Brien Maxfield, Angie Olsen, and Legal Counsel Mike Baker

ALSO PRESENT: Roll on File

Study Meeting:

[6:12:21 PM](#)

Study Business Items: The commissioners reviewed the applications for the business meeting and addressed questions to staff members.

Business Meeting:

Chairperson Gilliland explained the rules of public hearings and called the meeting to order at [6:37:29 PM](#) .

[6:37:51 PM](#)

1.0 **Action Item: Approval of minutes from the January 22, 2015 Planning Commission meeting.**

[6:37:58 PM](#)

1.1 **Motion:** Commissioner McDonald moved to approve the minutes as submitted. Commissioner Hawker seconded the motion.

[6:38:11 PM](#)

1.2 **Vote:** A roll vote was taken with Commissioners McDonald, Hawker, Player, Adams, and Gundersen voting in favor of approving the minutes as submitted.

[6:38:25 PM](#)

- 2.0 **Public Hearing: On the request of Kelli Lundgren, representing Lapis Development, LLC. for approval to rezone 2.51 acres at approximately 965 East 12200 South from CS (Commercial Services) to RM2 (Residential Multi-family, up to 12 dwelling units per acre). The application is otherwise known as the 965 Residential Rezone Request, Application #150107-965E.**

[6:38:52 PM](#)

- 2.1 **Staff Report:** Using the aid of a PowerPoint presentation and her staff report dated February 18, 2015, Planner Jennifer Jastremsky reviewed the details of the proposed application. She explained the application is a request for approval of a Zoning Map Amendment Request for approximately 2.51 acres located on the west side of 1000 East, at approximately 965 East 12200 South. She identified the location of the subject property on an aerial photograph of the area. She noted the property is currently vacant and the land use designation on the property is Neighborhood Commercial; while this use is designed to provide locally targeting commercial uses, the designation does support medium and high density residential uses as a secondary use. She noted the existing zoning designation of CS (Commercial Services) allows for limited commercial uses as a buffer next to residential zones. She indicated there was a small clerical error in the notification for this public hearing; the access road for the property comes from 1000 East at 122 South and curves to 980 East; a section of 980 East is part of the subject property, but is also located in the ~~CR-1~~ **CO-1** Zone and the notice did not reference that zoning designation. She stated staff does not believe this error is problematic as the notice did include the property address, land serial number, and was clearly identified on a map sent with the notice. Chairperson Gilliland conferred with legal counsel to ensure the noticing error is not problematic; legal counsel indicated that the most important piece of information to be included in this type of notice is the proposal for how the property will be rezoned and the notice did include that information as well as an accurate address and parcel description. Ms. Jastremsky then stated she received a letter from one resident regarding this application and that letter was forwarded to the entire Commission. She then noted the applicant is requesting the property be rezoned RM2 (Residential Multi-Family), which allows up to 12 dwelling units per acre; since the property is 2.51 acres in size, that would equate to a possible 30 dwelling units. She indicated the height restriction in the RM2 zone is 35 feet and that is the same height restriction that is found in the neighborhood to the north, which is zoned R3. She noted staff feels the proposed RM2 zoning district is appropriate for this property; the location of the property means it is not conducive to commercial zones due to being off the main roads and behind other office and commercial uses. She added, however, that this means that the site can provide privacy for residential uses. She noted the site is located 0.31 miles from the nearest TRAX station providing a convenient location for residents who want to commute via transit. She reviewed the concept plan for the development that has been provided by the applicant, but noted the plan is not part of the application being considered by the Commission this evening. She

concluded by reviewing photographs of the property in its current condition and noted staff recommends approval of the application based on the findings listed in the staff report.

[6:44:21 PM](#)

- 2.2 Commissioner Hawker inquired as to the distance from the subject property to the TRAX station. Ms. Jastremsky highlighted the location of the station in proximity to the subject property and noted there is a proposal to install a trail in the area that would connect to the Porter Rockwell trail, though she is not sure of the timeline for that project.

