DRAPER CITY

CITY COUNCIL AGENDA

Notice is hereby given that the Draper City Council will hold a **Business Meeting** beginning at **5:30 p.m.** on **Tuesday, October 1, 2013** in the City Council Chambers at 1020 East Pioneer Road, Draper, Utah.

(Timings listed for each item on the agenda are approximate and may be accelerated or delayed)

The Agenda will be as follows:

STUDY MEETING

5:30 p.m.	**1.0**	Dinner
6:00 p.m.	**2.0**	**Presentation:** Park Impact Fees and Maintenance Costs. Staff Presentation by Brad Jensen and Steve Linde.
6:30 p.m.	**3.0**	**Adjourn to Closed Meeting** to discuss litigation, property acquisition, and the character and professional competence or physical or mental health of an individual.

BUSINESS MEETING

7:00 p.m.	**1.0**	**Call to Order:** Mayor Darrell Smith
7:00 p.m.	**2.0**	**Comment/Prayer and Flag Ceremony**
7:10 p.m.	**3.0**	**Citizen Comments**: *To be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comments will be restricted to items not listed on the agenda and limited to three minutes per person per item. A spokesperson who has been asked by a group to summarize their concerns will be allowed five minutes to speak. Comments which cannot be made within these limits should be submitted in writing to the City Recorder prior to noon the day before the meeting. Comments pertaining to an item on the agenda should not be given at this time but should be held until that item is called.*
7:20 p.m.	**4.0**	**Consent Items:** a. Hardship Permits with Spring Hollow Trail Property Owners b. **Ordinance #1069,** Amendment DCMC Section 15-1-050 re: Private Attractions c. **Agreement 13-215,** for 700 East Pro-Rated Fence Reimbursements d. Approval of 2013 JAG Block Grant for Law Enforcement Equipment

PUBLIC HEARING PROCEDURE AND ORDER OF BUSINESS

In compliance with the American with Disabilities Act, any individuals needing special accommodations including auxiliary communicative aides and services during this meeting shall notify Angie Olsen, CMC, Deputy City Recorder at (801) 576-6539 or angie.olsen@draper.ut.us, at least 24 hours prior to the meeting. Meetings of the Draper City Council may be conducted by electronic means pursuant to Utah Code Annotated Section 52-4-207. In such circumstances, contact will be established and maintained by telephone and the meeting will be conducted pursuant to Draper City Municipal Code 2-1-040(e) regarding electronic meetings.

e. **Agreement 13-217,** with H.W. Lochner, Inc. and the Utah Department of Transportation for Preconstruction Engineering Services for the 1300 East, Pioneer Road to 13200 South Project design phase.

7:25 p.m. **5.0** **Action Item:** Authorizing the Mayor, for the city as the Declarant, to sign the First Amendment to the Supplemental Declaration of the SunCrest CC&R's conveying a private street in the Oak Vista IV to the Owner's Association. Staff Presentation by Russ Fox.

7:30 p.m. **6.0** **Action Item:** Authorizing the Implementation of Signs to Regulate Parking Weekdays on the East Side of Boulter Street by Draper Park Middle School. Staff Presentation by Carolyn Prickett.

7:35 p.m. **7.0** **Action Item:** Approving an Extension of the Draper View Subdivision Approved Preliminary Plat as allowed in Section 17-3-060(c) of the DCMC including all Previous Conditions of Approval. Staff Presentation by Dan Boles.

7:40 p.m. **8.0** **Public Hearing: Ordinance #1064,** On the request of Curtis Neider for approval of a Zoning Map Amendment of 2.46 acres at 13338 and 13350 South Fort Street from the RA1 Residential Agriculture zone to RA2 Residential Agriculture zone. This application is otherwise known as the ***Neider Zone Change Request***, Application #130822-13338S. Staff contact is Dennis Workman at 801-576-6522 or email Dennis.Workman@draper.ut.us.

7:50 p.m. **9.0** **Public Hearing: Ordinance #1063,** on the request of Trace Coccimiglio for approval of a Zoning Map Amendment of approximately 1.97 acres at 12855 South & 12875 South Minuteman Drive from CR Regional Commercial to CG General Commercial. This application is otherwise known as the ***Valet Auto Body Zoning Map Amendment Request***, Application #130723-12855S. Staff contact is Dan Boles at 801-576-6335 or email Dan.Boles@draper.ut.us. ***At the applicants request, this item was continued from the September 17, 2013 City Council Meeting.***

8:00 p.m. **10.0** **Council/Manager Reports**

11.0 **Adjourn** to Closed Meeting to discuss litigation, property acquisition, and the character and professional competence or physical or mental health of an individual. (If needed)

SALT LAKE COUNTY/UTAH COUNTY, STATE OF UTAH

I, the Deputy City Recorder of Draper City, certify that copies of the agenda for the **Draper City Council** meeting to be held the **1st day of October, 2013,** were posted on the Draper City Bulletin Board, Draper City website www.draper.ut.us, the Utah Public Meeting Notice website at www.utah.gov/pmn, and sent by facsimile to The Salt Lake Tribune, and The Deseret News.

