

Approved July 8, 2021

**MINUTES OF THE DRAPER CITY PLANNING COMMISSION ELECTRONIC
MEETING HELD ON THURSDAY, JUNE 24, 2021 IN THE DRAPER CITY COUNCIL
CHAMBERS**

PARTICIPATING

ELECTRONICALLY: Chairperson Andrew Adams, Vice Chairperson Craig Hawker, Commissioners Gary Ogden, Mary Squire, Lisa Fowler, John Van Hoff and Alternate Commissioner Susan Nixon

ABSENT: Alternate Commissioners Tab Bingham and DeLaina Tonks

STAFF PRESENT: Mike Barker, Brien Maxfield, Jennifer Jastremsky, Travis Van Ekelenburg, Spencer DuShane, Todd Draper and Amie Salazar

STAFF PRESENT

ELECTRONICALLY: None

The Agenda will be as follows:

6:30 PM Business Meeting

1. Ways of Participation

- Attend the meeting in person at 1020 East Pioneer Road
- Listen through our website - <https://www.draperutah.gov/95/Agendas-Minutes>
- Attend the meeting by Zoom. You may request the Zoom Meeting ID by sending an email to the 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 10, 2021 (Administrative Action)

Motion re: Commissioner Craig Hawker made a motion to approve the Planning Commission meeting minutes for June 10, 2021 and Commissioner Mary 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.

3. Public Hearing: Communication Journeys Home Occupation Conditional Use Permit (Administrative Action)

On the request of Stephanie Fowler representing Communication Journeys LLC, a home occupation conditional use permit for an in-home speech therapy office on approximately

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0.3 acres located at approximately 13132 South Levoy Circle. Known as application USE-0071-2021. Staff Contact: Todd Draper 801-576-6335, todd.draper@draperutah.gov.

Todd Draper, City Planner, presented. He stated that the property is medium density and in an R3 zone. He stated that the intention is to have a home office for speech pathology. He stated that customers will come to the home, one at a time, by appointment only. He stated that parking exists onsite.

Stephanie Fowler, applicant, stated that the sessions would take place one at a time and sessions would not overlap. She stated that it shouldn't impact the parking on the street and there would be no signage. She stated that it would be seamless for the neighborhood.

Commissioner Hawker asked whether Ms. Fowler's services were aimed only at children under the age of 18, or if she intended to help adults as well.

Stephanie Fowler stated that she usually sees children under the age of 15. She stated that this is a private practice for children who need a little more help than what the schools can provide.

Commissioner Fowler asked the applicant if she knew her husband in order to verify if there was any family connection that could create a conflict.

Stephanie Fowler answered in the negative and is not related to Commissioner Fowler.

Chairperson Adams opened the public comment.

Chairperson Adams closed the public comment.

Motion re: Commissioner Hawker made a motion to approve the home occupation conditional use permit as request by Stephanie Fowler representing Communication Journey's LLC for an in-home speech therapy office, application USE-0071-2021, based on the findings and as subject to the conditions listed in the staff report dated June 11, 2021. Commissioner John Van Hoff 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.

4. Public Hearing: Ferguson Subdivision Amended Subdivision Plat (Administrative Action)

On request of Melanie Ferguson. An Amended Subdivision Plat request for approximately 0.5 acres located at approximately 276 E. Twin Pines Lane. Known as application: SUBD-0056-2021. Staff Contact is Todd Draper, 801-576-6335, todd.draper@draperutah.gov.

Todd Draper, City Planner, presented an aerial view. He stated that there is a small parcel separate from the larger lot that they are looking to consolidate with the existing lot. He

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stated that this property is in the R3 zoning. He stated that the initial subdivision plat didn't include the smaller portion, but he's not sure why.

Commissioner Fowler asked whether they own the land.

Todd Draper answered that they do own both pieces.

Chairperson Adams opened the public comment.

Chairperson Adams closed the public comment.

Motion re: Commissioner Van Hoff made a motion to approve the Amended Subdivision Plat Amendment as requested by Melanie Ferguson for the Ferguson Subdivision Application SUBD-0056-2021 based on the findings and subject to the conditions listed in the staff report dated June 11, 2021. Commissioner Gary 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.

5. Public Hearing: Olson Residence Zoning Map Amendment (Legislative Action)

On request of Jarod Hall approval of a Zoning Map Amendment in the RA1 zone regarding a rezone on a 1.84 acre property from the RA1 (Residential Agricultural, 40,000 ft² lot minimum size) zoning designation to the RA2 (Residential Agricultural 20,000 ft² minimum size). The property is located at 13764 S & 13770 S Fort Street. Application: TEXTMAP-0062-2021. 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 the zoning is currently in the RA1 zone. He stated that the applicant is requesting to rezone the smaller subject property to the RA2 zoning designation. He stated that the home was built on the smaller property in 1971, and the property was divided illegally at some point in time. He stated that the applicant is requesting a switch of the zoning to correct the error. He stated that the property line will be adjusted to match the area of the zoning change.

