

Approved minutes June 10, 2021

MINUTES OF THE DRAPER CITY PLANNING COMMISSION ELECTRONIC MEETING HELD ON THURSDAY, MAY 27, 2021, IN THE DRAPER CITY COUNCIL CHAMBERS

PARTICIPATING

ELECTRONICALLY: Chairperson Andrew Adams, Commissioners Gary Ogden, Mary Squire, Lisa Fowler and Alternate Commissioner Susan Nixon

ABSENT: Vice Chairperson Craig Hawker, Commissioner John Van Hoff, Alternate Commissioners Tab Bingham and DeLaina Tonks

STAFF PRESENT: Mike Barker, Brien Maxfield, Jennifer Jastremsky, Travis Van Ekelburg and Amie Salazar

STAFF PRESENT

ELECTRONICALLY: None

The agenda will be as follows:

6:30 PM Business Meeting

1. Electronic Meeting Notice

- 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. WRITTEN DETERMINATION 2021-24 Pursuant to Utah Code Ann. 52-4-207(4)

I, Andrew Adams, do hereby determine conducting an electronic meeting of the Draper City Planning Commission with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location and hereby authorize the Draper City Planning Commission to conduct electronic meetings without an anchor location.

B. The foregoing determination is based on the following facts:

- Federal, state and local leaders, including the Draper City Mayor and City Council, have all recognized a global pandemic caused by the spread of the COVID-19 virus.
- While COVID-19 cases and hospitalizations in Draper show an encouraging downward trend and vaccines are becoming available to a larger segment of the Draper population, vigilance is required so that there isn't a rebound in cases and hospitalizations.

- It is difficult, if not impossible, to predict the number of attendees at any meeting and to manage issues regarding social distancing in order to comply with state and local health departments health orders.
- COVID-19 poses a continuing and immediate threat to the health, safety, and welfare of Draper City residents.
- The city has the technological capability to provide means by which the public may hear, or view and hear, the open portions of the meeting and to participate in public hearings.

3. (Action Item): Approve Planning Commission Meeting Minutes for May 13, 2021 (Administrative Action)

Motion re: Commissioner Fowler made a motion to approve the Planning Commission meeting minutes for May 13, 2021, 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 3 to 0 vote.

4. Public Hearing: Lot 14 Alan Point Plat Amendment (Administrative Action)

This item has been continued to a date uncertain.

On request of Kirk Cullimore, approval of a Plat Amendment in the RA2 zone to vacate a wetlands no build area in the rear yard at approximately 849 W. Alan Point Dr. Application: SUBD-0055-2021. Staff Contact is Travis Van Ekelenburg, 801-576-6522, travis.vanekelenburg@draperutah.gov.

5. Public Hearing: The Flowers Place Home Occupation Conditional Use Permit (Administrative Action)

On request by Carmen Gerth for approval of a Home Occupation Conditional Use Permit in the RA2 zone located at 12169 S. Andrew View Circle regarding a home occupation business in the home as a florist. Application: USE-0054-2021. Staff contact is Travis Van Ekelenburg, 801-576-6522, travis.vanekelenburg@draperutah.gov

Travis Van Ekelenburg presented. He stated that the applicant has requested a conditional use permit. He stated that it is in a residential medium density designation as well as in the RA2 zoning. He stated that the applicant will be using small room as a florest and a refrigerator in the garage to keep the flowers fresh. He stated that the applicant will be the only employee to the business and there will be no customers coming to the home, but that the applicant will deliver. He stated that there will be no signage on building or vehicles. He stated that the applicant wishes to utilize it seven days a week from 9a.m. to 5p.m.

Commissioner Fowler asked about the conditions of approval.

Jennifer Jastremsky explained that the commissioners are able to add or modify conditions to the motion.

Chairperson Adams asked if the applicant is here.

Carmen Gerth, applicant, thanked Mr. Van Ekelenburg, and stated that she doesn't have anything else to add.

Chairperson Adams thanked Ms. Gerth for going through the application process.

Chairperson Adams opened the public comment.

Chairperson Adams closed the public comment.

Commissioner Nixon stated that, since this will not impact the surrounding neighbors, it's a great fit for the location.

Motion re: Commissioner Nixon made a motion to approve the Home Occupation Conditional Use Permit as requested by Carmen Gerth application USE-0054-2021 based on the findings and subject to the conditions listed in the staff report dated May 19, 2021. Commissioner Fowler seconded the motion.

Vote: A roll call vote was taken with Commissioners voting unanimously in favor of the motion. This item passed with a 3 to 0 vote.

