

MINUTES OF THE DRAPER CITY PLANNING COMMISSION MEETING HELD ON THURSDAY, MARCH 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, Jeff Head, Scott McDonald, and Kent Player

ABSENT: Chairperson Leslie Johnson

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

ALSO PRESENT: Roll on File

Study Meeting:

[6:09:12 PM](#)

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

**** Staff Reports were heard out of order.*

[6:19:55 PM](#)

7.0 **Staff Reports:** Community Development Director Keith Morey advised the commissioners of the recent actions of the City Council. There was also a brief discussion regarding the scheduling of a joint session of the City Council and Planning Commission.

Business Meeting:

Chairperson Gilliland explained the rules of public hearings and called the meeting to order at [6:37:21 PM](#).

[6:37:42 PM](#)

1.0 **Public Hearing: On the request of Matt Lepire for approval to rezone 2.38 acres of property located at 13322 S. 1300 E. from RA1 (Residential 40,000/sf lots) to RA2 (Residential 20,000/sf lots). The application is otherwise known as the Bechard Estates Zone Change, Application #140718-13322S**

[6:38:06 PM](#)

- 1.1 Staff Report: Using the aid of a PowerPoint presentation and his staff report dated March 13, 2015, Planner, Dennis Workman reviewed the details of the proposed application. He noted the subject property fronts the west side of 1300 East, and is located almost directly across the street from the entrance to Akagi Farm. He explained on June 17, 2014, the City Council denied a request to rezone the property to R3; the applicant is now requesting that the property be rezoned to RA2, which would entitle it to subdivide into half-acre lots. He explained the General Plan calls for Residential Low/Medium Density land use for the subject property, which anticipates up to two units per acre; as such, the land use plan supports the request for RA2 zoning which allows half-acre lots, or two units per acre. He indicated the subject property is surrounded by RA2 zoning on the west and RA1 zoning on the north and south; on the east side of 1300 East, directly across the street, there is RA1 zoning on three parcels that are all nonconforming as to size, with an average of about 19,500 square feet. He reviewed a concept plan and stated that approving this zone change request will likely result in a subdivision of four single-family building lots, with an average lot size of 24,284 square feet. He concluded staff recommends approval of the application based on the findings listed in the staff report.

[6:40:41 PM](#)

- 1.2 Commissioner Head asked what the diagonal line is that runs through the subject property. Mr. Workman stated it is an easement.

[6:41:03 PM](#)

- 1.3 Chairperson Gilliland disclosed that he knows Mr. Lepire, but does not feel that will impact his ability to consider the application fairly.

[6:41:20 PM](#)

- 1.4 Applicant's Presentation: Mr. Lepire stated that he had nothing to add to Mr. Workman's presentation.

[6:41:37 PM](#)

- 1.5 Chairperson Gilliland opened the public hearing; there were no comments and the public hearing was closed.

[6:41:50 PM](#)

- 1.6 **Motion**: Commissioner Hawker made a motion to forward a positive recommendation to the City Council on the Bechard Estates Zone Change, as requested by Matt Lepire, application 140718-13322S, based on the findings and subject to the conditions listed in the staff report dated March 13, 2015. Commissioner Head seconded the motion.

Findings are listed on the following page.

Findings:

1. That Section 9-5-060 of the DCMC allows for the amendment of the city's zoning map.
2. That the proposed amendment is consistent with the goals, objectives and policies of the city's general plan.
3. That all five findings for a zone change, as contained in Section 9-5-060(e), are satisfied.
4. That 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, storm water drainage systems, water supplies, and waste water and refuse collection.
5. That the proposed zone change is harmonious with the overall character of existing development in the vicinity of the subject property.
6. That the proposed amendment would not adversely affect adjacent property or the character of the neighborhood.
7. That 1300 East is being widened to three lanes to accommodate a higher volume of vehicle traffic.

[6:42:26 PM](#)

- 1.7 **Vote:** A roll call vote was taken with Commissioners Hawker, Head, Gundersen, Player, and Adams voting to forward a positive recommendation to the City Council.