Date Posted: 09/27/2013
City Seal

CITY OF DRAPER CORPORATE Seal 1978 State of Utah

Angie Olsen, CMC, Deputy City Recorder
Draper City, State of Utah

Return to Agenda

ITEM #8

ORDINANCE NO. 1064

AN ORDINANCE AMENDING THE DRAPER CITY ZONING MAP CHANGING THE ZONING OF 2.46 ACRES OF PROPERTY LOCATED WITHIN DRAPER CITY, STATE OF UTAH, FROM RA1 TO RA2, OTHERWISE KNOWN AS THE NEIDER ZONE CHANGE

WHEREAS, the City has received a request submitted by the authorized agent of the subject parcel requesting certain described real property in Draper City, Salt Lake County, State of Utah, be rezoned; and

WHEREAS, the Planning Commission has reviewed and made a recommendation to the City Council concerning the proposed zoning change and amendment to the official zone district map of Draper City, and the City Council has found the proposed zoning change to be consistent with the City's General Plan; and

WHEREAS, all appropriate public hearings have been held in accordance with Utah law to obtain public input regarding the proposed revisions to the zone district map.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH:

Section 1. Zoning Map Amendment. The following described real properties located at 13338 and 13350 S. Fort Street within Draper City, Salt Lake County, State of Utah, previously zoned RA1 as shown on the Draper City zone district map, hereinafter referred to as the "property," is hereby changed and rezoned to RA2:

PARCEL 28-32-376-006
BEG 27 RDS N & S 85¬ E 1022.59 FT FR SW COR SEC 32 T 3S R 1E S L M; S 85¬ E 54.51 FT N 12¬04' E 104 FT S 85¬ E 461.1 FT N 34¬30' E 137.88 FT N 85¬ W 560 FT S 12¬04' W 207.76 FT TO BEG 1.42 AC M OR L.

PARCEL 28-32-376-007
BEG 483.5 FT N & 1073.5 FT E FR SW COR SEC 32 T 3S R 1E SL MER S 85¬ E 461.1 FT S 34¬30' W 118.58 FT N 85¬ W 415.49 FT N 12¬04' E 104 FT TO BEG. 1.04 AC.

Section 2. Severability Clause. If any part or provision of this ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all provisions, clauses and words of this Ordinance shall be severable.

Section 3. Effective Date. This ordinance shall become effective immediately upon publication or posting or thirty (30) days after final passage, whichever is closer to the date of final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, ON THIS _____ DAY OF _____, 2013.

ATTEST: **DRAPER CITY**

By:_____ **By:**_____

City Recorder **Mayor**

REQUEST FOR COUNCIL ACTION

To:	**Mayor & City Council**
From:	**Dennis Workman**
Date:	**9-24-13 for 10-1-13 CC hearing**
Subject:	**Neider Zone Change**
Applicant Presentation:	**Curtis Neider**
Staff Presentation:	**Dennis Workman**

RECOMMENDATION:
To approve Ordinance 1064, as recommended by the Planning Commission

BACKGROUND AND FINDINGS:
This is a request for a zone change from RA1 to RA2 on two contiguous parcels on the west side of Fort Street, totaling 2.46 acres. As a preview, this rezone could result in the creation of a five-lot subdivision. The two easternmost lots would access directly from Fort Street and the other three from a 20-foot private hammerhead that would run down the center of the subdivision. The Planning Commission recommends approval based on the following findings:

1. That Section 9-5-060 of the Draper City Code allows for the amendment of the City's zoning map.
2. That the proposed amendment is consistent with the goals, objectives and policies of the City's General Plan.
3. That all five findings for a zone change, as contained in 9-5-060(e), are satisfied.
4. That adequate facilities and services exist to serve the subject property, including but not limited to roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.
5. That the proposed zone change is harmonious with the overall character of existing development in the vicinity of the subject property.
6. That the proposed amendment would not adversely affect adjacent property or the character of the neighborhood.

PREVIOUS LEGISLATIVE ACTION:
September 19, 2013: Planning Commission reviewed and recommended approval on a vote of 5-0.

FISCAL IMPACT: Finance Review: _____

- This rezone anticipates the creation of five additional building lots, all of which would require typical City services.

