



PLANNING COMMISSION AGENDA

Notice is hereby given that the Draper Planning Commission will hold a **Business Meeting** on **Thursday, June 25, 2020, at 6:30 PM**, in the 1020 East Pioneer Road, Draper, Utah 84020 in the Council Chambers.

The Agenda will be as follows:

1. Electronic Meeting

This meeting will be an electronic meeting pursuant to Draper City Resolution #14-54. As restrictions take place across the State for limiting public gatherings, we want to make sure everyone interested in participating in meetings can do so in a manner they feel most comfortable.

- Listen through our website - <https://www.draper.ut.us/95/Agendas-Minutes>
- Email your comments to [the project planner listed on the agenda item below](#) by Noon on the day of the meeting. These will become part of the public record.
- If you wish to speak during the Public Comment or Public Hearings portion of the meeting, please send a request for the Zoom Meeting ID to [the project planner listed on the agenda item below](#) by noon, on the day of the meeting.

2. Action Item: Approve Planning Commission Meeting Minutes for June 11, 2020 (Administrative Action)

3. Action Item: Hidden Canyon Estates Phase 6 Final Subdivision Plat (Administrative Action)

On the request of Brandon Watson, representing Edge Land 16, LLC, for a Final Subdivision Plat for the Hidden Canyon Estates Phase 6 Subdivision on 6.32 acres located at approximately 14755 South Springtime Rd. Application SUBD-843-2019. Staff Contact is Jennifer Jastremsky at 801-576-6328, jennifer.jastremsky@draper.ut.us.

4. Public Hearing: Jenson Farms Lot 109 Plat Amendment (Administrative Action)

A request by Tim Gough, representing Gough Homes, for a plat amendment in the R4 (Single Family Residential, 10,000 square foot lot minimum) Zone in order to allow the placement of a 20 foot wide Draper City access and maintenance easement on Lot 109 Jenson Farms. The subject property is located at approximately 11837 S. Ridge Oak Lane. Application SUBD-1003-2020. Staff contact: Maryann Pickering at (801) 576-6391 or maryann.pickering@draper.ut.us.

5. Public Hearing: Fox Landing Phase 3 Addition Land Use Map and Zoning Map Amendment Request (Legislative Action)

On the request of Derek Wright, representing Wright Homes, for a Land Use Map Amendment from Residential Low/Medium Density to Residential Medium Density, and a Zoning Map Amendment from RA1 to R3 on 0.461 acres of property located generally at 11720 South 700 West. Application TEXTMAP-998-2020 and TEXTMAP-999-2020.

Staff contact is Jennifer Jastremsky at 801-576-6328 or jennifer.jastremsky@draper.ut.us.

6. Adjournment

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

SALT LAKE COUNTY AND UTAH COUNTY, STATE OF UTAH

I, the City Recorder of Draper City, certify that copies of this agenda were posted on the Draper City Electronic Bulletin Board, Draper City website www.draper.ut.us, the Utah Public Notice website at www.utah.gov/pmn, and sent by email to the *Salt Lake Tribune* and the *Deseret News*.

Date Posted: June 19, 2020



Laura Oscarson, 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 Laura Oscarson, City Recorder at (801) 576-6502 or laura.oscarson@draper.ut.us, at least 24 hours prior to the meeting.



MEMO

To: Planning Commission
From:
CC:
Date: June 25, 2020
Re:



MEMO

To: Planning Commission
From:
CC:
Date: June 25, 2020
Re:

ATTACHMENTS:

Description	Upload Date	Type
PC Draft Minutes 06.11.20	6/19/2020	Cover Memo

Draft minutes

MINUTES OF THE DRAPER CITY PLANNING COMMISSION ELECTRONIC MEETING HELD ON THURSDAY, JUNE 11, 2020 IN THE DRAPER CITY COUNCIL CHAMBERS

PARTICIPATING

ELECTRONICALLY: Chairperson Andrew Adams, Commissioner Mary Squire, Traci Gundersen, Kent Player, and Alternate Commissioner DeLaina Tonks

PRESENT: Alternate Commissioner Gary Ogden

ABSENT: Vice Chairman Craig Hawker, Commissioner John Van Hoff, and Alternate Commissioner Lisa Fowler

STAFF PRESENT: Jennifer Jastremsky, Brien Maxfield, Mike Barker, Maryann Pickering, and Amie Salazar

STAFF PRESENT

ELECTRONICALLY: Christina Oliver, Spencer DuShane, Don Buckley and Russell Fox

6:30 PM Business Meeting

The Agenda will be as follows:

1. Electronic Meeting

This meeting will be an electronic meeting pursuant to Draper City Resolution #14-54. As restrictions take place across the State for limiting public gatherings, we want to make sure everyone interested in participating can do so in a manner they feel most comfortable.

- Listen through our website - <https://www.draper.ut.us/95/Agendas-Minutes>
- Email your comments to planning.comment@draper.ut.us by Noon on the day of the meeting. These will become part of the public record.
- If you wish to speak during the Public Comment or Public Hearings portion of the meeting, please send a request for the Zoom Meeting ID to planning.comment@draper.ut.us by Noon, June 11, 2020.

Motion re: Commissioner Tonks made a motion to adopt the Zoom Meeting Rules, and Commissioner Squire seconded the motion.

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

Chairman Adams stated this is an electronic meeting pursuant to Draper City resolution 14-54 regarding restrictions limiting public gatherings. He listed multiple ways to view and participate in the meeting.

2. Action Item: Approve Planning Commission Meeting Minutes for April 23, 2020 (Administrative Item)

Motion re: Commissioner Ogden moved to approve the minutes for April 23, 2020, and Commissioner Tonks seconded the motion.

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

3. Action Item: Approve Planning Commission Meeting Minutes for May 14, 2020 (Administrative Item)

Motion re: Commissioner Gunderson moved to approve the minutes for May 14, 2020, and Commissioner Squire seconded the motion.

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

4. Public Hearing: Blue Stakes of Utah Addition Amended Site Plan (Administrative Action)

On the Request of Jeffery Close representing PGA&W Architects is requesting approval of a site plan amendment for approximately 0.75 acres located at approximately 148 E. 13200 S. The property is currently zoned CR (Regional Commercial) Zone. Application SPR-986-2020. Staff contact is Travis Van Ekelenburg, 801-576-6522, travis.vanekelenburg@draper.ut.us.

Staff Member Jennifer Jastremsky stated the item had been continued to a date uncertain.

5. Public Hearing: 123XD Land Use Map and Zoning Map (Legislative Action)

A request by Keaton Morton, representing X Development, to amend the land use map for the southern half of the subject property from Town Center to Neighborhood

Commercial and to amend the zoning designation for the entire site from RA2 (Residential Agricultural, 20,000 square foot lot minimum) to CC (Community Commercial). The property is located at approximately 736 East 12300 South and 749-763 East Pioneer Road. Application TEXTMAP-973-2020 and TEXTMAP-1006-2020. Staff contact: Maryann Pickering at (801) 576-6391 or maryann.pickering@draper.ut.us

Staff Member Maryann Pickering presented on the parcel, which primarily fronts on 12300 South with one access along Pioneer Road. The requested land-use change was to designate the entire parcel as Neighborhood Commercial. It is currently zoned RA2 but had CC zoning to the East and West and CN zoning to the North. The subject property, if zoned CC, could potentially have a 45-foot building height, and the applicant had indicated that commercial buildings would be located primarily along 12300 South.

Applicant Dave Morton expressed appreciation for the Staff's help and for the Commission's time. He outlined the possibility of three-story buildings that allow retail/commercial on the main floor and neighborhood offices on the others. He felt the property was important to Draper and provided an opportunity to have a mix of retail, office space, and mentioned the current and requested land use and zoning. He detailed the challenges of providing anything to the Town Center designation due to the shape of the lot. He noted the canal along 700 East gave an 80-foot setback for the building. He emphasized the frontage on 12300 South was maximized for retail/commercial on the main floor and that if the height is restricted, it will increase the building's footprint and decrease parking. He was looking to increase the height restrictions of 35 feet. The Developer would improve canal aesthetics when working with the canal company and provide architectural step backs that would help the building appear shorter in height.

Additionally, he presented an architectural rendering detailing the architectural step backs. He would not be able to put retail on the main floor without the height deviation. He gave a rendering of the height of the building and showed the architectural step backs, including the difference between 35 and 45 feet. He felt the use proposed is consistent with similar corner sites in the area. He noted the project would provide retail to the neighborhood and would be walkable.

Chairman Adams stated that he was concerned about the continuity between the architectural rendering and physical structure. He asked if when the rendering was done, did they fly a red balloon to 45 feet, or did they just estimate the height.

Mr. Morton stated that the concerns could be handled through development agreements with the City Staff to ensure the correct elevations. He focused on the ability to provide retail on the main level by adding 10 feet in height. He noted that the architectural step backs would help the visual of the building.

Chairman Adams then stated he has had past applicants change zoning and then come to the Commission needing more height for proposed projects. He was glad that the proposed zoning change would include the proposed building height. Although, he felt

concerned about the rendering being the same as the final project. He stated the rendering is not accurate but is an estimate.

Mr. Morton stated that was a fair statement. He noted what was accurate on the rendering is the difference between the 35 and 45 feet. He wanted to be transparent with the Commissioners about height.

Chairman Adams opened the public hearing. He detailed how the public could add themselves to the queue using the “raise hand” feature and the rules.

John Putz stated he is a residence of the sunset Ponds neighborhood. He was concerned about the height and the traffic problem on 12300 South. He wanted to know how the applicant would address the 100 plus car parking lot and how the traffic would be routed going left onto 12300 South. He wanted the proposed retail to be defined.

Chairman Adams stated they would not answer questions during the public hearing but would take note of concerns and address them.

Adam Corello noted that he lives in the townhomes Northeast of the proposed project area. He felt that the rendering did not fit the historical context of the area. He hoped the building would provide an area the locals can visit.

Chairman Adams closed the public hearing.

Mr. Morton expressed appreciation for the public comments. He addressed that traffic patterns of retail and business are different to allow the parking to be utilized efficiently. There would be two access points, and the traffic will naturally route to the least busy exit. He listed various types of retail that could potentially inhabit the building. He did not feel there would be restaurants. He reiterated the building would only be three stories, but the additional ten feet in height will allow a retail option. He noted that they are willing to discuss the architectural design with Draper City and also with the public but felt design esthetics were often personal.

Chairman Adams noted that there were two items for recommendation and opened the discussion.

Commissioner Squire felt concerned about the height of the proposed project. She felt that often they receive requests to go higher and that this proposed height would not be appropriate for the lot. She felt the view of the mountain would be blocked.

Commissioner Tonks shared concerns about the height and the building being so close to the corner. She asked if anyone knew the height of Hanger 15 across the street to perceive the height differential.

Chairman Adams stated that the best way to determine that is to go out to the site with a red balloon to gauge height. He felt that there is not a way to assess the impact of height. He commended the applicant for being straightforward.

Commissioner Gundersen commented she felt they should focus on the zone change in context to surrounding zones.

Commissioner Squire stated that she agreed with those statements and would look at the neighborhood character.

Motion re: Commissioner Squire moved to forward a negative recommendation to the City Council to amend the 123 X Development land use map amendment, by Keaton Morton, TEXTMAP-1006-2020, based on the findings in the Staff Report on June 2, 2020.

Second: Commissioner Ogden seconded the motion.

Vote: A roll call vote was taken with Commissioners voting in favor of the motion. This item passed with a 4 to 1 vote. Commissioners Player, Squire, Tonks, and Ogden voted, "Aye". Commissioner Gunderson voted, "Nay".

Motion re: Commissioner Squire moved to forward a negative recommendation to the City Council to amend the 123 X Development zoning land use map amendment, by Keaton Morton, TEXTMAP-973-2019, based on the findings in the Staff Report on June 2, 2020.

Second: Commissioner Tonks seconded the motion.

Vote: A roll call vote was taken with Commissioners voting in favor of the motion. This item passed with a 4 to 1 vote. Commissioners Player, Squire, Tonks, and Ogden voted, "Aye". Commissioner Gunderson voted, "Nay".

6. Public Hearing: Holmes Homes Office Land Use Map Amendment and Zoning Map Amendment (Legislative Action)

On the request of Brad Holmes, representing Holmes Homes for a land-use map amendment from Community Commercial to Neighborhood Commercial and a zoning map amendment from RA1 (Residential Agricultural, 40,000 square foot lot minimum) to CN (Neighborhood Commercial) on 3.57 acres of land located at approximately 11743 South 700 East. Application TEXTMAP-983-2020 and TEXTMAP-984-2020. Staff contact is Jennifer Jastremsky at 801-567-6328, jennifer.jastremsky@draper.ut.us

Ms. Jastremsky presented the land-use changes. She noted that the land-use across the street was also designated Neighborhood Commercial. There were three homes located on the lot, which predated the incorporation of Draper City. The current zoning is RA1, residential one-acre lots, and the existing parcels are just over one acre in size. She

detailed that the applicant is proposing a change to the CN, Neighborhood Commercial, zone.

She distinguished the differences between the CN and Community Commercial zones. The CN zone limits building height to thirty-five feet and allowed for two-story office buildings. The Community Commercial zone allowed for forty-five-foot building height. She presented pictures of existing structures on 700 East, and that were examples of what could be built on the property if rezoned.

She noted that the residents had concerns with the site plan providing buffers and landscaping buffers.

Commissioner Squire asked if buildings could be constructed immediately after the six-foot wall and twenty feet of landscaping buffer on the Southside of the property. She asked how close the buildings would be to the street and if the property to the North was residential.

Ms. Jastremsky replied yes that the buildings could be built immediately after the buffer. She answered there is not a minimum setback for the building; however, if parking were adjacent to the road, it must be 10 feet away. The property to the North has a residence on the lot and is zoned residential and that the future land use contemplated redevelopment of that lot for commercial.

Commissioner Squire asked when the land use was changed on the lots. She wondered why the zone and land use did not match.

Ms. Jastremsky stated that she did not know. She expanded that the City General Plan called for the redevelopment of 700 East north of 12300 South, and the homes included, could be developed for commercial use.

Ms. Squire asked if the zone to the South would be consistent.

Chairman Adams asked for a zoning map.

Ms. Jastremsky apologized for not providing a zoning map in the slideshow. She stated that the area to the South had a residential zone, in addition, a townhome neighborhood off of, not on, 700 East, and South of Kimball's there were residential and commercial uses.

Chairman Adams clarified that one portion of the lot is going from the Community Commercial zone to the Neighborhood Commercial zone, and the other portion would be going from the Residential zone to a Neighborhood Commercial zone. He asked if the switch would move all the lots and future buildings to a thirty-five-foot height maximum, and what the maximum height is for residential zones.

Ms. Jastremsky stated, yes, and that the maximum height for residential zones was thirty-five feet.

Applicant Brad Holmes addressed the use of the buildings on this lot, including a corporate office for Holmes Homes and a 25,000 - 30,000 square foot building similar to the pictures seen of existing buildings across the street. The proposed development would complement the surrounding area and only contemplates two-story buildings. He felt the proposed office space would help with traffic concerns and be owner-occupied. The parking was proposed along the back of the lot, keeping the building close to 700 East, and the parking lot lighting would be managed. He felt they had remained in line with the guidelines of the proposed zone.

Chairman Adams opened the public hearing.

Andrew Morgan, President of the Sunset Ponds HOA, commented the neighborhood is in favor of the rezoning. The HOA and residents are concerned the South boundary had been impacted, and there was a lack of a site plan and rezoning. His main worry was the marketability of the nine properties adjacent to the proposed project. He wanted confirmation of how the North boundary residents will be affected, and a site plan be provided.

John Howe, a resident of Sunset Ponds, stated his home abuts the Southern part of the proposed project area. He asked if an environmental impact study has been conducted for the proposed project area and how drainage would be managed once the area is developed. He asked in case of damage to resident's properties due to drainage, is there legal recourse with the involved parties.

Chairman Adams stated that they would take note of the questions and comments during the public hearing.

Lori Jessop agreed with the previous comments. She hoped the Chinese Elm trees would be removed and that Holmes Homes would plant trees to create a buffer for the residences adjacent to the proposed project area.

John Foot, a resident of Sunset Ponds, stated there is an unknown aspect of the site plan, and he would like a better idea of what that proposed property would look like. He is concerned about property values being negatively affected due to this proposed development.

Chairman Adams closed the public hearing.

Mr. Holmes expressed appreciation for the public comments. He stated they have not conducted an environmental impact study but will do so. He believed the City would control the drainage, and all run off would be managed on-site. He noted the Utah Department of Transportation controls 700 East, and wherever access to the site is given will largely impact the site plan. He expressed an understanding of the resident's

comments, and they would work with neighbors to place the buildings depending on access from UDOT. He felt that the proposed use would keep the highest property values for neighbors.