[6:42:38 PM](#)

- 2.0 **Public Hearing: On the request of Ty Cragun, representing Tom Stuart Construction, for approval to amend Table 9-13-1 of the Draper City Municipal Code to add "Retail, General" and "Personal Instruction Service" as Conditional Uses in the Manufacturing zones. The application is otherwise known as the *Bangerter Ridge Business Park Text Amendment Request*, Application #150305-13702S.**

[6:43:08 PM](#)

- 2.1 **Staff Report:** Using the aid of a PowerPoint presentation and his staff report dated March 17, 2015, Planner Dennis Workman reviewed the details of the proposed application. He noted the applicant is asking to revise the Manufacturing Zones Use Table to add "Retail, General" and "Personal Instruction Service" as conditional uses in those zones. He read the definitions of both uses provided in the Draper City Municipal Code (DCMC) and noted that the requested change would apply to all M1 and M2 zones throughout the City. He indicated staff believes that it was not necessarily the intention of the authors of the current zoning ordinance to disallow these uses from the Manufacturing zones use table, but was simply not contemplated. He concluded staff recommends approval of the application based on the findings and subject to the conditions listed in the staff report.

[6:45:42 PM](#)

- 2.2 **Applicant's Presentation:** Don Watkins stated he is the owner of the project that that will be benefitted if the text amendment is ultimately approved by the City Council. He provided an overview of the current uses located at the development and stated the text amendment would allow him more flexibility in attracting a variety of businesses and users to the project.

[6:47:10 PM](#)

- 2.3 Chairperson Gilliland opened the public hearing; there were no comments and the public hearing was closed.

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- 2.4 Commissioner Hawker stated he feels the uses requested in the application will be very self-limiting because there are not many retail businesses that will desire to locate in manufacturing zones. Commissioner Player agreed.

[6:48:10 PM](#)

- 2.5 **Motion:** Commissioner Head moved to forward a positive recommendation to the City Council for the Manufacturing Zones Use Table Zoning Text Amendment Request by Ty Cragun, representing Tom Stuart Construction, application 150305-13702S, based on the findings and subject to the conditions listed in the Staff Report dated March 17, 2015. Commissioner Adams seconded the motion.

Findings:

1. The proposed development plans meet the intent, goals, and objectives of the Draper City General Plan such as:
 - a. Creating a balanced community where residents can live, work and play, and have their essential needs met.
 - b. Encourage the establishment of a strong tax base by accommodating commercial and industrial development in appropriate areas.
 - c. Achieve orderly land development patterns which provide for compatible, functional, cost-effective development.
2. The proposed amendment furthers the specific purpose statements of the zoning ordinance such as:
 - a. To promote the health, safety, convenience, and general welfare of present and future inhabitants of the city.
 - b. encourage and facilitate the orderly growth and development of the city, and to implement the goals and policies of the general plan
 - c. To stabilize and improve property values and to place compatible uses together in the city;
 - d. To enhance the economic and cultural well-being of the inhabitants of the city.

Findings continued to the following page.

Findings Continued:

- e. To promote the development of a more wholesome, serviceable, and attractive city resulting from an orderly, planned use of resources;
 - f. To establish proper zoning regulations, ensure the suitability of the land for particular uses, conserve the value of buildings, and encourage the most appropriate use of land throughout the city; and
 - g. To further the purposes of this title and promote the qualities of the respective zones.
3. That 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 proposed amendment is not anticipated to be detrimental to public health, safety, or welfare and represents an overall community benefit.

[6:48:40 PM](#)

- 2.6 Commissioner Head agreed with Commissioner Hawker about the fact that the uses will be self-limiting, but not allowing retail uses in the M1 and M2 zones may force manufacturers to look elsewhere for property that allows a small retail store associated with their manufacturing operation. Commissioner Hawker agreed and referenced a few businesses where it would be appropriate for their manufacturing and retail operations to be located near one another.

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- 2.7 **Vote:** A roll call vote was taken with Commissioners Head, Adams, Player, Gundersen, and Hawker voting in favor of forwarding a positive recommendation to the City Council.

[6:49:51 PM](#)

- 3.0 **Public Hearing: On the request of Neil Staker for approval of a Site Plan for an office building on 0.77 acres in the TC (Town Center) zone at 12481 S. Fort Street. The application is otherwise known as the Parry Place Office Building Site Plan, Application #150121-12481S**

[6:50:17 PM](#)

- 3.1 Chairperson Gilliland disclosed that he has a client who owns a property adjacent to the subject property, but he does not feel that will impact his ability to consider the application fairly.