[6:45:03 PM](#)

- 2.3 Commissioner McDonald referenced the land immediately north of the subject property and asked if it is located within Sandy City boundaries. Ms. Jastremsky answered no, but stated an interlocal agreement with Sandy City would provide for the trail connection. Commissioner McDonald then inquired as to the height of a structure that could be built on the property under the current zoning. Planner Boles stated that the height limit in the commercial zone would be 25 feet. Commissioner McDonald concluded the building height under the current zoning designation would be shorter than what will be allowed in the proposed zone. Ms. Jastremsky stated that is correct, but noted that the zoning of adjacent residential properties also allows buildings with a maximum height of 35 feet.

[6:46:32 PM](#)

- 2.4 Applicant's Presentation: Kelli Lundgren, Lapis Development, stated she is the owner of the property and applicant for the rezone. She is seeking the rezone based on current needs and her ability to better develop the property now that the recession has come to a close. She reviewed the history of different development options for the property and noted that one problem she has discovered with the CS zone is that the property is too far from a main road to allow for appropriate commercial advertising. She noted that with the addition of the TRAX station and the nearby trail system, the property can accommodate higher density housing uses. She referenced her design concept and noted it includes an easement that would provide trail access and appropriate separation between the property and the nearby power station. She added she feels condominiums or apartments are ideal for the property because of the TRAX station and the need for such housing options in east Draper. She concluded she feels her request is reasonable and the zoning she is seeking is a reasonable use of the land.

[6:50:10 PM](#)

- 2.5 Chairperson Gilliland opened the public hearing.

[6:50:28 PM](#)

- 2.6 Linda Kruger asked if Ms. Jastremsky's presentation can be made available to the public.

[6:51:47 PM](#)

2.7 Chairperson Gilliland asked if there were any others desiring to comment on this item; there were none and the public hearing was closed.

[6:52:02 PM](#)

2.8 Commissioner Player stated the subject property is an interesting piece of property; there are access issues for any commercial venture and the current proposal seems to have its benefits.

[6:52:24 PM](#)

2.9 Commissioner McDonald asked what the zoning designation for the property was before 2007. Ms. Lundgren stated prior to 2007 it was zoned residential and in 2007 it was changed to CS.

[6:53:20 PM](#)

2.10 **Motion:** Commissioner Player moved to forward a positive recommendation to the City Council for the 965 Residential Rezone Request by Kelli Lundgren, representing the Lapis Development, LLC for the purpose of rezoning the property at 965 East 12200 South from CS (Commercial Services) to RM2 (Residential Multi-family, up to 12 dwelling units per acre), application #150107-965E, based on the findings listed in the Staff Report dated February 18, 2015. Commissioner Adams seconded the motion.

Findings:

1. The proposed development plans meet the intent, goals, and objectives of the Draper City General Plan.
 - a. The Neighborhood Commercial land use designation supports medium and high density residential as a secondary use.
 - b. Encourage infill development in close proximity to existing facilities to promote orderly growth while reducing the cost and extent of public services.
 - c. Recognize Draper's role as a community having an assortment of commerce and housing opportunities.
 - d. Provide a balance of live, work and play land uses and development intensities that enable convenient non-automotive trips (pedestrian, cycling and transit) where environmentally and physically feasible.
 - e. Encourage that land uses with the highest intensity be located in areas conducive to alternative modes of transportation.
 - f. Allow for a diversity of residential uses and supporting services that provide for the needs of the community.
 - g. Ensure that neighborhoods transition to one another by considering appropriate land uses, development patterns, character elements, and access to mobility networks.

Findings continued to the next page.

Findings Continued:

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. While some engineering challenges may be present when servicing the property, the public services in the area are adequate to support the subject development.

[6:54:02 PM](#)

- 2.11 Commissioner Hawker stated that in reviewing the approval standards, he likes standards two, which asks “whether the proposed amendment is harmonious with the overall character of the existing development in the vicinity of the subject property”. He asked why multi-family residential is harmonious with the other uses in this vicinity. Commissioner Adams stated there is R3 zoning nearby and the property owner has considered several different uses for the property that would have been permitted in the CS zone; the proposed use provides a buffer between R3 zoning and nearby commercial uses. He added there has been no public clamor regarding the application and the proposal is the highest and best use of the property in his opinion. Commissioner Player added the use of the property is restricted due to the lack of sufficient access. He stated he feels the proposal will add value to the community. Commissioner Adams agreed. Commissioner McDonald stated that he feels the highest and best use of the property is to serve as a buffer between the residential development to the north and nearby commercial uses.