Commissioner Player stated the questions raised in the public comments would be addressed at a later time as they are just contemplating the rezoning of the proposed area. He noted that the building would match the style of buildings across the street.

Commissioner Squire asked what the City Code requires for lighting.

Ms. Jastremsky explained the lighting code addresses foot candle levels for commercial areas adjacent to residences. The Code limits lighting to a 0.2-foot candles maximum allowance for those situations. The Code requires the lamps to be shielded and keep light going toward the pavement in the area it serves.

Commissioner Player asked what 0.2-foot candles would be.

Ms. Jastremsky stated she would not be able to provide much detail on what that looked like. She added it allowed for a little light that must be defused by the time it reached the property line.

Chairman Adams asked if that was a guideline for the CN zone requested.

Ms. Jastremsky stated, yes, it was a zoning code requirement.

Motion re: Commissioner Player made a motion to forward a positive recommendation for the land use map amendment, requested by Brad Holmes representing Holmes Homes, Application TEXTMAP-983-2020, based on the findings and subject to conditions in the Staff Report dated June 2, 2020.

Second: Commissioner Squire seconded the motion.

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

Motion re: Commissioner Tonks made a motion to forward a positive recommendation to the City Council for the zoning land use map amendment, requested by Brad Holmes representing Holmes Home, Application TEXTMAP-984-2020 based on the findings and subject to the conditions in the Staff Report dated June 2, 2020.

Second: Commissioner Ogden seconded the motion.

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

7. Public Hearing: HCA Lone Peak Hospital Expansion (Administrative Action)

A request by Jason Yost, representing Catalyst Design Group, for site plan and material deviation approval for an expansion to Lone Peak Hospital. The proposed expansion will have the same building height as the existing hospital building. The total area of the expansion is approximately 18,920 square feet in size. The property is located at approximately 11925 South State Street in the CR (Regional Commercial) zone. Application SPR-969-2020. Staff contact: Maryann Pickering at (801) 576-6391 or maryann.pickering@draper.ut.us

Maryann Pickering presented noting the road to the south of the Lone Peak Hospital campus has been now been constructed. She explained the current land use designation is Cultural and Institutional, and the zoning is Regional Commercial (CR). The application provided was a site plan amendment and usually reviewed by Staff members. She presented the application to the Commission due to the material deviations requested. She detailed three areas will receive additions, a new parking lot will be constructed and noted the landscaping will be reduced but still be above the minimum landscaping requirements. She stated the expansion is minimal and will not exceed the existing height of the building. Additionally, the applicant would like to keep the materials consistent with the existing building and, therefore, are requesting the material deviation. The applicant felt, and the Staff concurred, they met deviation standards 2,6,7, and 9.

Jack Parker, Civil Engineer, stated that Ms. Pickering presented the information thoroughly and the applicant is looking to further their services to Draper City residents.

Chairperson Adams opened the public hearing.

Chairperson Adams closed the public hearing.

Ms. Squire sated the deviation was appropriate.

Motion re: Commissioner Ogden made a motion to approve the site plan and material deviation for the expansion to Lone Peak Hospital, requested by Jason Yost, representing Catalyst Design Group, Application SPR-969-2020, based on the finding and conditions outlined in the Staff Report dated June 2, 2020.

Second: Commissioner Player seconded the motion.

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

Motion re: Commissioner Squire made a motion to approve the site plan deviation for the expansion to Lone Peak Hospital, requested by Jason Yost, representing Catalyst Design Group, Application SPR-969-2020, based on the finding and conditions outlined in the Staff Report dated June 2, 2020.

Second: Commissioner Tonks seconded the motion.

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

8. Public Hearing: Quality Diamond Tools Home Occupation Conditional Use Permit (Administrative Action)

On the request of Jim and Lois Duncan for a Home Occupation Conditional Use Permit for a home-based office and assembly and repair, limited use on 0.94 acres of property located at 12138 South 800 East. Application USE-937-2020. Staff contact is Jennifer Jastremsky, 801-576-6328, jennifer.jastresmky@draper.ut.us

Ms. Jastremsky presented the property off of 800 East. The home on the lot predated the incorporation of Draper City, and the other structures were considered legal nonconforming. There were two lots historically treated as one parcel and owned and utilized with each other, although two separate parcels. The properties are within the Residential Medium Density Land Use designation and in the RA2 Zoning designation for half-acre lots. She explained the applicant was requesting a home-based business for the sale of drill tools for Geotech mineral exploration. The home would function as a call center for orders. She detailed the two different uses this type of business would be classified. She provided definitions under Draper City Municipal Code 9-3-040 for ASSEMBLY AND REPAIR, LIMITED, and OFFICE GENERAL. See definitions. She added the ASSEMBLY AND REPAIR, LIMITED was intended to be on a small scale, and the proposed use is more substantial than a small scale.

She referred to the site plan showing the home office, a driveway to the back of the property, a garage with office and storage space, a woodshop for storage, and two twenty-foot conex containers.

Additionally, the square footage for the business is 3,044. She noted the Code indicates that a business shall not occupy more than 25% of the home and that the storage dedicated to the business be 250 square feet maximum. She provided a slide detailing the square footage and percentages of the lot. She noted that the area proposed for the business is substantial. The Staff recommended prohibiting the use of some of the detached structures, including the woodshop and both Conex Containers. She listed five businesses with accessory structure use and similar approvals within the last decade. She noted there is a history of this in the City. The Staff felt that having multiple structures for the business seemed excessive. She referred to a few conditions of approval that were provided in the Staff Report regarding the business.

- An office needs to stay within the home or main dwelling unit.

- Hours of operation need to stay between Monday and Friday, 8 AM to 6 PM.
- Require the two employees to park onsite and not within the public right of way.
- Limit employees to two persons.
- Prohibit customers to home, and all products must be shipped.
- Limit the number of deliveries. The applicant indicated that 35% of business is drop ship to customers. The rest of the product comes to be repackaged and shipped. The deliveries and shipments shall be limited to no more than six total trips.
- Limit types of delivery trucks to 15,000 pounds gross vehicle weight or less.
- No vehicles or trailers shall block 800 East to load or unload at any time.
- No additional sheds or garages be added to the property for business purposes.
- Limit business operations to the office within the residential dwelling unit and in the detached structure referred to as garage/shop.
- The number of business vehicles was capped at two, business utility trailers were capped at one, and motorized equipment (i.e. forklift) was capped at one.
- A knox box shall be required on all gates allowing access to the Draper City Fire Department.
- Forklift use is limited to a period of one hour after delivery.
- Require all signage on site to comply with Draper City Municipal Code.
- Provide an affidavit certifying the property is the applicant's primary residence.

Additionally, she provided pictures of the home, the office within the home, the back area, and accessory structures.

Commissioner Squire asked if the applicant was already occupying the lot for the proposed use.

Ms. Jastremsky stated, yes.

Commissioner Squire stated she saw a letter concerning the application.

Ms. Jastremsky stated that three for the four letters received were attached to the staff report and that another letter was received that day.

Applicant Jim Duncan thanked Ms. Jastremsky for her presentation. He noted they did not repair products on site. His business primarily functioned as a call center, shipping center, and some outsourcing for clients. He detailed the size of the products shipped. There were two vehicles for the business. The forklift was used a few times a week for thirty minutes each time.

Commissioner Squire asked if Semi-trucks came to the home for deliveries and pickups.

Mr. Duncan stated that occasionally someone would send a palate that is 100 or 200 pounds on a Semi-truck. He stated, yes, it happens, but not often. He did not ask for that delivery method.

Commissioner Squire asked how the applicant would regulate semi-trucks coming to the home that are not permitted. She noted the permit could be revoked if not followed.

Mr. Duncan stated that when they make orders, they notify the deliverer to drop off the product to a truck dock, and they pick it up themselves. Occasionally, deliverers would surprise him with a 150-pound pallet and a semi-truck. He has two employees with pickup trucks that receive orders on their way into or out of work.

Chairperson Adams opened the public hearing.

Adan Carrillo lives Northeast of the location. He expressed concern about how the business owner will regulate the types of trucks coming to and leaving the property. He asked how the City planned to enforce if the vehicles did not meet the standards and how they would measure the number of deliveries or drop-offs throughout a given day. He noted that they have children who play in the area, and there are no sidewalks. He felt the road was in poor shape, and an increase in traffic will make it worse. He commented that the infrastructure should be upgraded to support the proposed use.

Chairperson Adams closed the public hearing.

Mr. Duncan stated he appreciates his neighbors. He did not feel the business would detract from the neighborhood, and the traffic will be behind the house. UPS trucks would be there daily. He reassured his neighbors that they would do all they can to limit any oversized vehicles in the neighborhood. He would specify each delivery method when placing orders and that the large truck shipments are less than three times a month. His concern is the safety of the neighborhood children.

Commissioner Player complimented Mr. Duncan's efforts to maintain his business on his lot.

Commissioner Squire felt this was a heavy use for the proposed property.

Motion re: Commissioner Player made a motion to approve the request by Jim and Lois Duncan for a Home Occupation Conditional Use Permit, for Quality Diamond Tools, Application USE-937-2020, based on the findings and subject to the conditions listed in the staff report dated June 2, 2020.

Second: Commissioner Gundersen seconded the motion.

Vote: A roll call vote was taken with Commissioners voting 2-3 against the motion. The item did not pass with a 2 to 3 vote. Commissioners Player and Gunderson voted, "Aye." Commissioners Ogden, Squire, and Tonks voted, "Nay."

Discussion ensued to clarify how to proceed with either approval with conditions or denial w. Mr. Barker, City Attorney, asked the Commissioners to identify the detrimental

effects that cannot be mitigated by conditions if making a negative recommendation. He then clarified the language that would be needed. He stated the concerns voiced so far had to do with use of forklifts, intensity, and possibility of semi-trucks making deliveries had been identified as detrimental effects. Whoever makes a motion needs to identify those and justify why there are not mitigating conditions that can be imposed. Mr. Barker clarified another alternative would be a motion to approve with added conditions that address the concerns discussed. Chairman Adams clarified possible language.

Motion re: Commissioner Squire made a motion to deny the Home Occupation Conditional Use Permit, requested by Jim and Lois Duncan, for Quality Diamond Tools, Application USE-937-2020, based on the inability to control delivery vehicles that would comply with conditions, based on the use of a forklift, and based on the intensity of use of the business.

Second: Commissioner Ogden seconded the motion.

Vote: A roll call vote was taken with Commissioners voting 3-2 in favor of the motion. This item passed with a 3 to 2 vote. Commissioners Ogden, Squire, and Tonks voted "Aye." Commissioners Player and Gunderson voted, "Nay."

9. Training: Ethics

Annual training

City Attorney Mike Barker provided training. He provided an example of a case from the Utah County Attorney's Office. He presented a slide show as follows.

- Three Utah County prosecutors resigned after a defense attorney paid for their Utah Jazz tickets. They had known each other outside of the office.
- The prosecutors and defense attorney attended a Lakers/Jazz game. The prosecutors resigned based on allegations that they received inappropriate gifts from a defense attorney.
- Quotes by David Leavitt pointed out the tickets impugns the public confidence in the criminal justice system.
- Goals of the City's Ethics Code- The City strives to elevate the level of ethics in local government, provide honest and responsible service to the citizens, and maintain the confidence and trust of the public that the government deserves. The public may not always agree with decisions, but the City does not want the public to question the motives of such decisions.
- Impartiality- The question of impartiality arises in this case with the prosecutors. There can be a perception that outcomes of cases can be determined based on relationships and not the facts. He quoted Mr. Leavitt again. Mr. Barker noted that the decisions made by the Planning Commission should be based on evidence of Code and not on relationships with developers or participants in the process.

- Duty of Impartiality- The duty is to treat all citizens the same by not giving special consideration, treatment, or advantage to anyone.
- Gifts- The tickets were of significant value, but all three prosecutors denied that the tickets had influenced their work, and they did not interact with the defense attorney in court.
 - The Code defines a gift as a loan at an interest rate lower than the commercial rate currently prevailing and compensation received for private services rendered at a rate substantially exceeding fair market value for the services.
 - Do not accept a bribe.
- Gift - Exceptions. The occasional nonpecuniary gift having a value less than 50 dollars. A publicly presented award in recognition of service. A bona fide loan made in the ordinary course of business. A political campaign contribution. Any other gift which would have been offered to that person if they were not a city employee.
- Conflict of Interest- This does not mean you received a benefit, but the conflict of interest arises with the appearance of impartiality. There was no evidence in the case of impartiality discussed, but there is an inference that the generosity could affect future outcomes of cases.
- Conflicts of Interest Continued- Quote from one of the attorney's stating the Jazz ticket situation did not affect his ability to represent the citizens of Utah County fairly and ethically.
- Conflicts of Interest Continued- Conduct yourself in your official and private affairs so as not to give a reasonable basis for the impression that you can be improperly influenced in the performance of your public duties. Conduct yourselves as to maintain public confidence in your performance of the public trust in the government you represent. Avoid even the appearance of conflict between your public duties and private interests.
- Conflicts of Interest Continued- Every city officer who has an "interest," as defined in section 19-1-020 of this title, in any proposed legislation before the city body shall disclose on the record of the city body the nature and extend of such interest. Such officer shall leave the room during the discussion concerning the legislation, and not participate in the discussion or vote upon the matter.
- Conflict of Interest-
 - Interest includes direct or indirect pecuniary or material benefit accruing to you as a result of an official act or action by or with the City.
 - Exception contracts or transactions, which by their terms confer the opportunity and right to realize the same benefits to all persons or property similarly situated.
- Conflict of Interest Continued- "You"
 - Relations by blood or marriage closer than the 4th degree of consanguinity- divorce or separation does not terminate such a relationship.
 - Any person or business entity with whom a contractual relationship exists with the city officer or employee.

- Any business entity in which the city officer or employee is an office, director, etc. or who employs the city officer or employees.
 - Any business entity of which the city officer or employee owns more than 5 % of the stock or legal or beneficial ownership.
- Conflict of Interest Continued- Do not pre-acquire an interest in any contract or transaction that requires an official act of the City.
- Conflict of Interest Continued
 - Do not disclose confidential information.
 - Do not accept employment that might impair the independence of judgment or otherwise.
 - Do not appear before a city body on behalf of someone else or your spouse or children.
- Disclosure Rule- Disclose an interest in a proposed legislation before the city body.
 - Disclose on the record.
 - Leave the room and do not participate in the vote.
- Duty to Disclose (State Law)
 - Must disclose interest in any business regulated by the City and must be disclosed in writing to the Mayor.
 - Disclose interest in business entity doing or anticipating doing business with the City.
 - Disclose personal interest or investments that may create a conflict of interest between personal and public duties.
- How can the City Attorney make your life easier? - Rule 1.13 of the Utah Rules of Professional Conduct- Organization as a Client
 - City Attorney's client is the governmental entity.
 - Role may be modified by statute, ordinance or regulation.
 - It is his ethical duty to keep the council apprised of ongoing issues that may cause substantial harm to the City.
 - Encourage city officer and employee to act ethically at all times.
 - Provided written opinion upon request.
 - Opinion is binding and protect the officer/employee.
 - That becomes a public document.
- Penalties-
 - Misdemeanor and or felony criminal charges for violations.
 - Contract or transactions is voidable by the City.
 - Removal from office.

He then asked if there were any questions.

10. Adjournment

Chairman Adams moved to adjourn the meeting. Andrew Adams took a vote and all Commissioners were in favor.

The meeting was adjourned at 9:03 PM.

DRAFT



MEMO

To: Planning Commission

From: Jennifer Jastremsky

CC:

Date: June 25, 2020

Re: Hidden Canyon Estates Phase 6 – Final Subdivision Plat Request

Comments:

This application is a request for approval of a Final Subdivision Plat for approximately 6.32 acres located at approximately 14755 South Springtime Rd. The property is currently zoned RM (Multi-family Residential) and C-3 (General Commercial). The applicant is requesting that a Final Subdivision Plat be approved to allow for 22 additional single-family lots within the Hidden Canyon Estates development.

The findings are as follows:

For Approval:

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 Hidden Canyon Estates Development Agreement and the Draper City Municipal Code.
3. The proposed development conforms to the general aesthetic and physical development of the area.
4. The public services in the area are adequate to support the subject development.
5. Per the Taylor Geotechnical and Simon Associates LLC reviews, IGES submittals adequately characterize geologic conditions at the subject property, consistent with concerns for public health, safety, and welfare; reasonable professional standards-of-care, and Draper City's Geologic Hazards ordinance.

