

**MINUTES OF THE DRAPER CITY PLANNING COMMISSION MEETING HELD
ON THURSDAY, DECEMBER 12, 2019 IN THE DRAPER CITY COUNCIL
CHAMBERS**

PRESENT: Chairperson Andrew Adams, Vice Chairperson Craig Hawker, Traci Gundersen, Kent Player, Mary Squire and Alternate Commissioners DeLania Tonks and Lisa Fowler

ABSENT: Commissioner John Van Hoff, Alternate Commissioner Gary Ogden

STAFF PRESENT: Mike Barker, Spencer Dushane, Jennifer Jastremsky, Brien Maxfield, Amie Salazar, Jake Sorenson, Adam Petersen

ALSO, PRESENT: Roll on File

Business Meeting:

Chair Adams called the meeting to order.

Citizen Comments: Andrew Adams, Chair, explained public hearing comments will be limited to three minutes per person per item. A spokesperson who has been asked by a group to summarize their concerns will be allowed five minutes to speak. Comments which cannot be made within these limits should be submitted in writing to the City Recorder prior to noon the day before the meeting.

1. Action Item: Approve Planning Commission Meeting Minutes for November 14, 2019 and November 19, 2019 (Administrative Action)

Motion: Commissioner Hawker motioned to approve the meeting minutes for November 14, 2019 and November 21, 2019.

Second: Commissioner Squire

Vote: A roll call was taken with the Commissioners voting unanimously in favor of the motion. This item passed with a 5 to 0 vote. Commissioners Tonks, Squire, Hawker, Player and Gundersen voted, "Aye".

2. Public Hearing: Draper Academy TC Text Amendment Request (Legislative Action)

Jennifer Jastremsky, Planner explained this text amendment will affect the Town Center Zoning District. She presented an aerial view of the district. She mentioned the applicant would like to amend the uses of the district to allow private schools limited to 15 students as a conditional use permit. This would require review by the Planning Commission.

Limiting the number of students would prohibit large schools in the district that could potentially impact streets and reduce large areas that could have been used for retail. She presented the definition of private schools.

Chair Adams asked if the code specifies the square footage per student.

Ms. Jastremsky indicated there is nothing in the zoning code that would limit this. The building and fire codes would apply and limit occupancy.

Chair Adams asked if there is something that could be added to ensure 15 students aren't crammed into a smaller space.

Ms. Jastremsky explained the city would regulate this through occupancy and building permits.

Ms. Squire stated that she did not see specific language limiting students to 15.

Ms. Jastremsky replied that this restriction is included in footnote #10 in the table.

Chair Adams invited the applicants to speak.

Christine Kremer, applicant, explained she is proposing a small private school on the corner of Pioneer and 800 East. They have already purchased the property and found out later that the zoning does not allow for private schools. The school would be geared towards students that do not fit in well with a traditional school system format. All students are grade tested and work at their own academic level. Their specialty is to find where each student is and to develop a program to fit their needs. She indicated the home is historic and was built in 1929. They have repainted and are planning to establish an old school house feel. There will be one teacher per five students. There will be a maximum of 15 students with three teachers.

Commissioner Player commented the reason they have the conditional use permit process is to ensure they manage issues like parking. He asked if they have parking figured out.

Ms. Kremer indicated there is a parking lot between the adjacent buildings containing eight parking stalls. There are another 10 parking stalls on the sides of the building. Most children are dropped off. They only go up to eighth grade.

Commissioner Player asked if there is a place for parents to pull off the road to drop students off.

Ms. Kremer explained there are parking stalls off 800 East that are connected to a sidewalk that route to the building's entrance.

Ms. Jastremsky commented the homes have already been retrofitted and have parking. If the text amendment is approved tonight, then the applicant will come back for a conditional use permit.

Chair Adams asked how many schools like this one she has been involved with.

Ms. Kremer indicated there is not one in Draper because the school relocated to Riverton. The two schools will not be affiliated but are based on similar concepts.

Chair Adams opened the public hearing. No one spoke and the public hearing was closed.

Commissioner Hawker asked if she is seeing any issues within the Town Center that would not be able to accommodate this use.