[6:56:32 PM](#)

- 2.12 **Vote:** A roll call vote was taken with Commissioners Player, Adam, Gundersen, and McDonald voting in favor of forwarding a positive recommendation. Commissioner Hawker voted in opposition.

[6:56:46 PM](#)

- 3.0 **Public Hearing: On the request of Steve Sugiyama, representing Food for Thought for approval of Conditional Use Permit (CUP) and Site Plan Amendment to add a single drive through lane associated with the existing restaurant located at 12640 S. Fort St. in the TC (Town Center) zone. This application is otherwise known as the Food for Thought CUP and Minor Site Plan Amendment, Application #150120-12640S.**

[6:57:17 PM](#)

- 3.1 Chairperson Gilliland disclosed that he served in a professional capacity with the applicant several years ago, but he does not feel that will impact his ability to consider this application fairly.

6:57:35 PM

3.2 Staff Report: Using the aid of a PowerPoint presentation and her staff report dated February 17, 2015, Senior Planner Dan Boles reviewed the details of the proposed application. He reviewed the history of the property, noting the building was originally constructed as a single family home in 1926; in 1988, a conditional use permit for a day care was approved at this location. He noted other businesses have also occupied the home until 1998 when the current applicant made application for a conditional use permit to allow a restaurant at this location; since that time, a restaurant has been run from this location. He indicated late last year, the applicant went to the City Council to adjust the shared property line with the park and, in return, some property was dedicated for future improvements along Fort Street and 12650 South. He noted the applicant is now seeking approval of a Conditional Use Permit to allow a single drive thru lane associated with his existing restaurant; additionally, he is asking approval of a site plan amendment for the drive thru lane. He reviewed aerial photographs of the area to identify the location of the subject property, noting it is non-conforming and does not conform to all the standards of the City's zoning code for the Town Center Zone; the adjustments requested by the applicant are allowed without requiring him to conform to the zoning code. He reviewed the site plan for the property and identified the location of the proposed drive through lane, noting there is a requirement to provide three stacking spaces for vehicles in addition to the vehicle that would be placing an order. He noted staff has also suggested that there not be a speaker on the menu board due to the close proximity to the public park. He then reviewed photographs of the property and building and concluded staff recommends approval of the application based on the findings and subject to the conditions listed in the staff report.

7:02:10 PM

3.3 Commissioner Adams asked if there is an air conditioning unit on the building. Mr. Boles highlighted a non-working air conditioning unit in one of the property photographs and stated the applicant has indicated he will remove it.

7:02:31 PM

3.4 Commissioner McDonald referenced a parking area included in one of the property photographs and asked if that parking is designated for the adjacent park or for commercial use. Mr. Boles stated the parking spaces are on the applicant's property; there are signs prohibiting public parking during business hours because there have been situations where the parking at the site has been used for school events. Commissioner McDonald asked if the signs restrict the use of the parking stalls to restaurant patrons, to which Mr. Boles answered yes. He added the restaurant serves breakfast and lunch and closes at 4:00 p.m. Commissioner McDonald asked if the prohibition of the use of a speaker for the menu board is included as a condition in the staff report. Mr. Boles answered yes and noted the Commission can either: accept, modify, or remove that condition.

[7:04:24 PM](#)

3.5 Applicant's Presentation: Steve Sugiyama stated he has operated his restaurant in the Town Center for some time; he has seen many changes in the area as it has become more of a commercial district and is a destination in the City. He feels it is necessary to adjust his business to be more competitive with newer businesses in the area. He added the drive through would also provide a benefit to events in the park. He concluded he is looking for an opportunity to capitalize on his location, which is close to a high school and public park. Chairperson Gilliland inquired as to the type of food that he serves at his restaurant that can be quickly delivered in a drive through setting. Mr. Sugiyama stated he will offer salads and sandwiches as well as ice cream and coffee options.