ATTACHMENTS:

Description	Upload Date	Type
PC Staff Report	6/19/2020	Cover Memo



Development Review Committee

1020 East Pioneer Road

Draper, UT 84020

June 16, 2020

To: Draper City Planning Commission
Business Date: June 25, 2020

From: Development Review Committee

Prepared By: Jennifer Jastremsky, AICP, Senior Planner/Zoning Administrator
Planning Division
Community Development Department
801-576-6328, jennifer.jastremsky@draper.ut.us

Re: Hidden Canyon Estates Phase 6 – Final Subdivision Plat Request

Application No.: SUBD-843-2019
Applicant: Brandon Watson, representing Edge Land 16, LLC
Project Location: 14755 South Springtime Rd.
Current Zoning: RM (Multi-family Residential) and C-3 (General Commercial) Zone
Acreage: 6.32 Acres (Approximately 275,495 ft²)
Request: Request for approval of a Final Subdivision Plat in the RM (Multi-family Residential) and C-3 (General Commercial) zone regarding a 22 lot single-family development.

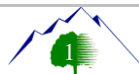
BACKGROUND AND SUMMARY

This application is a request for approval of a Final Subdivision Plat for approximately 6.32 acres located at approximately 14755 South Springtime Rd (Exhibit B). The property is currently zoned RM (Multi-family Residential) and C-3 (General Commercial). The applicant is requesting that a Final Subdivision Plat be approved to allow for 22 additional single-family lots within the Hidden Canyon Estates development.

The Hidden Canyon Estates development is bounded by a development agreement that establishes the minimum lot sizes, development standards, and setbacks for the subdivision. The Preliminary Plat for Hidden Canyon Estates was approved on April 19, 2016. Since that time, the applicant has obtained Final Plat approvals for Phases 1, 2, 3, 4, and 5. All but phase 5 have been recorded. The applicant has finished up the infrastructure improvements in Phase 5 and plans on recording that phase shortly. With those previous phases the applicant provided two ingress and egress points for the entire subdivision, and provided the \$500,000 towards parks and trails that was required as part of the development agreement.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Residential Medium Density land use designation for the subject property (Exhibit C). This category is characterized as follows:



Residential Medium Density

LAND USE DESCRIPTION		
CHARACTERISTICS	<ul style="list-style-type: none"> • 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 <ul style="list-style-type: none"> • Single-family detached homes 	Secondary <ul style="list-style-type: none"> • Parks • Churches • Schools • Open Space
DENSITY	<ul style="list-style-type: none"> • Density range: 2-4 dwelling units per acre 	
COMPATIBLE ZONING	<ul style="list-style-type: none"> • Residential Agricultural (RA2) • Single-family Residential (R3) • Single-family Residential (R4) • Master Planned Community (MPC) 	
OTHER CRITERIA	<ul style="list-style-type: none"> • 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 	

The property has been assigned the RM and C-3 zoning classifications (Exhibit D). The RM and C-3 zones are old zones from the 1999 Zoning Code. The property has maintained the old zoning due to the Traverse Mountain Planned Unit Development Agreement. The City modified this zones to the RM1, RM2, and CG zones with the 2001 code update. The purpose of the RM zone was to *"provide areas for low-to-medium residential density' with the opportunity for varied housing styles and character, providing for a maximum density of up to twelve (12) units per acre."* The purpose of the C-3 zone was to *"provide areas, in appropriate locations, where a combination of business, retail commercial, entertainment, and related activities may be established, maintained and protected. Regulations for this district are designed to provide a suitable environment for those commercial and service uses which are vital to economic life."* However, as discussed earlier in this report, the property is bounded by the Hidden Canyon Estates Development Agreement. The OS (Open Space) zone abuts the development on the north and the RM zone abuts on the east. To the west is the MPC- Edelweiss (Edelweiss Master Planned Community) zone, and to the south is the C-3 zone.

Subdivision Layout. Phase 6 will add 22 single-family lots and is located north of Phase 2 and to the west of Phase 4. It will connect to existing stub streets within Phases 2 and 5. Per the development agreement, all lots shall be at least 7,500 square feet in size. The smallest lot is 7,511 square feet, while the largest lot is 34,106 square feet in size. All roads in the phase will be dedicated to the City and be 50-feet in width, as approved with the Preliminary Plat. (Exhibit E)

Criteria For Approval. The criteria for review and potential approval of a Final Subdivision Plat request is found in Section 17-4-060 of the Draper City Municipal Code (DCMC). This section depicts the standard of review for such requests as:

“Within a reasonable time following the recommended approval of the final plat by the Zoning Administrator, the final plat shall be submitted to the Planning Commission for its review and consideration. A courtesy notice may be provided for the meeting in accordance with section 17-1-085 of this title, but is not required. The Planning Commission shall not be bound by the recommendations of the Zoning Administrator and may set its own conditions and requirements consistent with this title. If the Planning Commission determines that the final plat is in conformity with the requirements of this title, other applicable ordinances, and any reasonable conditions as recommended by the City's staff and Zoning Administrator or on the Planning Commission's own initiative, and that the Planning Commission is satisfied with the final plat, it may approve the final plat. If the Planning Commission determines that the final plat is not in conformity with this title or other applicable ordinances or any reasonable conditions imposed, it may disapprove the final plat specifying the reasons for such disapproval. No final plat shall have any force or effect unless the same has been approved by the Planning Commission and signed by the Mayor and City Recorder.”

REVIEWS

Planning Division Review. The Draper City Planning Division has completed their review of the Final Subdivision Plat 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 Final Subdivision Plat 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 Final Subdivision Plat submission. 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 Final Subdivision Plat. Comments from Taylor Geo-Engineering, LLC and Simon Associates, LLC, if any, can be found in Exhibit A.

Fire Division Review. The Draper City Fire Marshal has completed his review of the Final Subdivision Plat 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 finds that the application complies with the Hidden Canyon Estates Development Agreement and the DCMC, and recommends that the Planning Commission review the request, receive public comment, and approve the application based on the findings listed below and the criteria for approval, 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. Provide the \$2,700 per lot culinary water system improvement fee prior to plat recordation, per the development agreement.
4. Provide a title report dated within 60 days with the submission of the signed mylar per DCMC Section 17-4-030(O).
5. Obtain approval and recordation of the annexation of Phase 6 into the TRSSD (Traverse Ridge Special Service District) prior to plat recordation.
6. Add word, “public” to the temporary public turnaround. Temporary **public** turn-around of 100-foot diameter is required on all public streets longer than 150 feet. Temporary public access easement is required for turn-around. Turn around is required at boundary with Phase 5 where that phase has not yet been constructed.
7. Add private drainage easement to side yards of lots 601 & 609. Add plat note that the private drain continues in the park strip in front of lots 610-612 and is required to be maintained by the lot owners or HOA.
8. Verify installation of water valve at Phase 5 Lot 520 and remove valve at lot 612.
9. Show streetlight at lot 520/612 lot line (this one is required on Phase 5 construction drawings). Add streetlights to park strip between lots 608/609 and 619/620. Remove streetlights at lots 601/602, 605/606, & 615/615.

The findings for approval as are follows:

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 Hidden Canyon Estates Development Agreement and the Draper City Municipal Code.
3. The proposed development conforms to the general aesthetic and physical development of the area.
4. The public services in the area are adequate to support the subject development.
5. Per the Taylor Geotechnical and Simon Associates LLC reviews, IGES submittals adequately characterize geologic conditions at the subject property, consistent with concerns for public health, safety, and welfare; reasonable professional standards-of-care, and Draper City’s Geologic Hazards ordinance.

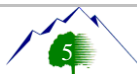
MODEL MOTIONS

Sample Motion for Approval – I move that we approve the Final Subdivision Plat, as requested by Brandon Watson, representing Edge Land 16, LLC for Hidden Canyon Estates Phase 6, application SUBD-843-2019, based on the findings and subject to the conditions listed in the Staff Report dated June 16, 2020.

Sample Motion for Modified Approval– I move that we approve the Final Subdivision Plat, as requested by Brandon Watson, representing Edge Land 16, LLC for Hidden Canyon Estates Phase 6, application

SUBD-843-2019, based on the findings and subject to the conditions listed in the Staff Report dated June 16, 2020 and as modified by the findings and conditions below:

1. List any additional findings and conditions...



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: cn=Brien Maxfield, o=Draper City, ou,
email=brien.maxfield@draper.ut.us, c=US
Date: 2020.06.17 17:13:36 -06'00'

Draper City Public Works Department

Jennifer Jastremsky

Digitally signed by Jennifer Jastremsky
DN: c=US, E=jennifer.jastremsky@draper.ut.us,
O=Draper City Planning, CN=Jennifer Jastremsky
Date: 2020.06.17 08:43:42 -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,
OU=Fire Marshal, CN=Don Buckley
Date: 2020.06.17 16:07:19 -06'00'

Draper City Fire Department

Mike Barker

Digitally signed by Mike Barker
DN: cn=Mike Barker, o=Draper City, ou=City
Attorney, email=mike.barker@draper.ut.us, c=US
Date: 2020.06.18 14:34:39 -06'00'

Draper City Legal Counsel

Keith Collier

Digitally signed by Keith Collier
DN: c=US, E=keith.collier@draper.ut.us, O=Draper City,
OU=Building Dept, CN=Keith Collier
I agree to the terms defined by the placement of my
signature on this document
Contact Info: Keith Collier
Date: 2020.06.19 08:26:47 -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. The final subdivision plat complies with the Hidden Canyon Estates Development Agreement and the DCMC.
2. Provide the \$2,700 per lot culinary water system improvement fee prior to plat recordation, per the development agreement.
3. Provide a title report dated within 60 days with the submission of the signed mylar per DCMC Section 17-4-030(O).
4. Obtain approval and recordation of the annexation of Phase 6 into the TRSSD (Traverse Ridge Special Service District) prior to plat recordation.

Engineering and Public Works Divisions Review.

1. Once final plat has been approved, a Land Disturbance Permit is required prior to construction activities onsite. Permit is obtained through the Engineering Division. *Informational comment. No additional action is required prior to approval.*
2. Any work in a public right-of-way will require an Encroachment Permit obtained through the Engineering Division. *Informational comment. No additional action is required prior to approval.*
3. Add word, “public” to the temporary public turnaround. Temporary **public** turn-around of 100-foot diameter is required on all public streets longer than 150 feet. Temporary public access easement is required for turn-around. Turn around is required at boundary with Phase 5 where that phase has not yet been constructed.
4. Add private drainage easement to side yards of lots 601 & 609. Add plat note that the private drain continues in the park strip in front of lots 610-612 and is required to be maintained by the lot owners or HOA.
5. Verify installation of water valve at Phase 5 Lot 520 and remove valve at lot 612.
6. Show streetlight at lot 520/612 lot line (this one is required on Phase 5 construction drawings). Add streetlights to park strip between lots 608/609 and 619/620. Remove streetlights at lots 601/602, 605/606, & 615/615.

Geotechnical and Geologic Hazards Review.

1. March 20, 2020 Taylor Geotechnical Review: Based substantially in and on reliance of the technical documentation and assurances provided by IGES, including their opinions and conclusions, it is TG’s opinion the IGES submittals adequately address geotechnical parameters at the site, consistent with concerns for public health, safety, and welfare; reasonable professional standards-of-care, and; Draper City’s Geologic Hazards Ordinance (Draper City, 2010).
2. March 5, 2020 Simon Associates LLC Review: Based substantially in and on reliance of the technical documentation and assurances provided by IGES, including their findings and conclusions, it is SA’s opinion the February 19, 2020, IGES letter did not adequately respond to Item 1a in the January 30, 2020, SA letter and has not adequately

characterized geologic conditions at the site. It is SA opinion the remaining geologic issues will not negatively impact the property from a geologic hazards perspective and conversations with Taylor Geotechnical (TG), Draper City's geotechnical consultant, indicate remaining geologic issues will not negatively impact the property from a geotechnical engineering perspective (TG geotechnical review pending). Consequently, SA concludes further delay in approval, from a geologic perspective, is not warranted.

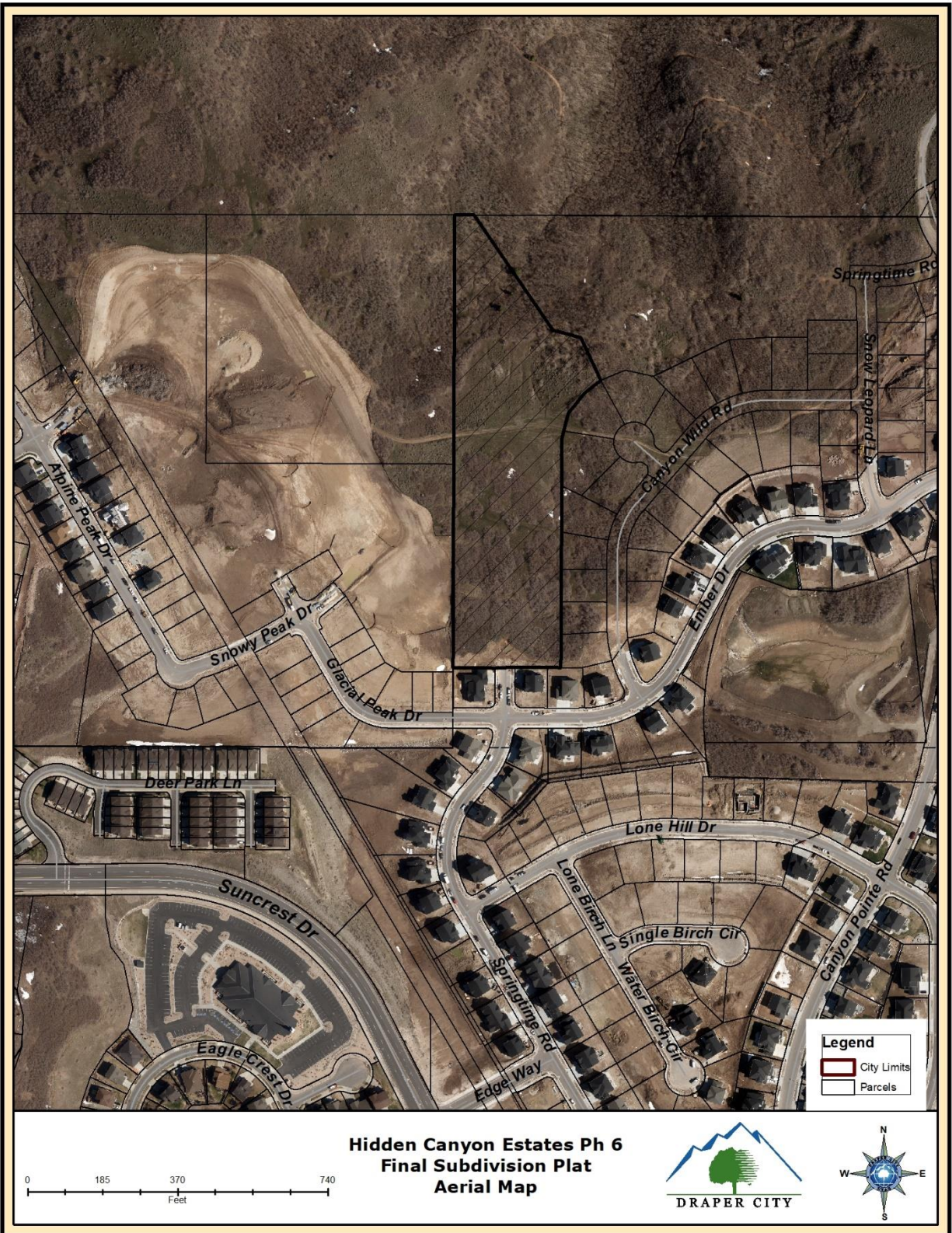
Fire Division Review.

1. Fire Department Access is required. An unobstructed minimum road width of thirty (30) feet 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. This width is exclusive of the shoulders.