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- 3.2 **Staff's Presentation:** Using the aid of a PowerPoint presentation and his staff report dated March 13, 2015, Planner Workman reviewed the details of the proposed application. He noted the applicant is seeking site plan approval for a two-story

office building on property that abuts the north side of City Hall's west entrance. He reviewed a history of the property, noting that until a month ago, there was a residential home on the property that the then-owner intended to retrofit for a commercial office; finding the requirements onerous, he sold the property to Neil Staker, who owns the office building to the north. He explained Mr. Staker has demolished the home and now wishes to construct a two-story office building with a floor area of 17,465 square feet. He indicated the property is in the Town Center zone, which has its own set of commercial development standards, codified in Section 9-11-090. He stated the purpose of the TC zone is to encourage "new development that blends in with existing conditions and enhances the traditional town center character; the advancement of architectural and site design standards that promote walkability and human scale; the creation and maintenance of historic town center identity, and the support of transit opportunities." He reviewed the rendering of the proposed project, briefly focusing on the layout of the building, landscaping, parking, architecture, and lighting; he noted all elements of the project are in compliance with the development standards of the TC zone. He explained the development will be accessed exclusively from Fort Street; that entrance will be on the north side of the site and will be shared with the building to the north, which is also owned by the applicant. He explained parking stalls will be primarily on the north and east sides, with eight parallel stalls on the street. He added a sidewalk around the building's perimeter will lead to a courtyard in the rear of the building, which is a feature that is highly encouraged for developments in the TC zone. He stated staff feels applicant shares the city's vision for exceptional architectural and site design standards in the town center and recommends approval of the application based on the findings and subject to the conditions listed in the staff report.

[6:53:47 PM](#)

3.3 Commissioner Head asked if the roof elevations meet the development standards, to which Mr. Workman answered yes.

[6:54:15 PM](#)

3.4 Commissioner Player referenced a tree on the subject property and asked if it will be incorporated into the design of the project. Mr. Workman stated it would be more appropriate for the applicant to answer that question.

[6:54:26 PM](#)

3.5 Applicant's Presentation: Jim Poloncic, Think Architecture, stated he is representing Mr. Staker this evening. He referenced Commissioner Player's question regarding the tree and noted that it may be removed from the site if it blocks entry or covers the monument sign on the property.

[6:55:44 PM](#)

3.6 Chairperson Gilliland opened the public hearing; there were no comments and the public hearing was closed.

6:56:00 PM

- 3.7 Commissioner Player stated he likes the look of the building; it would be nice to save the tree, but he understands it may be necessary to remove it in the event that it negatively impacts the project.

6:56:17 PM

- 3.8 **Motion:** Commissioner Player moved to approve the Parry Place Office Building site plan as requested by Neil Staker, application 150121-12481S, based on the findings and conditions listed in the staff report dated March 13, 2015. Commissioner Gundersen seconded the motion.

Conditions:

1. That all requirements of the Draper City Engineering Division are satisfied throughout development of the site, particularly those contained in the engineering review memo contained in this report.
2. That all requirements of the Draper City Public Works Department are satisfied throughout development of the site.
3. That all requirements of the Unified Fire Authority are met throughout development of the site.
4. That a building permit is issued prior to construction.
5. That signage is not approved with this site plan approval. All signage requires separate permits and is required to comply with Chapter 9-26 of the Draper City Municipal Code.
6. That the outdoor garbage collection container is screened from view using the same materials as the building, and that it is surrounded as much as possible by landscaping to further soften its visual impact.
7. That all landscaping is installed in accordance with the approved plan.
8. That after Planning Commission approval, the applicant submits 12 sets of plans to be stamped "Approved for Construction." Six of these shall be 24x36 in size and six shall be 11x17. Each of these sets shall contain all sheets previously submitted for review stapled together.

Findings:

1. That the proposed site plan is consistent with the goals, objectives and policies of the City's General Plan.
2. That the proposed site plan will not adversely affect adjacent property.
3. That adequate facilities and services exist to serve the subject property, including but not limited to roadways, police and fire protection, storm water drainage systems, water supplies, and waste water and refuse collection.
4. That all site plan drawings were developed in accordance with the standards contained in Draper City's zoning ordinance.

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- 3.9 **Vote:** A roll call vote was taken with Commissioners Player, Gundersen, Adams, Hawker, and Head voting in favor of approving the Site Plan.

[6:57:11 PM](#)

- 4.0 **Staff Reports:** Community Development Director Keith Morey advised the Commissioners of the recent actions of the City Council. There was also a brief discussion regarding the joint session with the City Council and Planning Commission scheduled for next week. There was also a brief discussion about development applications that will be forwarded by staff to the Planning Commission in the near future.

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- 5.0 **Adjournment:** Commissioner Head moved to adjourn the meeting.

- 5.1 **A voice vote was taken with all in favor. The meeting adjourned at [7:01:45 PM](#).**