[7:09:50 PM](#)

3.6 Commissioner Player asked if the drive through could also serve as a walk-up window. Mr. Sugiyama answered yes and stated he would also serve people on bikes.

[7:10:59 PM](#)

3.7 Chairperson Gilliland asked if there will be an access point near 12650 South or if a sign will be erected to caution drivers to watch for pedestrians due to the close proximity to the school and the heavy foot traffic in the area. Mr. Sugiyama stated the problem during school hours is the back up of traffic due to there only being one access point to the school. He referenced the traffic patterns in the area and stated many people turn around in his parking lot; he understands the importance of pedestrian safety and will do anything he can to further safety measures.

[7:12:38 PM](#)

3.8 Chairperson Gilliland opened the public hearing; there were no persons appearing to be heard and the public hearing was closed.

[7:12:55 PM](#)

3.9 **Motion – Conditional Use Permit**: Commissioner Hawker moved to approve the Conditional Use Permit request by Steve Sugiyama, representing Food For Thought to allow a drive through, application 150120-12640S, based on the findings and subject to the conditions listed in the Staff Report dated February 17, 2015. Commissioner Gundersen seconded the motion.

Conditions:

1. That orders are taken from the drive thru window and not from a drive thru menu board.
2. That if an outdoor menu board is provided, that it not have a speaker for taking orders.

Conditions continued to the next page.

Conditions Continued:

3. That the drive thru lane is constructed in the manner depicted on the site plan attached to this staff report.
4. That any requirements from the Building, Engineering, Fire or Planning Departments that may arise as a result of building, fire or other codes be adhered to.

Findings:

1. That table 9-11-1 footnote 8 allows a restaurant in the Town Center zone to have a single drive thru lane subject to the issuance of a Conditional Use Permit.
2. That the Draper City Municipal Code section 9-5-060(h) allows for a commercial site to be amended.
3. That the site is non-conforming as to parking, landscaping, setbacks and architecture and therefore may make minor amendments without bringing the entire site into compliance.
4. The proposed amended Site Plan will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
5. The proposed amended Site Plan conforms to the general aesthetic and physical development of the area.
6. The public services in the area are adequate to support the amended Site Plan.

[7:13:48 PM](#)

- 3.10 Commissioner Hawker inquired as to whether the Commission is worried about the impact four idling vehicles in the drive through lane will have on air quality. Chairperson Gilliland stated that he understands there may be a concern about air quality, but he feels there is an appropriate buffer between the subject property and nearby public uses. Commissioner Adams added that the hours of operation are such that vehicles will not be idling during the evening hours.

[7:15:04 PM](#)

- 3.11 **Vote:** A roll call vote was taken with Commissioners Hawker, Gundersen, McDonald, Player, and Adams voting to approve the conditional use permit.

[7:15:17 PM](#)

- 3.12 **Motion – Site Plan Amendment:** Commissioner Gundersen moved to approve the Site Plan Amendment request by Steve Sugiyama, representing Food For Thought, application 150120-12640S, based on the findings and subject to the conditions listed in the Staff Report dated February 17, 2015. Commissioner Player seconded the motion.

[7:15:35 PM](#)

- 3.13 **Vote:** A roll call vote was taken with Commissioners Gundersen, Player, Adams, McDonald, and Hawker voting to approve the site plan amendment.