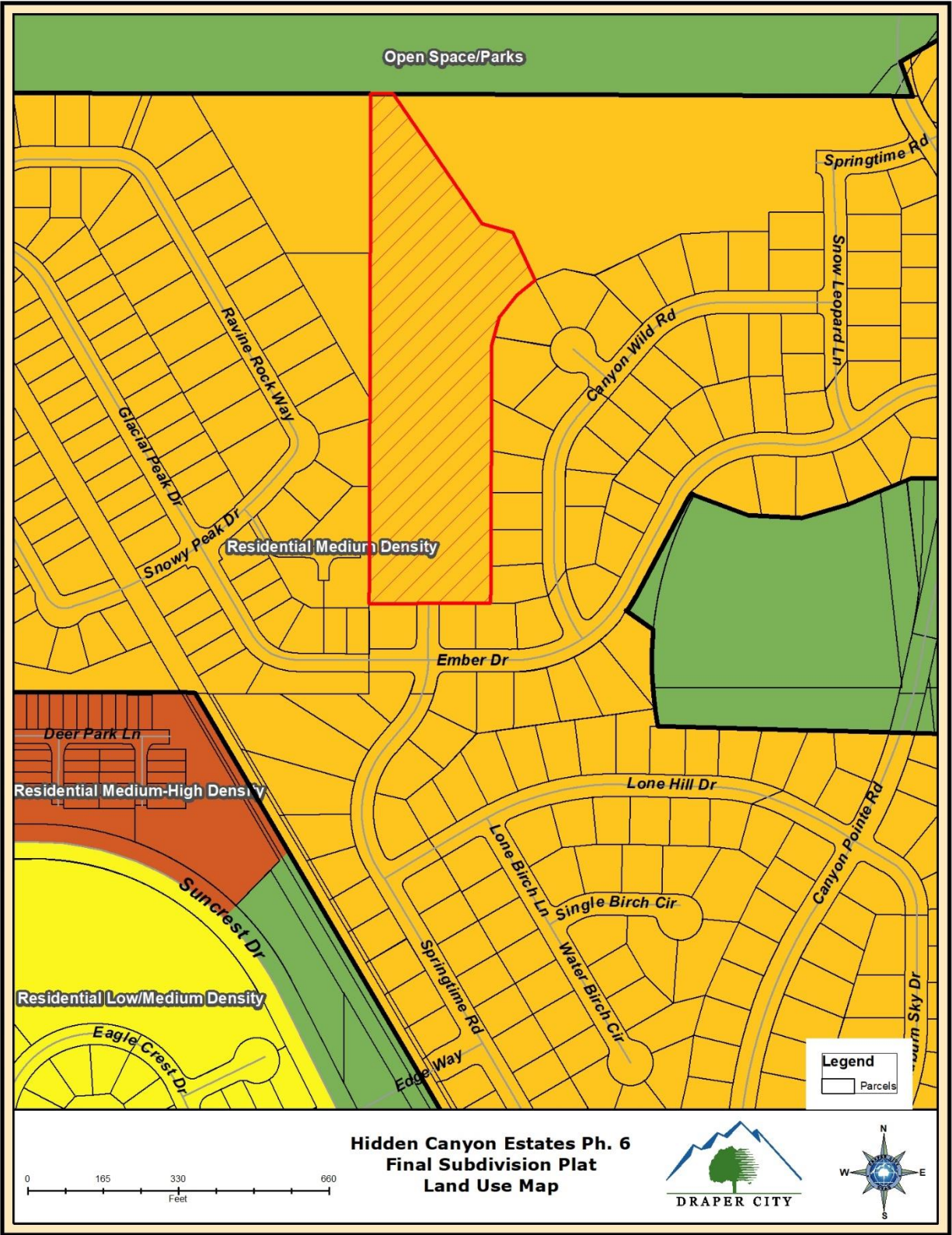
D103.6 Signs. Where required by the fire code official, fire apparatus access roads shall be marked with permanent NO PARKING—FIRE LANE signs complying with Figure D103.6. Signs shall have a minimum dimension of 12 inches (305mm) wide by 18 inches (457mm) high and have red letters on a white reflective background. Signs shall be, posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.

2. Hydrants and Site Access. 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.
3. 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.
4. 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.
5. Street Signs required and are to be posted and legible prior to building permits being, issued. All lots to have lot number or address posted and legible.

**EXHIBIT B
AERIAL MAP**



**EXHIBIT C
LAND USE MAP**



**EXHIBIT D
ZONING MAP**

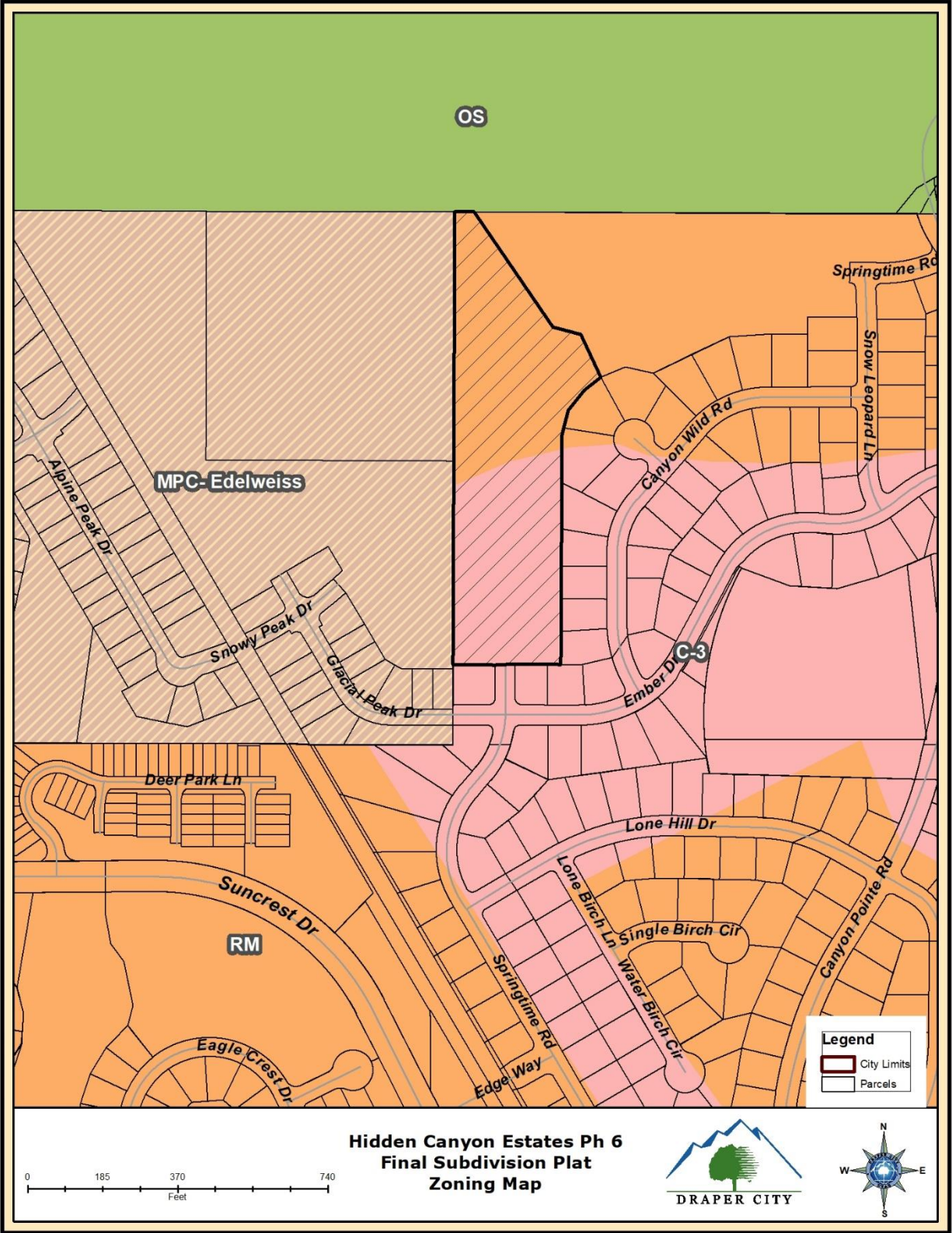
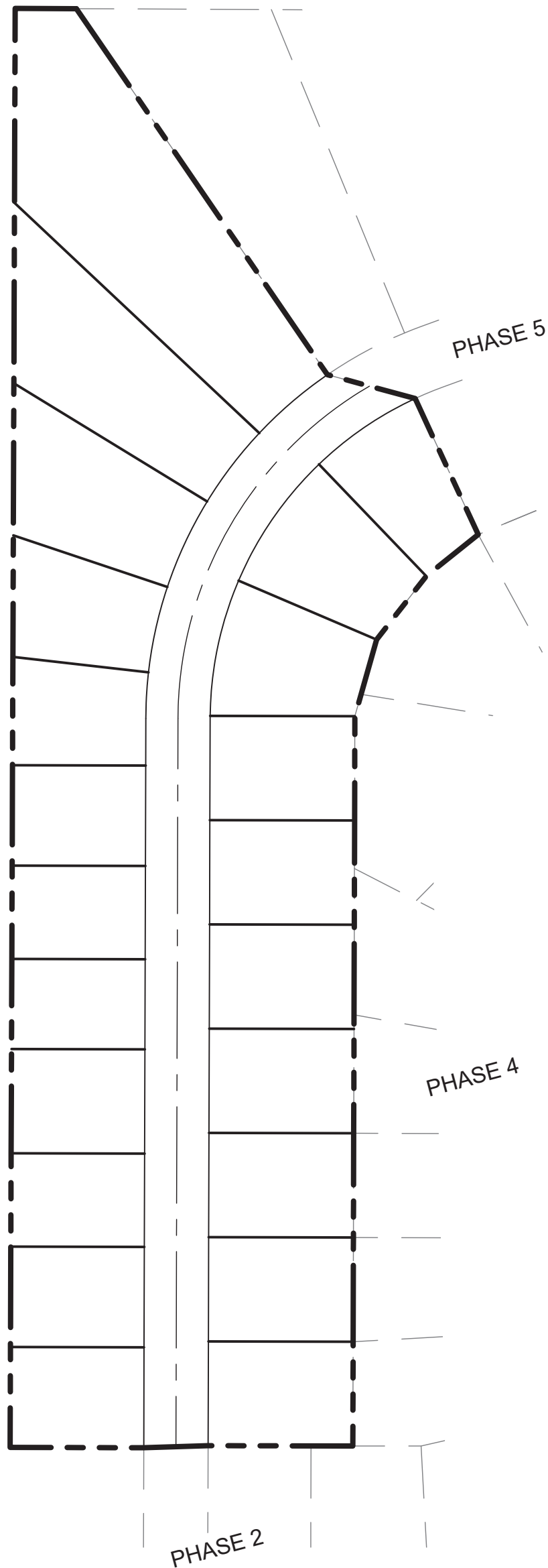
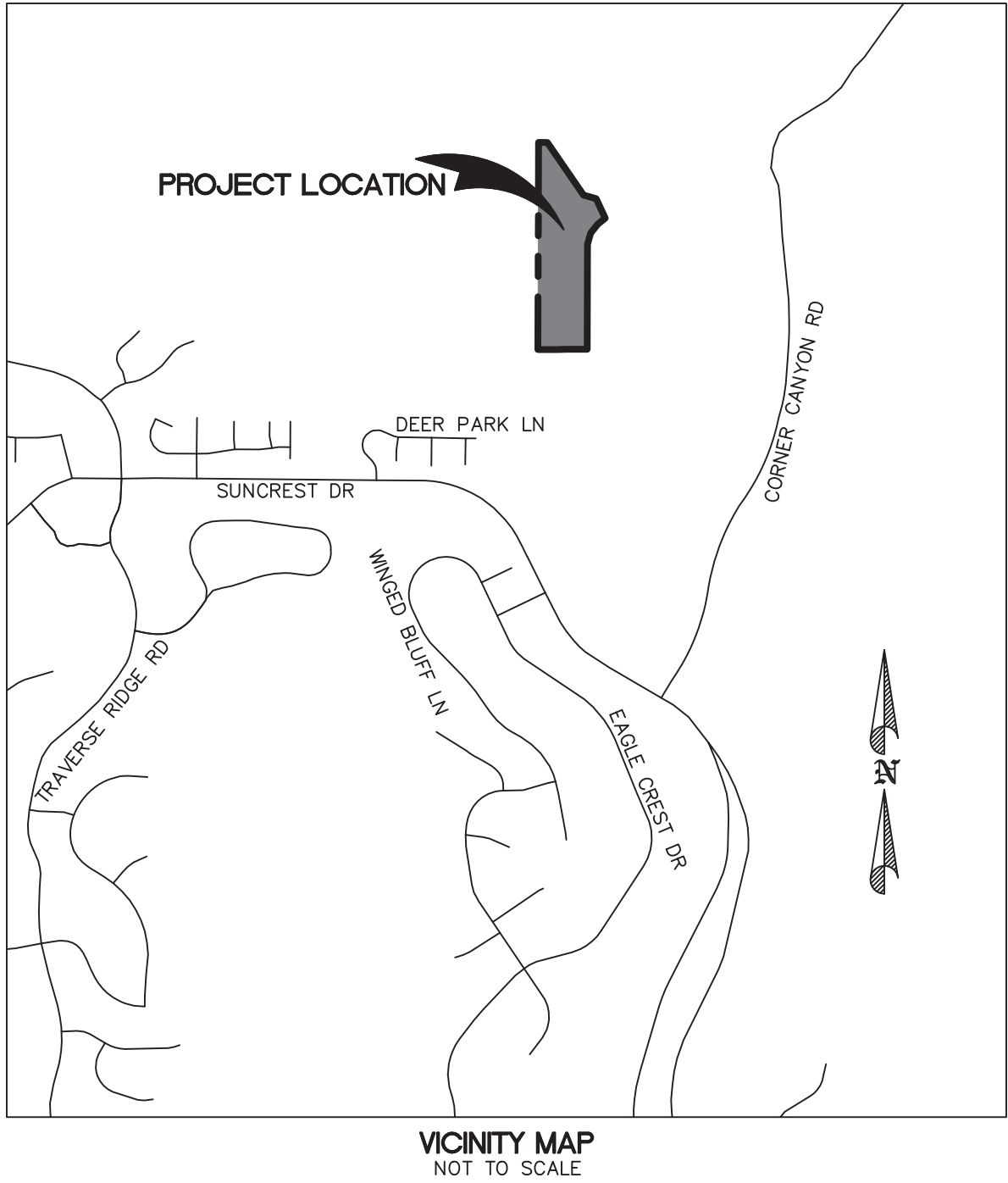


EXHIBIT E
FINAL SUBDIVISION PLAT
SHEETS 1 AND 2

HIDDEN CANYON ESTATES PHASE 6

FINAL PLAT SHEET 1 OF 2

SEPTEMBER 2019



- GEOTECHNICAL NOTES:
1. FOOTINGS SHALL BE ESTABLISHED ENTIRELY ON BEDROCK, ENTIRELY ON COMPETENT NATIVE SOILS, OR ENTIRELY ON A MINIMUM OF 24 INCHES OF STRUCTURAL FILL FOUNDED ON UNDISTURBED NATIVE SOILS. BEDROCK/SOIL TRANSITIONS ZONES ARE NOT ALLOWED.
 2. SHALLOW SPREAD OR CONTINUOUS WALL FOOTINGS CONSTRUCTED ENTIRELY ON COMPETENT BEDROCK MAY BE PROPORTIONED UTILIZING A MAXIMUM NET ALLOWABLE BEARING PRESSURE OF 3000 POUNDS PER SQUARE FOOT. SHALLOW SPREAD OR CONTINUOUS WALL FOOTINGS CONSTRUCTED ENTIRELY ON COMPETENT NATIVE SOILS OR A MINIMUM OF 24 INCHES OF STRUCTURAL FILL MAY BE PROPORTIONED UTILIZING A MAXIMUM NET ALLOWABLE BEARING PRESSURE OF 2,000 POUNDS PER SQUARE FOOT.
 3. FILLS GREATER THAN 5 FEET THICK, PLACED IN THE AREAS WHERE GROUNDWATER WAS IDENTIFIED, MUST BE ALLOWED TO SIT FOR 30 DAYS PRIOR TO CONSTRUCTING FOUNDATIONS OR PAVEMENTS.
 4. DUE TO THE HIGH WATER TABLE IDENTIFIED AT SEVERAL LOCATIONS, ALL FINISH FLOOR ELEVATIONS SHOULD BE ESTABLISHED A MINIMUM OF 3 FEET ABOVE THE HIGH GROUNDWATER ELEVATIONS OR AT CURRENT SITE GRADE WHERE GROUNDWATER IS LESS THAN 3 FEET FROM EXISTING GRADE. SUBSURFACE DRAINAGE AND OTHER PRECAUTIONS SHOULD BE IMPLEMENTED AS SPECIFIED.

LLC ACKNOWLEDGEMENT

STATE OF UTAH
COUNTY OF _____

ON THIS ____ DAY OF _____, A.D. _____, PERSONALLY APPEARED BEFORE ME _____, WHO BEING DULY SWORN OF AFFIRMED, DID SAY THAT (S)HE IS THE _____ OF _____, AND THAT THE WITHIN OWNER'S DEDICATION WAS SIGNED BY HIM/HER ON BEHALF OF SAID LLC BY AUTHORITY OF ITS BYLAWS, OR BOARD OF DIRECTORS, AND THAT SAID CORPORATION EXECUTED THE SAME.