SUPPORTING DOCUMENTS:
- Ordinance 1064
- Staff Report to Planning Commission with maps
- Exhibit A

DRAPER CITY

Community Development Department
1020 East Pioneer Road
Draper, UT 84020
(801) 576-6539 Fax (801) 576-6526

STAFF REPORT
September 6, 2013

To: Planning Commission
Business Date: September 19, 2013

From: Development Review Committee

Prepared by: Dennis Workman, Planner II
Community Development Department

Re: **Neider Zone Change**

Application No.:	130822-13338S
Applicant:	Curtis Neider
Location:	13338 and 13350 S. Fort Street
Zoning:	RA1
Parcel Size:	2.46 acres
Request:	Zone change from RA1 to RA2

BACKGROUND

This is a request for a zone change from RA1 to RA2 on two contiguous parcels on the west side of Fort Street, totaling 2.46 acres. As a preview, this rezone could result in the creation of a five-lot subdivision. The two easternmost lots would access directly from Fort Street and the other three from a 20-foot private hammerhead that would run down the center of the subdivision.

ANALYSIS

General Plan and Area Master Plan. The land use plan designates this property as Low Density Residential, which has a density range of 0-2 units per acre; both RA1 and RA2 zoning are within this range. But the question at hand is whether or not RA2 zoning on the subject property would sustain the existing character of the neighborhood, whether or not a five-lot subdivision in this location would add to or detract from the quality of life that Fort Street is known for. The Conservation Area Master Plan, adopted by the Draper City Council on February 1, 2000, provides the following recommended actions pertaining to the future character of the Fort Street Sub-area:

1. Retain the unique character of the sheep farms and associated manors and preserve these buildings by providing incentives to the property owners.
2. Encourage existing trees, both along the street and on private property, to be retained and enhanced with new plantings.
3. Permit new subdivision developments south of 13200 South and limit it to large lots and agricultural uses, e.g., hobby farms.
4. Encourage clustering, if large-scale residential development occurs, so as to complement and retain the preferred agricultural uses.
5. Retain the open feeling of Fort Street.

The Conservation Area Master Plan also discusses the historical pattern of development along Fort Street

and how different it is, and should remain, from the pattern of development in the foothills. To that end, it recommends that "the scale of new residential infill shall be consistent with both the size and scale of existing structures and also consistent with both the setting and density of the established neighborhoods." It further states that large lots and open spaces should be part of the residential pattern in the Fort St. area.

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

> (e) Approval Standards. A decision to amend the text of this Title or the zoning map is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard. However, in making an amendment, the City Council should consider the following factors:
>
> (1) Whether the proposed amendment is consistent with goals, objectives and policies of the City's General Plan;
> (2) Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;
> (3) Whether the proposed amendment is consistent with the standards of any applicable overlay zone.
> (4) The extent to which the proposed amendment may adversely affect adjacent property; and
> (5) 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.

Planning Staff. The subject property abuts RA1 zoning on both north and south, and the RSD Bellevue zone on the west. RSD stands for *Residential Special District*, which is a zoning category unique to a particular development, providing for lot size flexibility. (The City has five of these; the opportunity to create an RSD zone has been taken out of the code.) The East Jordan Canal runs between the Bellevue subdivision and the subject parcel. Zoning on the east side of Fort Street in this area is predominantly RA2. Accompanying this report is a zoning map, identified as Exhibit A, showing the relative lot sizes in the immediate area. The Wildflower Park and Corner Crossing I subdivisions located on the east side of Fort Street directly across from the subject property are zoned RA2; they look similar to what the subject property will eventually look like if this zone change is approved. Staff has reviewed this request against the standards listed above and feels that RA2 zoning on the subject property is in harmony with the character of existing development in the area, and that it would have no adverse affect on adjacent property.

Other Recent RA1 to RA2 Rezones in the Fort Street Area. The City Council has acted on a number of RA1 to RA2 zone change requests in the Fort Street area over the past several years, with differing outcomes. See Exhibit B that accompanies this report.

City Engineer. In a memo dated August 27, 2013, Todd Hammond states that he has no issues with this request.

Fire Marshal. Don Buckley with the Unified Fire Authority states that he has no concerns with the zone change, but will need to be consulted at the subdivision and building permit stage.

Large Animal Rights. Horses are a permitted use on properties having a minimum lot size of 20,000 square feet, which is what the RA2 designation signifies.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission send a positive recommendation to the City Council regarding the Neider Zone Change, application 130822-13338S, based on the following findings:

1. That Section 9-5-060 of the Draper City Code allows for the amendment of the City's zoning map.
2. That the proposed amendment is consistent with the goals, objectives and policies of the City's General Plan.
3. That all five findings for a zone change, as contained in 9-5-060(e), are satisfied.
4. That adequate facilities and services exist to serve the subject property, including but not limited to roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.
5. That the proposed zone change is harmonious with the overall character of existing development in the vicinity of the subject property.
6. That the proposed amendment would not adversely affect adjacent property or the character of the neighborhood.