Commissioner Fowler asked how big the larger property is and whether the request is for both properties.

Travis Van Ekelenburg stated that it would just be for the smaller property.

Jennifer Jastremsky, Planning Manager, clarified the larger lot is 1.14 acres.

Jarod Hall, applicant, stated that they need to make the front house legal so that they can build a house on the back.

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Chairperson Adams opened the public comment.

Chairperson Adams closed the public comment.

Motion re: Commissioner Squire made a motion to forward a positive recommendation to City Council to approve the Olson Residence Map Amendment as requested by Jarod Hall for the application TEXTMAP-0062-2021 based on the findings and subject to the conditions listed in the staff report dated June 1, 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 5 to 0 vote.

6. Public Hearing: BNSN Zoning Map Amendment (Legislative Item)

On the request of Brian Newberry representing BNSN Investments LLC, a Zoning Map Amendment request from A5 (Agricultural, 5 acre minimum lot size) to RA2 (Residential Agricultural, 20,000 ft² minimum lot size) for approximately 1.48 acres located at approximately 12775 South 1600 East (Costanza Way), Known as application TEXTMAP-0085-2021, Staff Contact: Todd Draper, (801) 576-6335, todd.draper@draperutah.gov.

Todd Draper, City Planner, presented. He stated that this is a low to medium density and A5 zoning. He stated that the RA2 zone is compatible with the low to medium density area. He stated that the applicant is requesting a rezone to get some coverage for the home they would like to build on the property.

Commissioner Hawker asked if the rezone is going to affect anything due to the private road.

Todd Draper stated that there are some limitations, but the rezone would not be for subdividing.

Jennifer Jastremsky stated Constanza Way has a handful of homes, but it's not maxed out.

Commissioner Fowler asked if the lot is too small for the A5 zone.

Todd Draper stated that none of the lots are 5 acres. He stated that RA1 and RA2 are both considered compatible with the land use designation.

Brian Newberry, applicant, stated that the intent is to build a house to replace the mobile home that is currently on the property. He stated that they don't intend to subdivide. He stated that the RA2 designation allows them to get a bigger home on the lot.

Chairperson Adams opened the public comment.

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Chad Evans stated that the community in this area would like to preserve the way the neighborhood is currently. He stated that he's pleased with what Brian Newberry wants to do. He reiterated that the intent is to keep the place as it is. He recommended that they go ahead with the rezone.

Chairperson Adams closed the public comment.

Chairperson Adams stated that there's about 2.8 lots they could fit with a subdivision.

Commissioner Ogden asked about the private roads.

Jennifer Jastremsky, Planning Manager, stated that they predate the city. She stated that they don't comply with the current standards.

Chairperson Adams stated that the RA2 zone would allow for more coverage than the RA1.

Jennifer Jastremsky stated that the A5 zone allows for a 10% footprint, while a RA2 zone allows for a 40% footprint. She stated that this would include the house, the barn, the detached garage, etc. She stated that the A5 zone assumes that most of the acreage is being used for agricultural purposes and gives a small amount of land for the house, while a RA2 zone allows for the majority of the property to be the house and the garage.

Motion re: Commissioner Fowler made a motion to forward a positive recommendation to City Council for the Zoning Map Amendment as requested by Brian Newberry representing BNSN Investments LLC application TEXTMAP-0085-2021 based on the findings and subject to the conditions listed in the staff report dated June 14, 2021. 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.

7. Public Hearing: City Initiated State Law Changes Text Amendment No. 2 (Legislative Item)

On the request of Draper City for a Text Amendment to amend portions of Titles 9 and 17 of Draper City Municipal Code. This application is known as the City Initiated State Law Changes Text Amendment No. 2. Application: TEXTMAP-0089-2021. Staff Contact Todd Draper, (801) 576-6335, todd.draper@draperutah.gov.

Todd Draper, City Planner, presented. He reviewed some additions and updates. He stated there was some rewriting for clarity. He stated that there was some text that was removed and rewritten.

Commissioner Fowler asked what the difference is between a two-family dwelling and a multi-family dwelling.

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Todd Draper stated that a two-family dwelling is usually a duplex or a twin-home, whereas a multi-family dwelling is something that can house three units or more.

Commissioner Hawker asked about detached units.

Todd Draper stated that the ordinance allows a detached accessory dwelling unit, and that is not a part of this change.

Chairperson Adams opened the public comment.

Chairperson Adams closed the public comment.

Motion re: Commissioner Squire made a motion to forward a positive recommendation to City Council for the Text Amendment as requested by Draper City for the City Initiated State Law Changes Text Amendment No. 2. Application: TEXTMAP-0089-2021 based on the findings and subject to the conditions listed in the staff report dated June 14, 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 5 to 0 vote.

8. Adjournment

Chairperson Adams asked for a motion to adjourn.

Motion re: Commissioner Squire moved to adjourn.

Vote: A vote was taken with Commissioners voting unanimously in favor of the motion. This item passed with a 5 to 0 vote.

The meeting adjourned at 7:14 pm