SIGNATURE _____ PRINTED NAME, A NOTARY PUBLIC COMMISSIONED IN UTAH _____
COMMISSION NUMBER _____ EXPIRATION DATE _____

SOUTH VALLEY SEWER

APPROVED THIS ____ DAY OF _____
A.D., 20____ BY SOUTH VALLEY SEWER



PLOT DATE: Nov 12, 2019

CENTURY LINK

APPROVED THIS ____ DAY OF _____
A.D., 20____.

CENTURY LINK

ROCKY MOUNTAIN POWER

APPROVED THIS ____ DAY OF _____
A.D., 20____.

ROCKY MOUNTAIN POWER

COMCAST

APPROVED THIS ____ DAY OF _____
A.D., 20____.

COMCAST

PLANNING COMMISSION

APPROVED THIS ____ DAY OF _____
A.D., 20____ BY THE DRAPER PLANNING COMMISSION.

CHAIRMAN DRAPER CITY PLANNING COMMISSION

CITY ENGINEER

I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED BY THIS OFFICE AND IT IS CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE AND IS HEREBY APPROVED.

CITY ENGINEER

APPROVAL AS TO FORM

APPROVED THIS ____ DAY OF _____
A.D., 20____.

DRAPER CITY ATTORNEY

CITY MAYOR

PRESENTED TO THE DRAPER CITY MAYOR
THIS ____ DAY OF _____
A.D., 20____.

AT WHICH TIME THIS SUBDIVISION WAS
APPROVED AND ACCEPTED.

MAYOR ATTEST

SURVEYOR'S CERTIFICATE:

I, KAGAN M. DIXON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 9061091 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT, BY THE AUTHORITY OF THE OWNER, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND THAT I HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, HEREAFTER TO BE KNOWN AS:

HIDDEN CANYON ESTATES PHASE 6

AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

DATE _____ SIGNATURE _____

BOUNDARY DESCRIPTION:

A TRACT OF LAND BEING SITUATE IN UTAH COUNTY, SAID TRACT OF LAND ALSO BEING LOCATED IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 243, HIDDEN CANYON ESTATES PHASE 2, ON FILE WITH THE OFFICE OF THE UTAH COUNTY RECORDER, SAID POINT ALSO BEING SOUTH 89°49'39" WEST ALONG THE SECTION LINE A DISTANCE OF 1332.74 FEET AND NORTH 00°12'09" EAST 1511.89 FEET FROM THE SOUTH QUARTER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 00°12'09" EAST 1117.97 FEET; THENCE SOUTH 89°44'35" EAST 47.58 FEET TO THE NORTHWEST CORNER OF LOT 520, HIDDEN CANYON ESTATES PHASE 5, ON FILE WITH THE OFFICE OF THE UTAH COUNTY RECORDER; THENCE ALONG SAID PHASE 5 THE FOLLOWING THREE (3) COURSES, SOUTH 34°27'10" EAST 344.87 FEET, 2) SOUTH 74°50'27" EAST 70.69 FEET, 3) SOUTH 24°51'54" EAST 116.47 FEET TO THE NORTHERMOST CORNER OF LOT 418, HIDDEN CANYON ESTATES PHASE 4, ON FILE WITH THE OFFICE OF THE UTAH COUNTY RECORDER; THENCE ALONG SAID PHASE 4 THE FOLLOWING FOUR (4) COURSES, 1) SOUTH 51°20'27" WEST 51.71 FEET, 2) SOUTH 38°03'51" WEST 62.62 FEET, 3) SOUTH 15°47'21" WEST 61.91 FEET, 4) SOUTH 00°09'38" WEST 567.00 FEET TO THE NORTH LINE OF SAID PHASE 2; THENCE ALONG SAID PHASE 2 THE FOLLOWING THREE (3) COURSES, 1) NORTH 89°50'22" WEST 112.50 FEET, 2) SOUTH 88°06'42" WEST 50.03 FEET, 3) NORTH 89°50'22" WEST 103.90 FEET TO THE POINT OF BEGINNING.

CONTAINS 275,495 SQUARE FEET OR 6.324 ACRES, MORE OR LESS
22 LOTS

BASIS OF BEARINGS

THE BASIS OF BEARINGS IS SOUTH 89°49'39" WEST FROM THE SOUTH QUARTER CORNER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, TO THE SOUTHWEST CORNER OF SAID SECTION 10.

GENERAL NOTES:

(1) REFER TO THE RECORD OF SURVEY ON FILE WITH THE UTAH COUNTY SURVEYORS OFFICE FOR DETAILED INFORMATION REGARDING THE PROPERTY BOUNDARY.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT I/WE THE UNDERSIGNED OWNER(S) OF THE HEREON DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THE THIS PLAT AND NAME SAID PLAT:

HIDDEN CANYON ESTATES PHASE 6

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; AND (3) THOSE PARCELS DESIGNATED AS PUBLIC OPEN SPACE, PARKS, TRAIL OR EASEMENTS, OR OF SIMILAR DESIGNATION, IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS

THIS ____ DAY OF _____, A.D. 20____.

NAME NAME

LLC ACKNOWLEDGEMENT

STATE OF UTAH
COUNTY OF _____

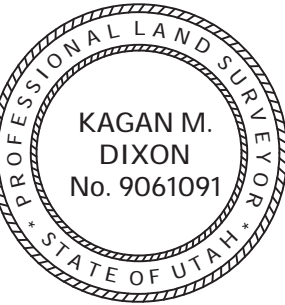
ON THIS ____ DAY OF _____, A.D. _____, PERSONALLY APPEARED BEFORE ME _____, WHO BEING DULY SWORN OF AFFIRMED, DID SAY THAT (S)HE IS THE _____ OF _____, AND THAT THE OWNER'S DEDICATION WAS SIGNED BY HIM/HER ON BEHALF OF SAID LLC BY AUTHORITY OF ITS BYLAWS, OR BOARD OF DIRECTORS, AND THAT SAID CORPORATION EXECUTED THE SAME.

SIGNATURE _____ PRINTED NAME, A NOTARY PUBLIC COMMISSIONED IN UTAH _____

COMMISSION NUMBER _____ EXPIRATION DATE _____

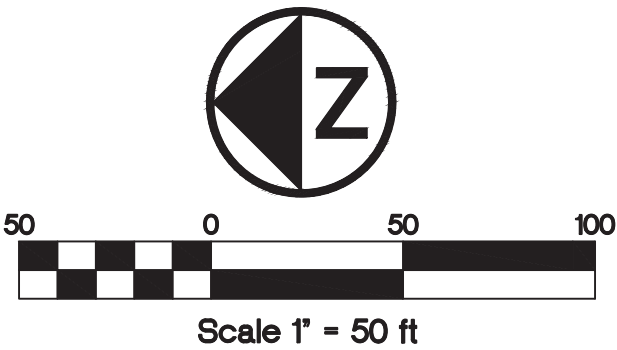
HIDDEN CANYON ESTATES PHASE 6
LOCATED IN SOUTHWEST QUARTER OF SECTION 10,
TOWNSHIP 4 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN
SHEET 1 OF 2

SURVEYOR'S SEAL NOTARY PUBLIC SEAL CITY ENGINEER SEAL CLERK-RECORDER SEAL

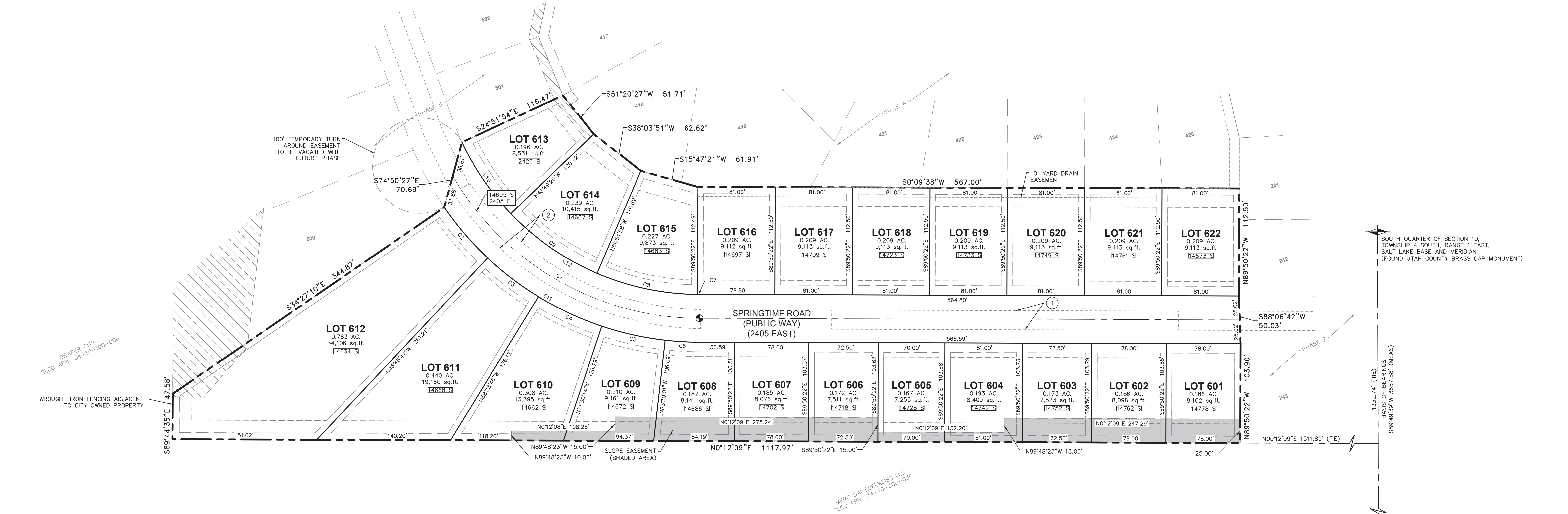


HIDDEN CANYON ESTATES PHASE 6

FINAL PLAT SHEET 2 OF 2
SEPTEMBER 2019

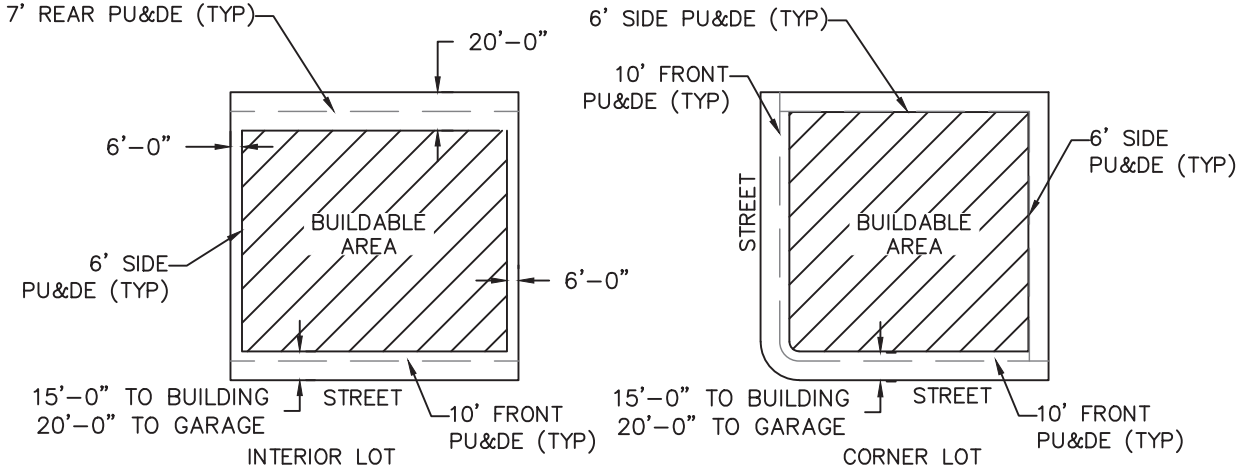


- NOTES:
1. SETBACKS FOR LOTS ARE:
 1. MINIMUM FRONT SETBACK= 15' (20' TO GARAGE)
 2. MINIMUM SIDE SETBACK= 6'
 3. MINIMUM REAR SETBACK= 20'
 4. MINIMUM CORNER LOT= 15' (20' TO GARAGE)
 2. MINIMUM LOT SIZE= 7500 SF
 3. PUBLIC UTILITY EASEMENTS (PU&DE) FOR ALL LOTS ARE 10' FRONT, 7' REAR AND 6' ON SIDE YARDS.
 4. A WILDLIFE ENGINEERING REBAR AND CAP WILL BE SET AT REAR LOT CORNERS AND THE OVERALL BOUNDARY CORNERS. RIVETS WILL BE SET IN THE TOP BACK OF CURB REPRESENTING SIDE LOT LINE EXTENSIONS.
 5. THE PROPERTY IS PART OF THE HILLSIDE SENSITIVE OVERLAY ZONE, KNOWN AS THE SENSITIVE LANDS OVERLAY ZONE, AS PER DCMC CHAPTER 9-18.
 6. SLOPE EASEMENTS AND DRAINAGE EASEMENTS ARE PRIVATE. RETAINING WALLS AND DRAINAGE SYSTEMS ARE PRIVATELY OWNED AND MAINTAINED BY EACH LOT OWNER.
 7. WROUGHT IRON FENCING IS REQUIRED ALONG ALL PROPERTY BOUNDARIES ADJACENT TO CITY OWNED PROPERTY.
 8. ALL FIRE PROTECTION PLANS REQUIRE 3RD PARTY REVIEW PRIOR TO BE SUBMITTED TO THE UNIFIED FIRE AUTHORITY.
 9. CONTRACTOR SHALL VERIFY SEWER LATERAL DEPTH AND SET FOUNDATION ELEVATION TO PROVIDE ADEQUATE FALL INTO SEWER LATERAL. BUILDINGS WITH A BASEMENT MAY NOT HAVE SEWER SERVICE AVAILABLE FOR BASEMENT.
 10. SEE SHEET 1 OF 2 FOR ADDITIONAL NOTES PERTAINING TO THIS SUBDIVISION.
 11. GEOHAZARD AREA! PLEASE SEE THE REPORT ON FILE AT DRAPER CITY.
 12. SEWER EASEMENTS SHOWN WITHIN THE PUBLIC RIGHT-OF-WAYS ON THIS PLAT ARE TO BE VACATED BY SEPARATE INSTRUMENT RECORDED AT A LATER DATE.

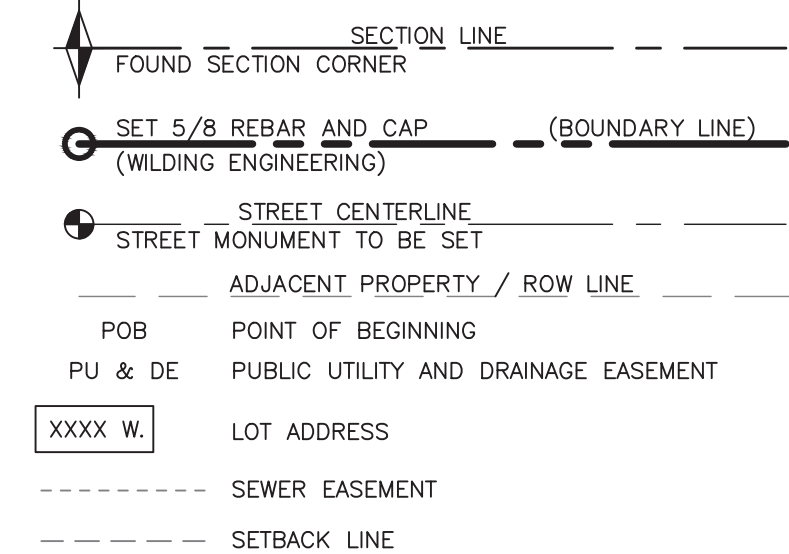


Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Distance
C1	311.98'	300.00'	59°34'59"	N29°57'07"E	298.11'
C2	69.83'	325.00'	12°18'37"	N49°23'32"E	69.69'
C3	66.93'	325.00'	11°47'59"	N37°20'14"E	66.81'
C4	73.41'	325.00'	12°56'28"	N24°58'00"E	73.25'
C5	68.05'	325.00'	11°59'47"	N12°29'53"E	67.92'
C6	35.96'	325.00'	6°20'22"	N03°19'48"E	35.94'
C7	2.20'	275.00'	0°27'31"	N00°23'23"E	2.20'
C8	108.06'	275.00'	22°30'53"	N11°52'35"E	107.37'
C9	110.59'	275.00'	23°02'32"	N34°39'18"E	109.85'
C10	91.00'	275.00'	18°57'32"	N55°39'20"E	90.58'
C11	314.17'	325.00'	55°23'13"	N27°51'14"E	302.08'
C12	311.86'	275.00'	64°58'28"	N32°38'52"E	295.41'

TYPICAL BUILDING SETBACKS AND PU&DE'S



LEGEND



1 20' WIDE SEWER EASEMENT

BEGINNING AT A POINT WHICH IS SOUTH 89°49'39" WEST ALONG THE SECTION LINE A DISTANCE OF 1209.31 FEET AND NORTH 1576.21 FEET FROM THE SOUTH QUARTER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 00°09'38" EAST 363.24 FEET; THENCE SOUTH 89°50'22" EAST 20.00 FEET; THENCE SOUTH 00°09'38" WEST 363.24 FEET; THENCE NORTH 89°50'22" WEST 20.00 FEET TO THE POINT OF BEGINNING.