6. Public Hearing: Michel Fence – Conditional Use Permit Request (Administrative Action)

A request by Ben Michel for approval to increase fence height to eight feet for a portion of the rear lot lines on the east and west sides of the property. The property is located at approximately 1257 E. Manfield Way in the RA1 (Residential Agricultural, 40,000 square foot minimum Zone). Application: USE-048-2021, Staff Contact: Maryann Pickering at 801-576-6391 or maryann.pickering@draperutah.gov.

Jennifer Jastremsky, Planning Manager and Zoning Administrator, presented. She stated that the property is located within the RA1 zone just sound of Draper Park. She stated that the applicant looking to install fencing around the property. She stated that it complies with the code.

Chairperson Adams asked about the fence being replaced or added onto.

Ben Michel, applicant, stated that the company he is using wants to use the seven-foot panels as they're a better aesthetic along the sides and back. He stated that the rear fence would be replaced with a seven-foot panel, not an eight-foot panel.

Chairperson Adams stated that shouldn't change anything for the request, but Staff will fix that detail. He asked if there were any questions for the applicant.

Commissioner Fowler inquired about amending the application.

Jennifer Jastremsky stated that they could amend it in the motion.

Chairperson Adams asked about amending the application to be between six-foot and eight-foot panels.

Chairperson Adams opened the public comment.

Chairperson Adams closed the public comment.

Motion re: Commissioner Squire made a motion to approve the Conditional Use Permit as requested by Ben Michel application USE-048-2021 based on the findings and subject to the conditions listed in the staff report dated May 18, 2021. Commissioner Fowler seconded the motion.

Commissioner Squire amended her motion to approve the Conditional Use Permit as requested by Ben Michel application USE-048-2021 based on the findings and subject to the conditions listed in the staff report dated May 18, 2021 and allow up to an eight-foot fence on the North, West, and East sides of the property. Commissioner Fowler seconded the amended motion

Vote: A roll call vote was taken with Commissioners voting unanimously in favor of the motion. This item passed with a 3 to 0 vote.

Jennifer Jastremsky indicated to Chairperson Adams that Commissioner Ogden had joined the meeting.

7. Public Hearing: Salz Cove Lot 3 Plat Amendment (Administrative Action)

On request by Eric and Kimberly Rea approval of a Plat Amendment in the RA2 zone located at 12926 S. Salz Way, regarding decreasing the storm drain easement from 20 feet to 10 feet for Lot 3 of the Salz Cove Subdivision. Application SUBD-0032-2021. Staff contact: Travis Van Ekelenburg, 801-576-6522, travis.vanekelenburg@draperutah.gov.

Travis Van Ekelenburg, City Planner, presented. He stated that the property is low to medium density and it's in the RA2 zoning designation. He stated that the original plat had the easement at 20 feet and the proposed plat would only change the rear property alignment where the easement is from 20 feet to 10 feet.

Commissioner Fowler asked who the easement is granted to.

Brien Maxfield, City Engineer, stated that the developer put in some very wide swells and that required they be in drainage easements. He stated that the owner had a pipe put in rather than the swell, which allowed the easement to be reduced from 20 feet to 10 feet. He stated that staff agrees that it can be reduced.

Chairperson Adams asked if there were any more questions.

Eric Rea, applicant, stated that he doesn't have anything to add.

Chairperson Adams opened the public comment.

Chairperson Adams closed the public comment.

Commissioner Squire asked whether the purpose of the easement has been satisfied.

Brien Maxfield stated that it has been satisfied.

Motion re: Commissioner Fowler made a motion to approve the Plat Amendment as requested by Eric and Kimberly Rea application SUBD-0032-2021 based on the findings and subject to the conditions listed in the staff report dated May 19, 2021. 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 4 to 0 vote.

8. Training: Open Meetings

Mike Barker played the Open and Public Meeting Act presentation. He stated that there are some differences between what was stated in the presentation and what's applicable to the Draper Planning Commission. He stated that some of those differences are included in public hearings, electronic meetings, closed meetings, noticing requirements as they relate to newspaper publishing, and meeting minutes.

Mike Barker asked for any comments.

Chairperson Adams thanked Mr. Barker. He thanked the Commissioners and applicants for attendance.

Jennifer Jastremsky reminded everyone that the next meeting is in person. She stated that dinner is at 6p.m. and the meeting is at 6:30p.m.

9. Adjournment

Motion re: Chairperson Adams made a motion to adjourn the meeting.

Vote: A roll call vote was taken with Commissioners voting unanimously in favor of the motion. This item passed with a 4 to 0 vote.

The meeting adjourned at 7:13p.m.