[7:15:52 PM](#)

- 4.0 **Public Hearing: On the request of Taylor Cotterell to amend the Ptarmigan Pointe Phase II subdivision plat in the RA2 zone by dividing lot 201 into two lots known as 201A and 201B. This application is otherwise known as the Ptarmigan Pointe Phase II Plat Amendment, Application #141124-13128S.**

[7:16:19 PM](#)

- 4.1 **Staff Report:** Using the aid of a PowerPoint presentation and his staff report dated February 13, 2015, Planner Dennis Workman reviewed the details of the proposed application. He reviewed the zoning map for the area, noting the land use plan designates the subject property as Low Density Residential RA2, which requires a minimum lot size of 20,000 square feet. He reviewed an aerial photograph of the property as well as the existing plat for Ptarmigan Point Phase two, which was recorded in 1998. He reviewed the history of the subdivision, noting at one point in time there was an illegal lot split and it was necessary to correct that illegal subdivision by consolidating lot 202 and the illegally subdivided lot into one lot; the issue has been resolved and the applicant is now requesting to amend the plat by creating two lots from 201. He noted the new lots would be identified as lot 201A and lot 201B; before this amendment could be recorded, the consolidation of lot 202 would need to be recorded first. He then noted that the two new lots meet the 20,000 minimum square foot requirement exclusive of the 25 foot access easement to the west. He concluded staff recommends approval of the application based on the findings and subject to the conditions listed in the staff report.

[7:19:17 PM](#)

- 4.2 Commissioner Adams disclosed that he previously lived in the same neighborhood as the applicant.

[7:20:01 PM](#)

- 4.3 **Applicant's Presentation:** Taylor Cotterell reviewed photographs of the subject property and noted that existing sheds and outbuildings will be demolished. He added that there have been a large number of feral cats living on the property and he has been working with Animal Control to mitigate that issue.

[7:21:22 PM](#)

- 4.4 Chairperson Gilliland opened the public hearing; there were no persons appearing to be heard and the public hearing was closed.

[7:21:33 PM](#)

- 4.5 **Motion:** Commissioner Hawker moved to forward a positive recommendation to the City Council regarding Taylor Cotterell's request to amend the Ptarmigan Pointe Phase 2 subdivision plat, application 141124-13182S, based on the findings for approval and subject to the conditions of approval listed in the staff report dated February 13, 2015. Commissioner McDonald seconded the motion. Conditions are listed on the following page.

Conditions:

1. That all conditions of approval of the original Ptarmigan Pointe Phase 2 plat that are not modified by this plat amendment remain in full force.
2. That the applicant follows the process for plat approval and records the amended plat and controlling documents with the Salt Lake County Recorder.
3. That all inoperable vehicles and accessory structures on Lot 201A are removed prior to recordation of the amended plat.
4. That no accessory structure on Lot 201B (greater than 200 square feet) will be closer than ten feet to the new property line.
5. That due to the 25-foot access easement on the west side of the property (which may not be included in the calculation of required minimum lot size), the plat shall show both gross square footage and net square footage for each lot. Net square footage shall be no less than 20,000 square feet.
6. That the consolidation of Lot 202 is executed and recorded prior to recordation of the amended plat.
7. That the applicant submit a street tree plan for Lot 201A prior to recordation of the amended plat.

Findings:

1. That the proposed plat amendment is consistent with the goals and objectives of Draper City's General Plan.
2. That the proposed plat amendment is consistent with Title 17-9 of the Draper City Municipal Code regarding review and approval.
3. That there is good cause to amend the plat.
4. That the amendment will not cause material harm to other owners in the plat.

[7:22:06 PM](#)

- 4.6 **Vote:** A roll call vote was taken with Commissioners Hawker, McDonald, Gundersen, Player, and Adams voting in favor of forwarding a positive recommendation.

[7:22:16 PM](#)

- 5.0 **Public Hearing: On the request of Draper City to create standards and set limits on multi-family developments in commercial zones throughout the city. This ordinance will resolve the temporary land use regulation enacted by Ord. 1126 on September 16, 2014. This application is otherwise known as the City Initiated Text Amendment Re: Multi-Family in Commercial Zones, Application #150212-1020E.**

[7:22:48 PM](#)

- 5.1 **Staff Report:** Using the aid of a PowerPoint presentation and his staff report dated February 17, 2015, Senior Planner Dan Boles reviewed the details of the proposed application. He reviewed the existing language in the Draper City Municipal Code (DCMC) regarding multi-family residential uses within commercial zones; such

uses are currently allowed in certain commercial zones by way of a conditional use permit and there are no density limits on the residential uses. He noted the proposed text amendment is intended to set limits on density for multi-family housing as well as set some standards for said housing when such uses are proposed in commercial zones. He added the use would not be permitted in the standard commercial zones, CN, CC, and CR. He noted that though this proposal is not tied to any one specific piece of property, it has the potential to affect many commercially zoned property throughout the City from what is currently allowed. Staff is also proposing that the Office Residential and Town Center zones continue to allow multi-family residential. He added the proposed text would also add further regulations to the TC zone for multi-family projects.