2 20' WIDE SEWER EASEMENT

BEGINNING AT A POINT WHICH IS SOUTH 89°49'39" WEST ALONG THE SECTION LINE A DISTANCE OF 1207.74 FEET AND NORTH 2076.52 FEET FROM THE SOUTH QUARTER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE 308.32 FEET ALONG THE ARC OF A 316.16 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 55°52'30" (CHORD BEARS NORTH 28°48'13" EAST 296.25 FEET); THENCE SOUTH 25°46'07" EAST 20.18 FEET TO THE POINT OF A 296.16 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE A DISTANCE OF 286.19 FEET THROUGH A CENTRAL ANGLE OF 55°21'57" (CHORD BEARS SOUTH 28°32'57" WEST 275.18 FEET); THENCE NORTH 89°08'01" WEST 20.00 FEET TO THE POINT OF BEGINNING.



MEMO

To: Planning Commission
From: Maryann Pickering, AICP
CC:
Date: June 25, 2020
Re: Jenson Farms Lot 109 Plat Amendment

Comments:

This application is a request for approval of a Plat Amendment for approximately 0.361 acres located at 11857 S. Ridge Oak Lane. The property is currently zoned R4 and is part of the Jenson Farms subdivision.

The subject property was platted on December 11, 2019 as part of the Jenson Farms Phase 1A subdivision. The original Jenson Farms subdivision rezoning application and development agreement (“Agreement”) was approved by the City Council in October 2017. The Agreement outlined a process for dedication of land to the city for a new park, road stubbing or street connections to the planned subdivision to the north and a chart showing the minimum number of different sized lots required in the subdivision. There was no modification of development standards in that Agreement.

In July 2018, the Agreement was modified by the City Council to limit the number of building permits issued for Phase 1A and 2 of the Jenson Farms subdivision until the commencement of the construction of the road stub, or street connection, to the north. Because that road is planned to go across Willow Creek, there are several agencies involved in the review of the crossing over the creek. At this time, the applicant has submitted the design for the bridge crossing and it is currently under review by the City. As part of that review for the bridge crossing, the City is asking that this plat amendment be completed in order to provide a 20 foot wide easement along the northern boundary of Lot 109. The easement is needed for structures related to the bridge construction.

The findings are as follows:

For approval:

1. The proposed plat amendment meets the intent, goals, and objectives of the Draper City General Plan.
2. The proposed plat amendment will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
3. There is good cause for the amendment and no public street, right-of-way, or easement has been vacated or amended.

For denial:

1. The proposed plat amendment does not meet the intent, goals, or objectives of the Draper City General Plan.
2. The proposed plat amendment will be deleterious to the health, safety, and general welfare of the general

public and the residents of adjacent properties.

3. There is not good cause for the amendment and a public street, right-of-way, or easement has been vacated or amended.

ATTACHMENTS:

Description

Upload Date

Type

PC Staff Report

6/19/2020

Cover Memo



Development Review Committee

1020 East Pioneer Road
Draper, Utah 84020

STAFF REPORT

June 16, 2020

To: Draper City Planning Commission
Business Date: June 25, 2020

From: Development Review Committee

Prepared By: Maryann Pickering, AICP, Planner III
Planning Division
Community Development Department
(801) 576-6391 or maryann.pickering@draper.ut.us

Re: Jenson Farms Lot 109 Easement – Plat Amendment Request

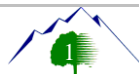
Application No.: SUBD-1003-2020
Applicant: Tim Gough representing Gough Homes
Project Location: 11837 S. Ridge Oak Lane
Current Zoning: R4 (Single Family Residential 10,000 square foot lot minimum) Zone
Acreage: Approximately 0.361 acres (approximately 15,708 square feet)
Request: Request for approval of a Plat Amendment in the R4 Zone in order to allow the placement of a 20 foot wide Draper City access and maintenance easement on Lot 109 Jenson Farms.

SUMMARY and BACKGROUND

This application is a request for approval of a Plat Amendment for approximately 0.361 acres located at 11857 S. Ridge Oak Lane (see Exhibit B). The property is currently zoned R4 (Single Family Residential, 10,000 square foot lot minimum) and is part of the Jenson Farms subdivision.

The subject property was platted on December 11, 2019 as part of the Jenson Farms Phase 1A subdivision. The original Jenson Farms subdivision rezoning application and development agreement (“Agreement”) was approved by the City Council in October 2017. The Agreement outlined a process for dedication of land to the city for a new park, road stubbing or street connections to the planned subdivision to the north and a chart showing the minimum number of different sized lots required in the subdivision. There was no modification of development standards in that Agreement.

In July 2018, the Agreement was modified by the City Council to limit the number of building permits issued for Phase 1A and 2 of the Jenson Farms subdivision until the commencement of the construction of the road stub, or street connection, to the north. Because that road is planned to go across Willow Creek, there are several agencies involved in the review of the crossing over the creek. At this time, the



applicant has submitted the design for the bridge crossing and it is currently under review by the City. As part of that review for the bridge crossing, the City is asking that this plat amendment be completed in order to provide a 20 foot wide easement along the northern boundary of Lot 109. The easement is needed for structures related to the bridge construction.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Residential Medium Density land use designation for the subject property (see Exhibit C). This category is characterized as follows:

Residential Medium Density

LAND USE DESCRIPTION		
CHARACTERISTICS	<ul style="list-style-type: none"> • 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 <ul style="list-style-type: none"> • Single-family detached homes 	Secondary <ul style="list-style-type: none"> • Parks • Churches • Schools • Open Space
DENSITY	<ul style="list-style-type: none"> • Density range: 2-4 dwelling units per acre 	
COMPATIBLE ZONING	<ul style="list-style-type: none"> • Residential Agricultural (RA2) • Single-family Residential (R3) • Single-family Residential (R4) • Master Planned Community (MPC) 	
OTHER CRITERIA	<ul style="list-style-type: none"> • 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 	

The property has been assigned the R4 zoning classification, supporting approximately four dwelling units per acre (see Exhibit D). The purpose of the R4 zone can be found in Draper City Municipal Code (DCMC) Section 9-8-020(A)(4) and states: *“the purpose of the R4 and R5 zones is to permit medium to medium-high density residential developments with single-family homes. These zones are intended to foster thriving and well maintained neighborhoods that allow upscale single-family homes on smaller lots that require less maintenance and provide a balanced lifestyle.”*

The R4 zoning designation is identified by the General Plan as a preferred zoning classification for the Residential Medium Density land use designation. The subject property is surrounded by R4 zoning on all four sides.

Subdivision Layout.

The subject property is a corner lot located at the southeast corner of Rolling Hills Way and Ridge Oak Lane in Phase 1A (see Exhibit E). Willow Creek is located directly east of the subject property. The proposed bridge crossing over Willow Creek will be located to the northeast of this property. The need for the easement is for a retaining wall that is part of the bridge crossing construction to the east. Because this lot is a corner lot, the setbacks along each street are a minimum of 25 feet. The easement will be located within that setback area so it will not create an area of the lot that cannot be built on by a future property owner. The current owner of the lot is Gough Homes.

Criteria For Approval. The criteria for review and potential approval of a Plat Amendment request is found in Section 17-9-040 of the DCMC. This section depicts the standard of review for such requests as:

“The Planning Commission may approve the vacation or amendment of a plat by signing an amended plat showing the vacation or amendment if the Land Use Authority finds that there is good cause for the vacation or amendment; and no public street, right-of-way, or easement has been vacated or amended.”

REVIEWS

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

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

Fire Division Review. The Draper City Fire Marshal has completed his review of the Plat Amendment submission. Comments from the 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 finds that the application complies with the DCMC and recommends that the Planning Commission review the request, receive public comment, and approve the application based on the findings listed below and the criteria for approval, 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.

The findings for approval as are follows:

1. The proposed plat amendment meets the intent, goals, and objectives of the Draper City General Plan.
2. The proposed plat amendment will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
3. There is good cause for the amendment and no public street, right-of-way, or easement has been vacated or amended.

The findings for denial as are follows:

1. The proposed plat amendment does not meet the intent, goals, or objectives of the Draper City General Plan.
2. The proposed plat amendment will be deleterious to the health, safety, and general welfare of the general public and the residents of adjacent properties.
3. There is not good cause for the amendment and a public street, right-of-way, or easement has been vacated or amended.

MODEL MOTIONS

Sample Motion for Approval – I move that we approve the Plat Amendment, as requested by Tim Gough, representing Gough Homes for the Jensen Farms Lot 109 Easement Plat Amendment, application SUBD-1003-2020, based on the findings and subject to the conditions listed in the staff report dated June 16, 2020.

Sample Motion for Modified Approval – I move that we approve the Plat Amendment, as requested by Tim Gough, representing Gough Homes for the Jensen Farms Lot 109 Easement Plat Amendment, application SUBD-1003-2020, based on the findings and subject to the conditions listed in the staff report dated June 16, 2020, and as modified by the findings and conditions below:

1. List any additional findings and conditions . . .

Sample Motion for Denial – I move that we deny the Plat Amendment, as requested by Tim Gough, representing Gough Homes for the Jensen Farms Lot 109 Easement Plat Amendment, application SUBD-1003-2020, based on the findings and subject to the conditions listed in the staff report dated June 16, 2020.

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: cn=Brien Maxfield, o=Draper City, ou,
email=brien.maxfield@draper.ut.us, c=US
Date: 2020.06.17 08:15:04 -06'00'

Draper City Public Works Division

Keith Collier

Digitally signed by Keith Collier
DN: C=US, E=keith.collier@draper.ut.us, O=Draper
City, OU=Building Dept, CN=Keith Collier
Location: Home
Reason: I agree to the terms defined by the
placement of my signature on this document
Contact Info: Keith Collier
Date: 2020.06.19 08:27:48 -06'00'

Draper City Building Division

Don Buckley

Digitally signed by Don Buckley
DN: C=US, E=don.buckley@draper.ut.us,
O=Draper City Fire, OU=Fire Marshal,
CN=Don Buckley
Date: 2020.06.17 16:06:14 -06'00'

Draper City Fire Department

Jennifer Jastremsky

Digitally signed by Jennifer Jastremsky
DN: C=US, E=jennifer.jastremsky@draper.ut.us,
O=Draper City Planning, CN=Jennifer Jastremsky
Date: 2020.06.17 08:47:20 -06'00'

Draper City Planning Division

Mike Barker

Digitally signed by Mike Barker
DN: cn=Mike Barker, o=Draper City, ou=City
Attorney, email=mike.barker@draper.ut.us, c=US
Date: 2020.06.18 14:24:54 -06'00'

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.

No additional comments provided.

Engineering and Public Works Divisions Review.

No additional comments provided.

Building Division Review.

No additional comments provided.

Fire Division Review.

No additional comments provided.

**EXHIBIT B
AERIAL MAP**



**EXHIBIT C
LAND USE MAP**

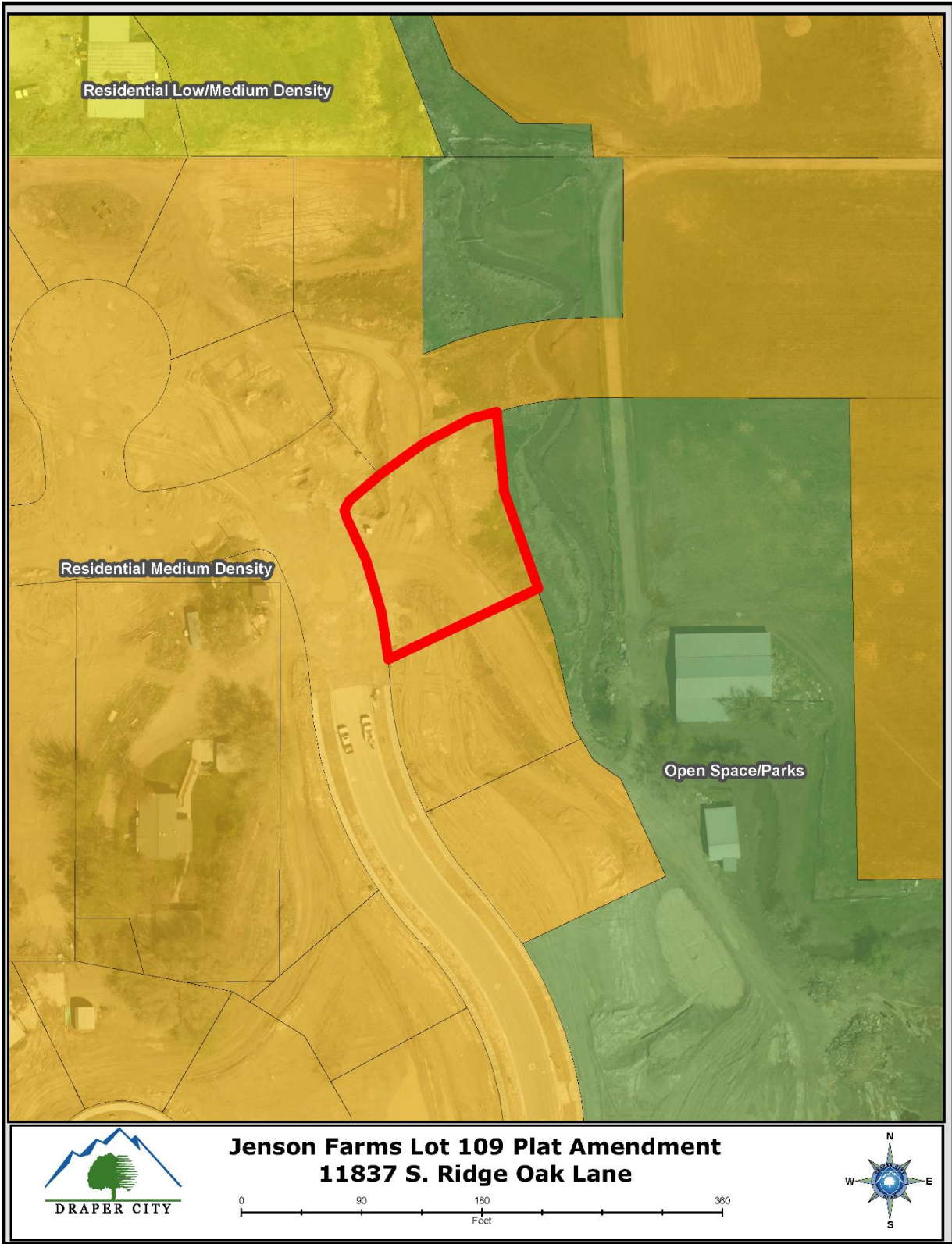


EXHIBIT D
ZONING MAP



EXHIBIT E
SUBDIVISION PLAT AMENDMENT

JENSON FARMS LOT 109 AMENDED PLAT

AMENDING LOT 109 OF JENSON FARMS PHASE 1A SUBDIVISION
LOCATED IN THE NORTHWEST QUARTER OF SECTION 25,
TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN
DRAPER CITY, SALT LAKE COUNTY, UTAH
MAY 2020

NORTHWEST CORNER SECTION 25
T3S, R1W, SL8M
(FOUND SLCO MON)

S00°05'01"E 2688.34' (MEASURED)
BASIS OF BEARING

271.80'

WEST QUARTER CORNER SECTION 25
T3S, R1W, SL8M
(FOUND SLCO MON)

2396.54'

LONE RIDGE COVE
(PUBLIC STREET)
(610 WEST)

LOT 108

JENSON FARMS PHASE 1A
SUBDIVISION

ROLLING HILLS WAY
(11830 SOUTH)
(PUBLIC STREET)

SEWER EASEMENT
ENTRY NO. 12820642
BK. 10698, PG. 4892

EAST

11830 S
610 W

GOUGH HOMES, LLC

RIDGE OAK LANE
(590 WEST)
(PUBLIC STREET)

JENSON FARMS PHASE 2
SUBDIVISION

LOT 201

GOUGH HOMES, LLC

ACCESS EASEMENT
ENTRY NO. 1272265
BK. 10649, PG. 8409

D=23°36'55"
R=240.00
L=98.92'
CB=N 60°43'45" E
C=98.22'

D=4°52'19"
R=300.00
L=25.51'
CB=N 51°21'27" E
C=25.50'

D=78°57'05"
R=15.00
L=20.67'
CB=N 14°19'04" E
C=19.07'

POINT OF
BEGINNING

N 25°09'28" W
10.47'

D=18°42'56"
R=300.00
L=97.99'
CB=N 15°48'00" W
C=97.56'

LOT 109
15,708 sq.ft.
0.361 acres

107 W

20' DRAPER CITY ACCESS AND
MAINTENANCE EASEMENT
NO STRUCTURES PERMITTED
WITHIN EASEMENT.