Ms. Jastremsky indicated she has not analyzed every Town Center property but due to the limited scope of the use she does not believe the use poses a detriment to the district. During the conditional use permit they would look at impacts such as traffic.

Motion: Commissioner Gundersen motioned to forward a positive recommendation to the City Council for the Draper Academy TC Text Amendment as requested by Christine Kremer and Bret Steel, to allow private schools in the TC zone, Application number TEXTMAP-781-2019, based on the findings listed in the staff report dated December 2, 2019.

Second: Commissioner Player

Vote: A roll call was taken with the Commissioners voting unanimously in favor of the motion. This item passed with a 5 to 0 vote. Commissioners Tonks, Squire, Hawker, Player and Gundersen voted, "Aye".

3. Public Hearing: Draper Cove Plat Amendment (Administrative Action)

Chair Adams read the agenda item into the record.

Ms. Jastremsky indicated they reviewed the site plan for this property a few months ago. The applicant was proposing retail/flex office space. The applicant is requesting a condo plat approval in order to sell the units. The property is within the Town Center land use and zoning district. There are four buildings and a total of 24 units. The landscaping, sidewalks and parking will be located in a common parcel and owned by the owner's association. She presented site photos of the property.

Commissioner Squire asked if this was part of the original application.

Ms. Jastremsky indicated the code amendments recently passed required the mylar to be signed before going to the Planning Commission. The plat was not ready for signature at that point. The applicant has planned from the beginning to record a condo plat.

Chair Adams invited the applicant to speak.

Drew Parcell, Applicant stated nothing has changed with the project. He mentioned they are working with the neighboring property on the west to provide cross access.

Chair Adams opened the public hearing. No one spoke.

Motion: Commissioner Hawker motioned to approve the plat amendment as requested by Drew Parcell, representing Parcell Construction for Draper Cove, Application SUBD-665-2019, based on the findings and subject to the conditions listed in the staff report dated December 2, 2019.

Second: Commissioner Tonks

Vote: A roll call was taken with the Commissioners voting unanimously in favor of the motion. This item passed with a 5 to 0 vote. Commissioners Tonks, Squire, Hawker, Player and Gundersen voted, "Aye".

4. Public Hearing: Edelweiss Phase 6 Plat Amendment (Administrative Action)

Chair Adams read the agenda item into the record.

Ms. Jastremsky provided an overview of the application. She mentioned the property is located adjacent to Suncrest and is designated Residential Medium Density land use and zoned Edelweiss Master Planned Community. The applicant is requesting to amend the plat to add a private storm drain easement to the rear of the lots. The easement will be 15 feet in width. It will not affect building setbacks.

Commissioner Hawker mentioned detached structures should not be a problem due to the size of the lots.

Ms. Jastremsky noted they check plats and setbacks when detached garages come in for building permit. In order for someone to build within an easement they have to go through an easement release process.

Brien Maxfield, City Engineer explained originally the applicant was planning to manage storm water on each individual lot. They realized that it was more feasible to have a drainage channel route storm water to the storm water facility. There is a lot of runoff on this property. This easement will protect the integrity of the channel.

Chair Adams asked if there will be anything in the CC&Rs to protect against someone from disrupting the easement.

Mr. Maxfield commented that staff required the easement to help protect the stormwater channel. He mentioned the Suncrest HOA has agreed to take on Edelweiss. Several of the lots have been sold but no certificates of occupancy have been issued.

Chair Adams invited the applicant to speak.

Kaitlyn Mickelson, with DAI stated everything has been covered.

Chair Adams opened the public hearing. No one spoke. He closed the public hearing.

Motion: Commissioner Tonks motioned to approve the plat amendment request by MREC DAI Edelweiss, LLC for the Edelweiss Phase 6 Plat, Application SUBD-877-2019, based on the findings listed in the staff report, dated December 2, 2019.

Second: Commissioner Squire

Vote: A roll call was taken with the Commissioners voting unanimously in favor of the motion. This item passed with a 5 to 0 vote. Commissioners Tonks, Squire, Hawker, Player and Gundersen voted, "Aye".

5. Public Hearing: The Exchange at 140th Building C Site Plan Request (Administrative Action)

Chair Adams read the agenda item into the record.