[7:26:21 PM](#)

5.2 Chairperson Gilliland inquired as to whether a 50-unit housing project would be permitted in the Town Center. Commissioner Adam stated he felt that would be prohibited because of the 25 foot building height restriction. Mr. Boles agreed and stated that the Town Center is somewhat self-regulating due to the 25 foot height restriction and the prohibition of dwelling units on the ground floor. He added, however, that a density cap is good to have to provide clear information regarding the number of dwelling units allowed in a commercial zone. Commissioner Adams wondered if there are any commercial parcels in the Town Center zone that would accommodate 25 dwelling units. Community Development Director Morey stated there may not be a parcel that would currently allow 25 units, but there could be in the future. He stated the Council was concerned about this issue due to the fact that it is not possible to contemplate every application that could ever be filed with the City and rather than taking a risk at overlooking a potential application, it is better to enact standards and development limitations.

[7:29:03 PM](#)

5.3 Chairperson Gilliland opened the public hearing; there were no persons appearing to be heard and the public hearing was closed.

[7:29:17 PM](#)

5.4 Discussion continued regarding the commercial areas of the City where a mixed-use of multi-family residential development would be appropriate upon the implementation of certain development standards and criteria. Chairperson Gilliland stated he likes the approach staff has taken to ensure that projects can be considered on a case-by-case basis and potentially with a development agreement rather than using a code that requires the Planning Commission to 'rubber stamp' an application based on the fact that it meets DCMC. Commissioner Adams agreed and asked if the proposed text amendment is a response to projects that have received approval in the past based on the current language included in the code. Mr. Morey answered no, but indicated the City has heard of some potential projects that the Council may not be comfortable with in the City; the Council directed staff

to consider appropriate text that would provide reasonable restrictions on residential uses in commercial zones.

[7:31:54 PM](#)

5.5 Commissioner Hawker asked for an example of a successful mixed-use development in the City. Mr. Morey stated the mixed-use development at Rockwell Square is successful, though it took some time for the retail spaces to fill. He stated he believes more mixed-use developments will crop up in the City as the economy continues to improve. Discussion regarding the viability of mixed-use developments coupled with the uniqueness of the Town Center ensued. Commissioner Hawker asked if the zoning language for the Town Center requires mixed-use development. Mr. Boles stated mixed-use is not required, but is allowed and can accommodate residential uses. General discussion regarding the intent of the text amendment continued, with discussion and debate regarding whether a development agreement should be required for residential uses within commercial zones.

[7:39:29 PM](#)

5.6 Commissioner McDonald inquired as to whether the City's General Plan update will include amendments to the Town Center Plan. Mr. Morey indicated planning for the entire City will be considered in that process. Commissioner McDonald noted he is hesitant to make a change to the zoning language for the Town Center when the entire Town Center Plan will likely be considered again within the next nine months. Mr. Boles stated the zoning will not change and the text amendment before the Planning Commission tonight is zoning related; the General Plan is the future development guide for the City. Mr. Morey agreed and stated the General Plan is a guiding visionary document for the City. He concluded that staff would like for the Planning Commission to make a recommendation tonight as the moratorium enacted by the Council relative to high density residential uses in commercial zones expires at the end of March.

[7:42:24 PM](#)

5.7 **Motion:** Commissioner Adams moved to forward a positive recommendation to the City Council for the Multi Family in Commercial Zones Text Amendment Request by Draper City, application 150212-1020E, based on the findings and subject to the conditions listed in the Staff Report dated February 17, 2015, and as modified by the conditions below. Commissioner McDonald seconded the motion.