7' PU &
DE. TYP

BIG WILLOW CREEK

JENSON FARMS PHASE 2
SUBDIVISION
PARCEL B

S 64°28'44" W 123.40'

30' CLEAR ZONE

BUILDING SETBACK
CORNER LOT

NOT TO SCALE

(SETBACK REQUIREMENTS FOR ZONE R4 PER DRAPER
CITY ZONING REGULATIONS CODE TITLE 9-10-090)

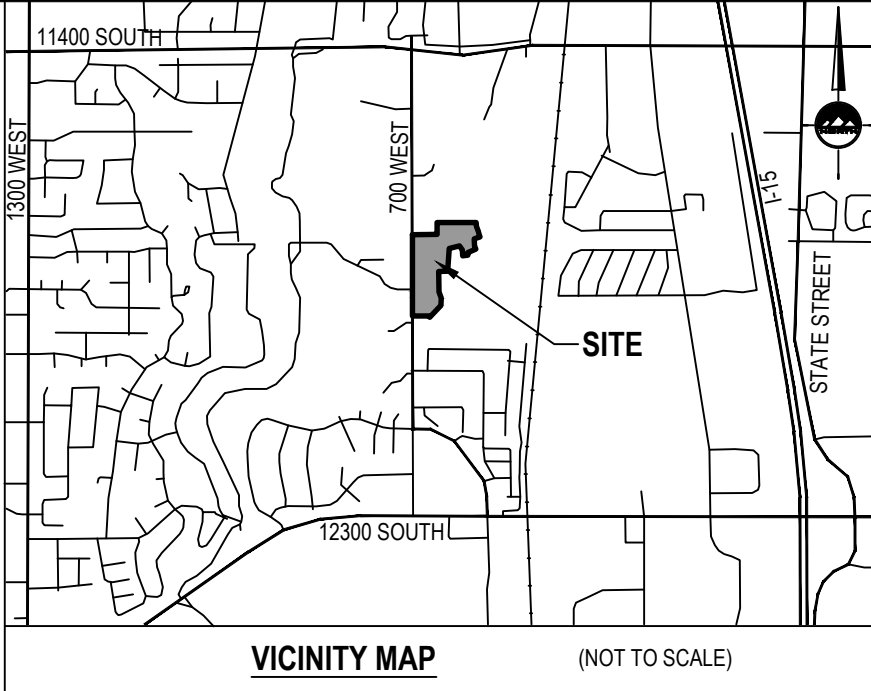
SHALLOW SEWER DEPTHS! CONTRACTOR SHALL VERIFY SEWER
LATERAL DEPTH AND SET FOUNDATION ELEVATION TO PROVIDE
ADEQUATE FALL INTO SEWER LATERAL. BUILDINGS WITH A BASEMENT
MAY NOT HAVE SEWER SERVICE AVAILABLE FOR BASEMENT.

Dominion Energy Utah - Note:

Quester Gas Company d/b/a Dominion Energy Utah, approves this plat for the purpose of
approximating the location, boundaries, course and dimensions of the Rights-of-Way and
Easement Grants and existing underground facilities. Nothing herein shall be construed to
warrant or verify the precise location of such items. The Rights-of-Way and easements are
subject to numerous restrictions appearing on the recorded right-of-way and easement
grant(s). Dominion Energy Utah also approves this plat for the purpose of confirming that the
plat contains public utility easements; however, Dominion Energy Utah may require additional
easements in order to serve this development. This approval does not constitute abrogation
or waiver of any other existing rights, obligations or liabilities provided by law or equity. This
approval does not constitute acceptance, approval or acknowledgment of any terms contained
in the plat, including those set in the Owners Dedication or the Notes, and does not constitute
a guarantee of particular terms or conditions of natural gas service; for further information
please contact Dominion Energy Utah's Right-of-Way Department at 800-366-8532.

ROCKY MOUNTAIN POWER NOTES:

- PURSUANT TO UTAH CODE ANN. § 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR
OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS
AND DUTIES DESCRIBED THEREIN.
- PURSUANT TO UTAH CODE ANN. § 17-27A-603(4)(C)(II) ROCKY MOUNTAIN POWER ACCEPTS
DELIVERY OF THE PUBLIC UTILITY EASEMENTS IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR
THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND
APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT
THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN
ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT
ROCKY MOUNTAIN POWER HAS UNDER:
 - A RECORDED EASEMENT OR RIGHT-OF-WAY
 - THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
 - TITLE 54, CHAPTER 9A, DAMAGE TO UNDERGROUND UTILITY FACILITIES OR
 - ANY OTHER PROVISION OF LAW.



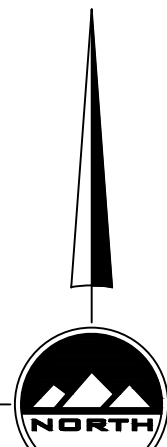
LEGEND

- EXISTING STREET MONUMENT
- PROPOSED STREET MONUMENT
- SECTION CORNER
- SET 5/8" REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED "ENSIGN ENG. & LAND SURV."
- BOUNDARY LINE
- SECTION LINE
- CENTER LINE
- EASEMENT LINE
- SETBACK LINE

- FEMA FLOOD ZONE "AE" - REGULATORY FLOODWAY
- FEMA FLOOD ZONE "AE" - 1% ANNUAL CHANCE FLOOD HAZARD

NOTES:

- BASEMENT ELEVATIONS SHALL BE A MINIMUM OF THREE FEET ABOVE HIGHEST GROUNDWATER ELEVATION. ELEVATIONS SHALL BE PUT ON THE PLAT, INCLUDING A DIMENSION FROM CURB ELEVATION.
- ALL FLOODS SHOWN ARE ALSO DRAPER CITY UTILITY EASEMENTS.
- SUBJECT PROPERTY LOCATED WITHIN FEMA ZONE "X", EXCEPT AREAS AS NOTED ON THIS PLAT. AS SHOWN ON FIRM MAP NUMBERS 49030442G AND 49030441G WITH AN EFFECTIVE DATES OF SEPTEMBER 25, 2009.
- ALL SUBSURFACE DRAINS OR LAND DRAINS WILL BE MAINTAINED BY THE LOT OWNER.
- SUBDIVISION PROPERTY AFFECTED BY SEWER EASEMENT AGREEMENT RECORDED JUNE 4, 1996 AS ENTRY NO. 6374431 IN BOOK 7415 AT PAGE 85 OF OFFICIAL RECORDS.
- DRIVEWAY ACCESS WILL BE RESTRICTED ON LOTS 102 AND 108 WHICH FRONT AN ADA RAMP SO THAT ACCESS IS NO IMPACTED.
- ALL SOUTH VALLEY SEWER EASEMENTS WITHIN IN THE RECORDED PUBLIC RIGHT OF WAY ARE VACATED UPON RECORDATION OF THIS PLAT.
- TEMPORARY DETENTION EASEMENT ON LOT 124 TO BE RELEASED UPON CONNECTION TO APPROVED AND COMPLETED STORM DRAIN SYSTEM.



HORIZONTAL GRAPHIC SCALE

20 0 10 20 40
(IN FEET)
HORZ: 1 inch = 20 ft.



SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT 84070
Phone: 801.255.0629
Fax: 801.255.4449
WWW.ENSIGNENG.COM

LAYTON
Phone: 801.541.1100
TOOELE
Phone: 435.843.3990
CEDAR CITY
Phone: 435.885.1453
RICHFIELD
Phone: 435.886.2803

SHEET 1 OF 1

PROJECT NUMBER : 7074A
MANAGER : RQE
DRAWN BY : JWJ
CHECKED BY : KFW
DATE : 5/21/20

SURVEYOR'S CERTIFICATE

I, PATRICK M. HARRIS, do hereby certify that I am a Licensed Land Surveyor, and that I hold Certificate No. 266882, 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 JENSON FARMS LOT 109 AMENDED PLAT, 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

All of Lot 109 of Jenson Farms Phase 1 A Subdivision, recorded December 11, 2019 as Entry No. 13144669, in Book 2019P, at Page 341 in the Office of the Salt Lake County Recorder; said parcel being more particularly described as follows:

Beginning at a point being South 00°05'01" East 271.80 feet along the section line and East 688.60 feet from the Northwest Corner of Section 25, Township 3 South, Range 1 West, Salt Lake Base and Meridian; and running
thence Northeasterly 20.67 feet along the arc of a 15.00 foot radius curve to the right (center bears North 64°50'32" East and the chord bears North 14°19'04" East 19.07 feet with a central angle of 78°57'05");
thence Northeasterly 25.51 feet along the arc of a 300.00 foot radius curve to the left (center bears North 36°12'24" West and the chord bears North 51°21'27" East 25.50 feet with a central angle of 04°52'19");
thence Northeasterly 98.92 feet along the arc of a 240.00 foot radius curve to the right (center bears South 41°04'43" East and the chord bears North 60°43'45" East 98.22 feet with a central angle of 23°36'55");
thence South 05°51'08" East 61.55 feet;
thence South 19°51'22" East 75.90 feet;
thence South 64°28'44" West 123.40 feet;
thence Northwesterly 97.99 feet along the arc of a 300.00 foot radius curve to the left (center bears South 83°33'28" West and the chord bears North 15°48'00" West 97.56 feet with a central angle of 18°42'56");
thence North 25°09'28" West 10.47 feet to the point of beginning.

Contains 15,708 Square Feet or 0.361 Acres and 1 Lot



DATE

PATRICK M. HARRIS
P.L.S. 266882

OWNER'S DEDICATION

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

JENSON FARMS LOT 109 AMENDED PLAT AMENDING LOT 109 OF JENSON FARMS PHASE 1A 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; and (3) those parcels designated as public open space, parks, trails or easements, or of similar designation.

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

GOUGH HOMES, LLC

By: _____

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF _____ } S.S.

ON THE _____ DAY OF _____ A.D. 20____, _____ PERSONALLY APPEARED BEFORE ME,
THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF _____, IN SAID STATE OF UTAH, WHO AFTER BEING DULY SWORN,
ACKNOWLEDGED TO ME THAT HE/SHE IS THE _____ OF _____
A LIMITED LIABILITY COMPANY AND THAT _____ SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID
LIMITED LIABILITY COMPANY FOR THE PURPOSES THEREIN MENTIONED AND ACKNOWLEDGED TO ME THAT SAID LIMITED LIABILITY COMPANY
EXECUTED THE SAME.

MY COMMISSION EXPIRES: _____

NAME: _____

NO: _____

A NOTARY PUBLIC COMMISSION IN UTAH

NOTARY PUBLIC

RESIDING IN _____ COUNTY

JENSON FARMS LOT 109 AMENDED PLAT

AMENDING LOT 109 OF JENSON FARMS PHASE 1A SUBDIVISION
LOCATED IN THE NORTHWEST QUARTER OF SECTION 25,
TOWNSHIP 3 SOUTH, RANGE 1 WEST, 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

EASEMENT APPROVAL

CENTURYLINK

DATE

ROCKY MOUNTAIN POWER

DATE

DOMINON ENERGY UTAH

DATE

COMCAST

DATE

SOUTH VALLEY SEWER DISTRICT APPROVAL

APPROVED THIS _____ DAY OF _____, 20____,
BY THE SOUTH VALLEY SEWER DISTRICT.

SOUTH VALLEY SEWER DISTRICT MANAGER

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, 20____,
BY THE DRAPER CITY PLANNING COMMISSION

CHAIR, DRAPER CITY PLANNING COMMISSION

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



MEMO

To: Planning Commission

From: Jennifer Jastremsky

CC:

Date: June 25, 2020

Re: Fox Landing Phase 3 Addition – Land Use Map Amendment and Zoning Map Amendment Request

Comments:

This application is a request for approval of a Land Use Map Amendment and Zoning Map Amendment for approximately 0.461 acres located on the west side of 700 West, at approximately 11720 South. The property is currently zoned RA1 (Residential Agriculture, 40,000 square foot lot minimums). The applicant is requesting that a Land Use Map Amendment be approved to change the designation from Residential Low/Medium Density to the Residential Medium Density designation, and a rezone be approved from the RA1 zone to the R3 (Single Family Residential, 13,000 square foot lot minimum) zoning district in order to allow for the property to be included in the Fox Landing development.

The findings are as follows:

For approval:

1. The proposed amendment is consistent with goals, objectives and policies of the city's general plan;
2. The proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;
3. The proposed amendment is consistent with the standards of any applicable overlay zone;
4. The proposed 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.
6. The request complies with the standards found in DCMC Section 9-2-020(B).

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 harmonious with the overall character of existing development in the vicinity of the subject property;
3. The proposed amendment is not consistent with the standards of any applicable overlay zone;
4. The proposed amendment will adversely affect adjacent property;
5. 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.
6. The request does not comply with the standards found in DCMC Section 9-2-020(B).

ATTACHMENTS:

Description

PC Staff Report

Upload Date

6/19/2020

Type

Cover Memo



Development Review Committee

1020 East Pioneer Road

Draper, UT 84020

June 12, 2020

To: Draper City Planning Commission
Business Date: June 25, 2020

From: Development Review Committee

Prepared By: Jennifer Jastremsky, AICP, Senior Planner/Zoning Administrator
Planning Division
Community Development Department
801-576-6328, jennifer.jastremsky@draper.ut.us

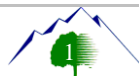
Re: Fox Landing Phase 3 Addition – Land Use Map Amendment and Zoning Map Amendment Request

Application No.: TEXTMAP-998-2020, TEXTMAP-999-2020
Applicant: Derek Wright, representing Wright Homes
Project Location: 11720 South 700 West
Current Zoning: RA1 (Residential Agricultural, 40,000 square foot lot minimum) Zone
Acreage: 0.461 Acres (Approximately 20,101 ft²)
Request: Request for approval of a Land Use Map Amendment to change the designation on 0.461 acres of property from the Residential Low/Medium Density Land Use Designation to the Residential Medium Density Land Use Designation and to change the Zoning Map from the RA1 (Residential Agricultural, 40,000 square foot lot minimum) zone to the R3 (Single Family Residential, 13,000 square foot lot minimum) zone.

BACKGROUND AND SUMMARY

This application is a request for approval of a Land Use Map Amendment and Zoning Map Amendment for approximately 0.461 acres located on the west side of 700 West, at approximately 11720 South (Exhibit C). The property is currently zoned RA1 (Residential Agriculture, 40,000 square foot lot minimums). The applicant is requesting that a Land Use Map Amendment be approved to change the designation from Residential Low/Medium Density to the Residential Medium Density designation, and a rezone be approved from the RA1 zone to the R3 (Single Family Residential, 13,000 square foot lot minimum) zoning district in order to allow for the property to be included in the Fox Landing development.

This property has been under development since 2014. The applicant obtained a Zoning Map Amendment and Development Agreement on September 2, 2014 to allow 75 single-family lots. A Preliminary Subdivision Plat was approved on June 2, 2015, with a final plat for Phase 1 approved in January 2016. In 2017 the applicant acquired 6.047 acres of land and amended the Fox Landing Development Agreement to include that land. This amendment increased the number of dwelling units allowed to 90. The applicant obtained an amendment to the Preliminary plat for Phases 2 and 3 on July 17, 2018, with Final approval for Phase 2 obtained on October 11, 2018.



ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Residential Low/Medium Density land use designation for the subject property (Exhibit D). This category is characterized as follows:

Residential Low-Medium Density

LAND USE DESCRIPTION		
CHARACTERISTICS	<ul style="list-style-type: none">• Very large lot single-family neighborhoods or ranchettes allows for enhancement of Draper's rural character• Environmentally designed clustered housing with the Suncrest and South Mountain projects being the exceptions• Some natural features and cultivated vegetation is apparent and special care is required in order to preserve those features and areas• Equestrian uses and privileges may exist in certain areas	
LAND USE MIX	Primary <ul style="list-style-type: none">• Single-family detached homes	Secondary <ul style="list-style-type: none">• Parks• Open space• Churches• Schools
DENSITY	<ul style="list-style-type: none">• Density range: up to 2 dwelling units per acre• Reduction for non-buildable areas	
COMPATIBLE ZONING	<ul style="list-style-type: none">• Residential Agricultural (RA1)• Residential Agricultural (RA2)• Single-family Residential Hillside (RH)• Master Planned Community (MPC)	
OTHER CRITERIA	<ul style="list-style-type: none">• Increased densities within equestrian areas may be allowed only with compliance to specified performance standards and impact mitigation measures• Buffers and transitions around existing low-density single-family residences may consist of open space/ retention areas, lots that are pie-shaped or otherwise larger than standard sized lots or a combination of these and other appropriate design techniques	

The property has been assigned the RA1 zoning classification, supporting approximately one dwelling unit per acre (Exhibit E). 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 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.”* The RA1 zoning abuts the subject property on the south and east sides. The R3 zone abuts on the north and west sides.

Land Use Map Amendment. The applicant is requesting to amend the land use map from the Residential Low/Medium Density designation to the Residential Medium Density designation. The intent of the Residential Medium Density designation is to allow for single-family detached homes with a density of 2-4 dwelling units per acre. The specific characteristics of the designation are as follows:

Residential Medium Density

LAND USE DESCRIPTION		
CHARACTERISTICS	<ul style="list-style-type: none"> • 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 <ul style="list-style-type: none"> • Single-family detached homes 	Secondary <ul style="list-style-type: none"> • Parks • Churches • Schools • Open Space
DENSITY	<ul style="list-style-type: none"> • Density range: 2-4 dwelling units per acre 	
COMPATIBLE ZONING	<ul style="list-style-type: none"> • Residential Agricultural (RA2) • Single-family Residential (R3) • Single-family Residential (R4) • Master Planned Community (MPC) 	
OTHER CRITERIA	<ul style="list-style-type: none"> • 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 	

Zoning Map Amendment. The applicant is requesting to rezone the property from RA1 to R3. The R3 zone’s purpose, per DCMC Section 9-8-020, is to “*is to permit medium density residential development without special mitigation requirements. This zone is intended to provide incentives to foster residential development with little impact on its surroundings and on municipal services, and to generally preserve the semirural character called for in the density element of the general plan.*”

The 0.461 acre property is part of a larger piece of property equaling 1.38 acres (Exhibit B). This property contains a house that fronts 700 West. If approved, the applicant will create a 40,000 square foot lot for the existing house on 700 West, under the properties current zoning of RA1, and subdivide the rezoned 0.461 acre piece of property to include as another lot in the Fox Landing development. The 0.461 acres is not included in the land area covered under the Development Agreement, but the inclusion of the property in the subdivision would not create any violations with the parameters of the agreement, as listed below.

- Maximum Lots:
 - DA: 90 Lots
 - Total with Property: 89
- Maximum Density:
 - DA: 2.2 du/ac
 - Total with Property: 2.01 du/ac
- Minimum Average Lot Size:
 - DA: 14,500 square feet

- Total with Property: 16,963.52 square feet
- Minimum Access Points to River:
 - DA: Two
 - Total with Property: Two, provided in phases 1 and 2

Criteria For Approval. The criteria for review and potential approval of a Zoning Map Amendment request is found in Sections 9-5-060(E) of the Draper City Municipal Code. This section depicts the standard of review for such requests as:

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 DCMC Section 9-2-020(F) lists the following criteria for a General Plan amendment:

“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.

REVIEWS

Planning Division Review. The Draper City Planning Division has completed their review of the Land Use Map Amendment and 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 Land Use Map Amendment and Zoning Map 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 Land Use Map Amendment and 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 decision based on the findings listed below and the criteria for approval, or denial, as listed within the staff report.

The findings for approval as are follows:

1. The proposed amendment is consistent with goals, objectives and policies of the city's general plan;
2. The proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;
3. The proposed amendment is consistent with the standards of any applicable overlay zone;
4. The proposed 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.
6. The request complies with the standards found in DCMC Section 9-2-020(B).

The findings for denial as are follows:

1. The proposed amendment is not consistent with goals, objectives and policies of the city's general plan;
2. The proposed amendment is not harmonious with the overall character of existing development in the vicinity of the subject property;
3. The proposed amendment is not consistent with the standards of any applicable overlay zone;
4. The proposed amendment will adversely affect adjacent property;
5. 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.
6. The request does not comply with the standards found in DCMC Section 9-2-020(B).

MODEL MOTIONS

Land Use Map Amendment

Sample Motion for Approval – I move that we forward a positive recommendation to the City Council for the Land Use Map Amendment, as requested by Derek Wright, representing Wright Homes for the Fox Landing Phase 3 Addition Land Use Map Amendment, application TEXTMAP-999-2020, based on the findings and subject to the conditions listed in the Staff Report dated June 15, 2020.

Sample Motion for Denial – I move that we forward a negative recommendation to the City Council for the Land Use Map Amendment, as requested by Derek Wright, representing Wright Homes for the Fox Landing Phase 3 Addition Land Use Map Amendment, application TEXTMAP-999-2020, based on the findings listed in the Staff Report dated June 15, 2020.

Zoning Map Amendment

Sample Motion for Approval – I move that we forward a positive recommendation to the City Council for the Zoning Map Amendment, as requested by Derek Wright, representing Wright Homes for the Fox Landing Phase 3 Addition Zoning Map Amendment, application TEXTMAP-998-2020, based on the findings and subject to the conditions listed in the Staff Report dated June 15, 2020.

Sample Motion for Denial – I move that we forward a negative recommendation to the City Council for the Zoning Map Amendment, as requested by Derek Wright, representing Wright Homes for the Fox Landing Phase 3 Addition Zoning Map Amendment, application TEXTMAP-998-2020, based on the findings listed in the Staff Report dated June 15, 2020.

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: cn=Brien Maxfield, o=Draper
City, ou,
email=brien.maxfield@draper.ut.us,
c=US
Date: 2020.06.17 17:14:36 -06'00'

Draper City Public Works Department

Jennifer Jastremsky

Digitally signed by Jennifer Jastremsky
DN: cn=US, E=jennifer.jastremsky@draper.ut.us,
O=Draper City Planning, CN=Jennifer Jastremsky
Date: 2020.06.17 08:29:07 -06'00'

Draper City Planning Division

Don Buckley

Digitally signed by Don Buckley
DN: cn=US, E=don.buckley@draper.ut.us, O=Draper City
Planning, OU=Fire Marshal, CN=Don Buckley
Date: 2020.06.17 16:07:53 -06'00'

Draper City Fire Department

Mike Barker

Digitally signed by Mike Barker
DN: cn=Mike Barker, o=Draper City, ou=City
Attorney, email=mike.barker@draper.ut.us, c=US
Date: 2020.06.18 14:30:11 -06'00'

Draper City Legal Counsel

Keith Collier

Digitally signed by Keith Collier
DN: cn=US, E=keith.collier@draper.ut.us,
O=Draper City, OU=Building Dept, CN=Keith
Collier
Date: 2020.06.17 16:07:53 -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.

Engineering and Public Works Divisions Review.

1. *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;*

Other than noted below, we are not aware of any inadequacies of the facilities intended to serve this property.

- a. Connectivity with these parcel is required to be through access to 700 West, a minor collector. The western portion of the lot that is split off is required to connect to Rolands Drive, a local street that connects to 700 West. Specific access locations will be evaluated with any site plan or subdivision submittal. Access locations will be required to meet Draper City Standards as outlined in our Master Transportation Plan. A Traffic Impact Study may be required.
- b. Existing storm drainage facilities are available in through the Fox Landing Subdivision. Provisions for onsite storm drainage will need 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.
- c. Sanitary sewer facilities will be provided by South Valley Sewer District. Any subdivision application will require a commitment to serve from the Sewer District that facilities are adequate to provide service for the proposed uses.
- d. Drinking water facilities will be provided by Draper City. Drinking water facilities are either already installed or available through the Fox Landing Subdivision. Provisions for culinary water will need 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.

EXHIBIT B LEGAL DESCRIPTION

Summit Farms, LLC – Purchase Parcel

Beginning at a point being North 00°05'05" West 480.55 feet along the section line and South 89°54'55" West 33.00 feet and North 88°38'27" West 404.71 feet from the Southeast Corner of Section 23, Township 3 South, Range 1 West, Salt Lake Base and Meridian, and running

thence North 89°38'27" West 205.29 feet, more or less to the center line of a canal;
thence North 08°17'45" East 103.20 feet along said center line;
thence South 89°16'59" East 190.26 feet;
thence South 00°05'05" East 101.03 feet to the point of beginning.

Contains 20,101 Square Feet or 0.461 Acres

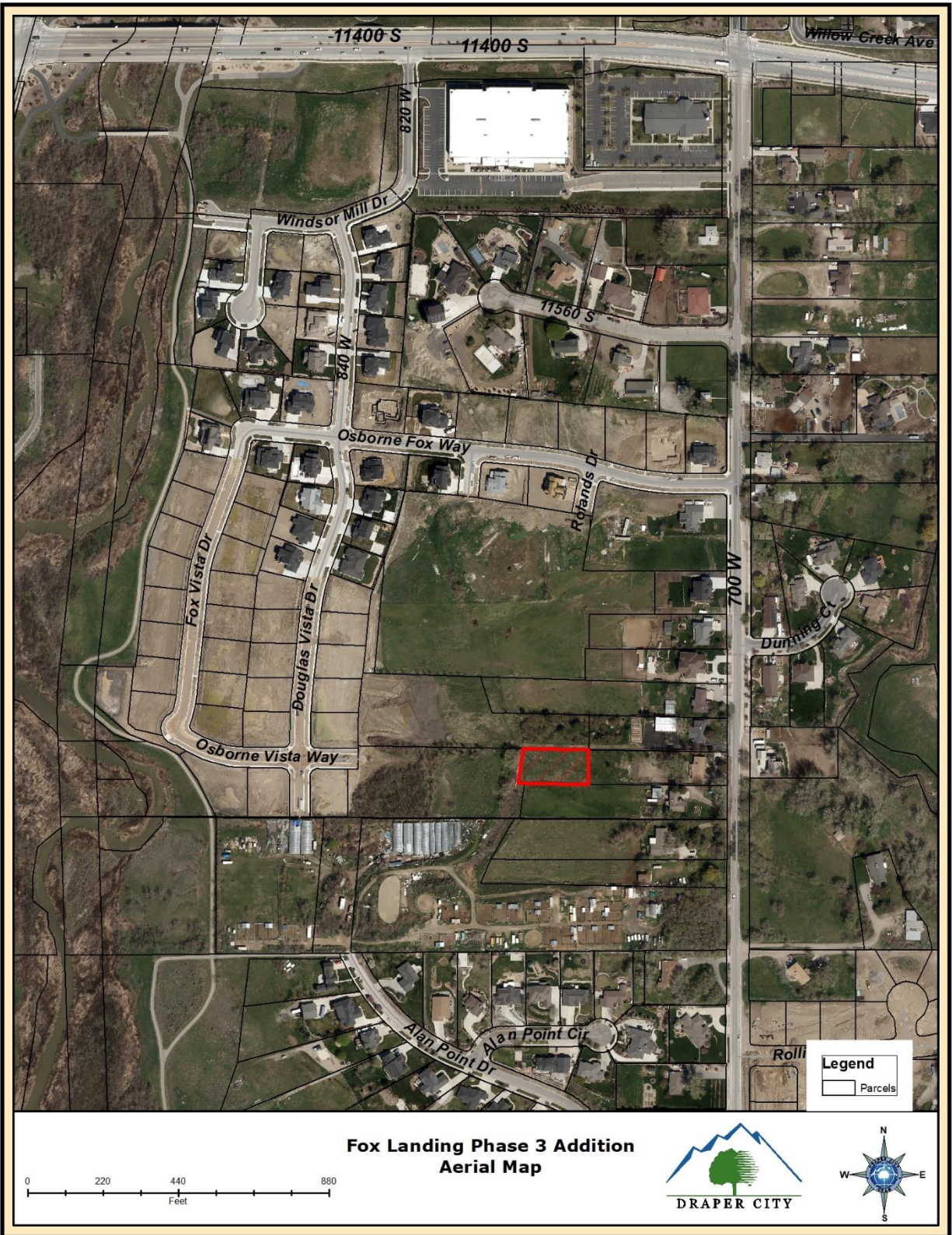
Summit Farms, LLC – Remainder Parcel

Beginning at a point being North 00°05'05" West 480.55 feet along the section line and South 89°54'55" West 33.00 feet from the Southeast Corner of Section 23, Township 3 South, Range 1 West, Salt Lake Base and Meridian, and running

thence North 89°38'27" West 404.71 feet;
thence North 00°05'05" West 101.03 feet;
thence South 89°16'59" East 404.73 feet;
thence South 00°05'15" East 98.50 feet to the point of beginning.

Contains 40,374 Square Feet or 0.927 Acres

EXHIBIT C
AERIAL MAP



**EXHIBIT D
LAND USE MAP**

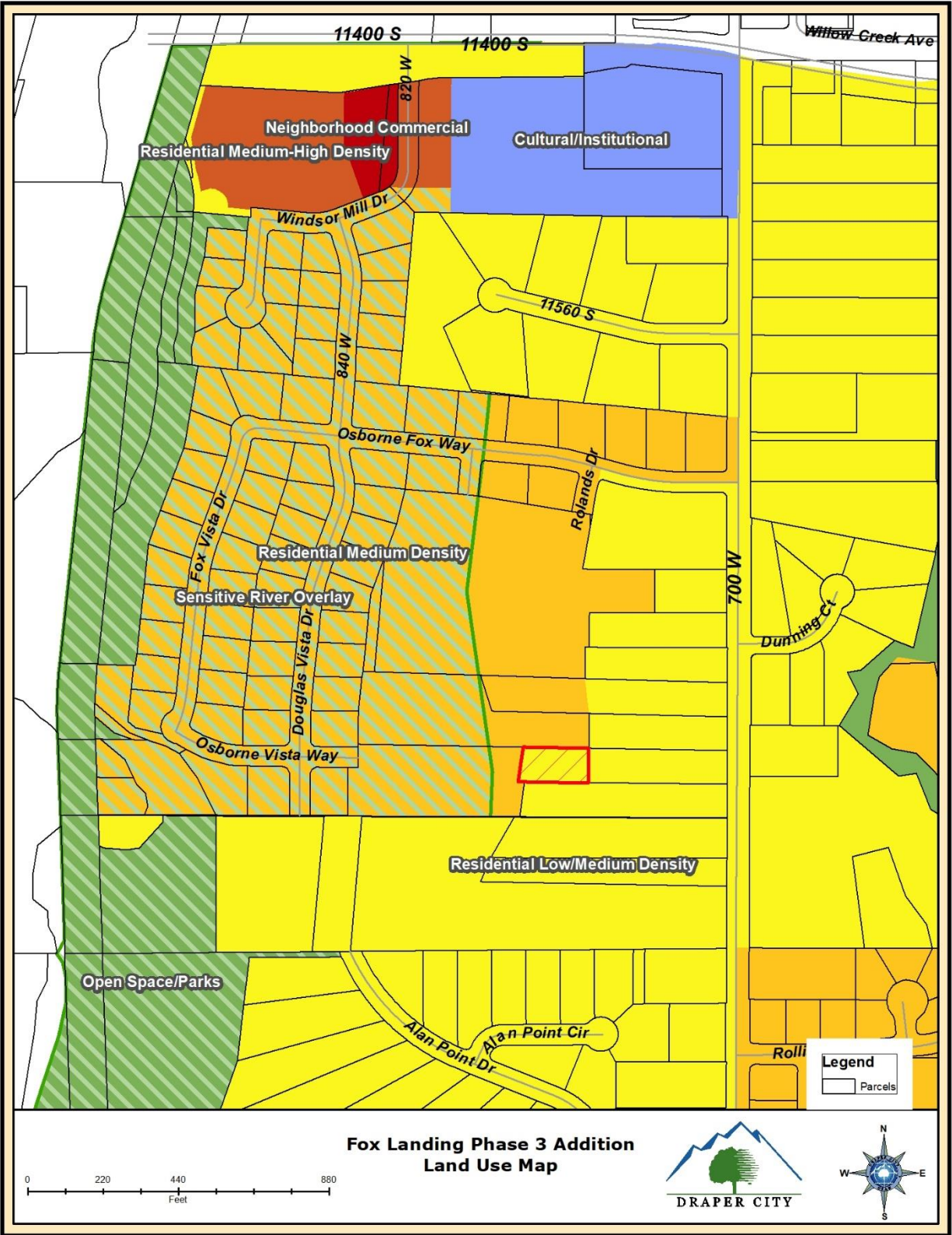


EXHIBIT E
ZONING MAP