Ms. Jastremsky overviewed the application. She mentioned this is an office complex by Wadsworth Development located at Bangerter Highway and 14000 South. It includes five buildings and a sixth building is proposed with this application. The property is designated Regional Commercial land use and Regional Commercial zoning district. She provided an overview of the current site plan and noted the location of the proposed building. The site plan was approved in 2006. The proposed building is three stories in height and contains 36,000 square feet. The parking layout matches what was planned for the site. The applicant is proposing three variations which include building materials, building façade and parking lot tree diamonds. They are requesting tree diamonds in replacement of the landscape islands. Landscaping is provided in the parking lots and a sitting area is planned adjacent to the building. The architecture will substantially match the existing site buildings. The applicant is proposing to have additional EIFS than typically allowed as well as corrugated metal. EIFS is considered a secondary material and corrugated metal is a prohibited material in the code. The exterior will contain between 19-23% EIFS and 13-14% corrugated metal. She noted the material in the elevations and material board.

She mentioned that they are requesting a deviation from the requirement for relief in building variation. Code requires buildings over 100 feet in length to have a significant variation of at least five feet in depth and 20 feet in length. They are proposing the deviation so they can match other site buildings. She noted variations in the elevation but mentioned they don't meet the code.

Chair Adams opened the public hearing. No one spoke. He closed the public hearing.

He mentioned the site would look weird if this building looked different from other site buildings and noted he is in favor of the proposed changes.

Motion: Commissioner Player motioned to approve the deviation for the building material as requested by Elizabeth Cole, representing Wadsworth Development Group, for the Exchange at 140th Building C Site Plan, Application SPR-850-2019, based on the findings and subject to the conditions listed in the staff report, dated December 2, 2019.

Second: Commissioner Squire

Vote: A roll call was taken with the Commissioners voting unanimously in favor of the motion. This item passed with a 5 to 0 vote. Commissioners Tonks, Squire, Hawker, Player and Gundersen voted, "Aye".

Motion: Commissioner Squire motioned to approve the deviation for the façade variation as requested by Elizabeth Cole, representing Wadsworth Development Group, for the Exchange at 140th Building C Site Plan, Application SPR-850-2019, based on the findings and subject to the conditions listed in the staff report, dated December 2, 2019.

Second: Commissioner Player

Vote: A roll call was taken with the Commissioners voting unanimously in favor of the motion. This item passed with a 5 to 0 vote. Commissioners Tonks, Squire, Hawker, Player and Gundersen voted, "Aye".

Motion: Commissioner Tonks motioned to approve the deviation for parking lot tree diamonds as requested by Elizabeth Cole, representing Wadsworth Development Group, for the Exchange at 140th Building C Site Plan, Application SPR-850-2019, based on the findings and subject to the conditions listed in the staff report, dated December 2, 2019.

Second: Commissioner Player

Vote: A roll call was taken with the Commissioners voting unanimously in favor of the motion. This item passed with a 5 to 0 vote. Commissioners Tonks, Squire, Hawker, Player and Gundersen voted, “Aye”.

Motion: Commissioner Hawker motioned to approve the site plan as requested by Elizabeth Cole, representing Wadsworth Development Group, for the Exchange at 140th Building C Site Plan, Application SPR-850-2019, based on the findings and subject to the conditions listed in the staff report, dated December 2, 2019.

Second: Commissioner Gundersen

Vote: A roll call was taken with the Commissioners voting unanimously in favor of the motion. This item passed with a 5 to 0 vote. Commissioners Tonks, Squire, Hawker, Player and Gundersen voted, “Aye”.

Ms. Jastremsky noted the Spring APA conference is in Moab on February 26-28 (Wednesday-Friday). She asked them to let her know if they want to go by next week.

Commissioner Gundersen stated she would like to go.

The Planning Commission noted that they need to amend the calendar to remove the meeting date from the calendar if there will not be a quorum. They asked for the item to be brought up at the next meeting so everyone can check their calendars.

6. Adjournment

Commissioner Adams moved to adjourn the meeting.

A voice vote was taken with all in favor. The meeting adjourned at 7:20 p.m.