Findings:

1. That the proposed amendment is consistent with goals, objectives and policies of the City's General Plan such as:
 - a. Achieve orderly land development patterns which provide for compatible, functional, cost-effective development.
 - b. Protect property values while providing opportunities for development which meets the health, safety and welfare needs of City residents.

- c. Encourage development and maintenance of quality development projects.
2. The proposed text amendment will resolve the question of density within commercial zones throughout the city.
3. The proposed text amendment gives further guidance to development within the Town Center zone.
4. That a temporary land use regulation was set on multi-family development within commercial zones in the city and this proposed text would resolve that issue.
5. [That table 9-11-1 be amended by moving zoning designations CN, CC, CR, and TC be moved to the not permitted \(NP\) column.](#)

[7:44:58 PM](#)

5.8 Discussion of the motion ensued, with Commissioner Adams clarifying that though the zoning designations mentioned in finding five will be moved to the NP column, high density residential uses could be approved via a development agreement. Mr. Morey stated City Administration has been operating under that same assumption. Mr. Boles noted that the only thing the Commission should be aware of is that the TC zone includes sections and specific standards regarding residential uses in the Town Center zone; if TC is moved to the NP column there may be some confusion regarding permitted uses. He noted the vision for the Town Center was to allow mixed use development that includes retail or commercial uses on the ground level and residential uses on upper levels. Discussion regarding the motion continued, with Commissioner Adams ultimately indicating he would withdraw his motion and make a new motion.

[7:53:35 PM](#)

5.9 Discussion between staff and the Commission regarding the proposed standards ensued, with Commissioner Hawker stating he feels some of the numbers and percentages included in the recommended standards are too arbitrary and he would like to see them amended. Commissioner Adams agreed. Mr. Morey stated staff will not be offended if the standards are amended and the recommendation was intended to be a starting point for this discussion.

[7:58:04 PM](#)

5.10 **Motion:** Commissioner Hawker moved to forward a positive recommendation to the City Council for the Multi Family in Commercial Zones Text Amendment Request by Draper City, application 150212-1020E, based on the findings and subject to the conditions listed in the Staff Report dated February 17, 2015, and as modified by the conditions below. Commissioner McDonald seconded the motion.

Findings are listed on the following page.

Findings:

1. That the proposed amendment is consistent with goals, objectives and policies of the City's General Plan such as:
 - a. Achieve orderly land development patterns which provide for compatible, functional, cost-effective development.
 - b. Protect property values while providing opportunities for development which meets the health, safety and welfare needs of City residents.
 - c. Encourage development and maintenance of quality development projects.
2. The proposed text amendment will resolve the question of density within commercial zones throughout the city.
3. The proposed text amendment gives further guidance to development within the Town Center zone.
4. That a temporary land use regulation was set on multi-family development within commercial zones in the city and this proposed text would resolve that issue.
5. [Strike the proposed changes to the Town Center text.](#)

[7:58:46 PM](#)

5.11 **Vote:** A roll call vote was taken with Commissioners Hawker, McDonald, Player, Adams, and Gundersen voting in favor of forwarding a positive recommendation.

6.0 **Public Hearing: On the request of Draper City to amend the text of the Draper City Municipal Code Section 9-26-090 to allow tower signs in Zone A of the Freeway Frontage area for businesses or groups of businesses in a single development which have three acres and a minimum of 400 linear feet of frontage. This application is otherwise known as the City Initiated Text Amendment Re: Tower Signs, Application 150122-1020E.**

This public hearing was continued to the March 12, 2015 Planning Commission meeting.

[7:58:57 PM](#)

7.0 **Staff Reports:** Community Development Director Keith Morey reviewed the recent actions taken by the City Council. He then noted in the past the City Council and Planning Commission have met in a joint meeting and there has been a recommendation to hold a joint work session on March 31, 2015. He also provided information regarding training opportunities available to the Planning Commission.

[8:02:29 PM](#)

8.0 **Adjournment:** Commissioner Player moved to adjourn the meeting.

- 8.1 **A voice vote was taken with all in favor. The meeting adjourned at [8:02:29 PM](#).**