MODEL MOTION

Sample Motion for Positive Recommendation. "I move we forward a positive recommendation to the City Council regarding the Neider Zone Change, application 130822-13338S, based on the findings listed in the staff report dated September 6, 2013, and the following additional findings:"

1. List additional findings, if any.

Sample Motion for Negative Recommendation. "I move we forward a negative recommendation to the City Council regarding the Neider Zone Change, application 130822-13338S, based on the following findings:"

1. List findings.

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 in substantial compliance with the terms of the Draper City Municipal Code and therefore appropriate for review by the Draper City Planning Commission and/or City Council.

_____
Draper City Engineering Division

_____
Draper City Operations Division

_____
Unified Fire Authority

_____
Draper City Building Division

_____
Draper City Planning Division

_____
Draper City Legal Counsel

DRAPER CITY

Aerial Map for Neider Zone Change

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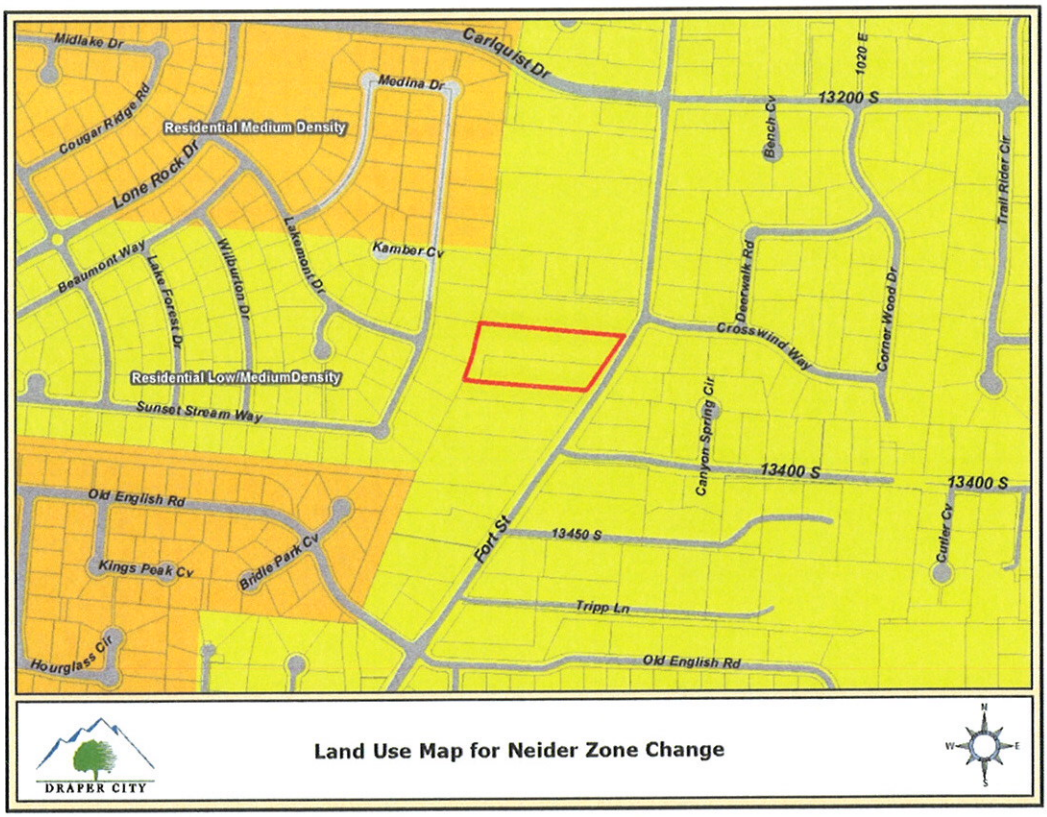
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Carlquist Dr
Medina Dr
1020 E
13200 S
Cougar Ridge Rd
Residential Medium Density
Lone Rock Dr
Bench Cv
Trail Rider Cir
Lakemont Dr
Kamber Cv
Beaumont Way
Lake Forest Dr
Wilburton Dr
Deerwalk Rd
Crosswind Way
Corner Wood Dr
Residential Low/MediumDensity
Sunset Stream Way
Canyon Spring Cir
13400 S
13400 S
Old English Rd
Fort St
13450 S
Cutler Cv
Kings Peak Cv
Bridle Park Cv
Tripp Ln
Hourglass Cir
Old English Rd
DRAPER CITY
Land Use Map for Neider Zone Change
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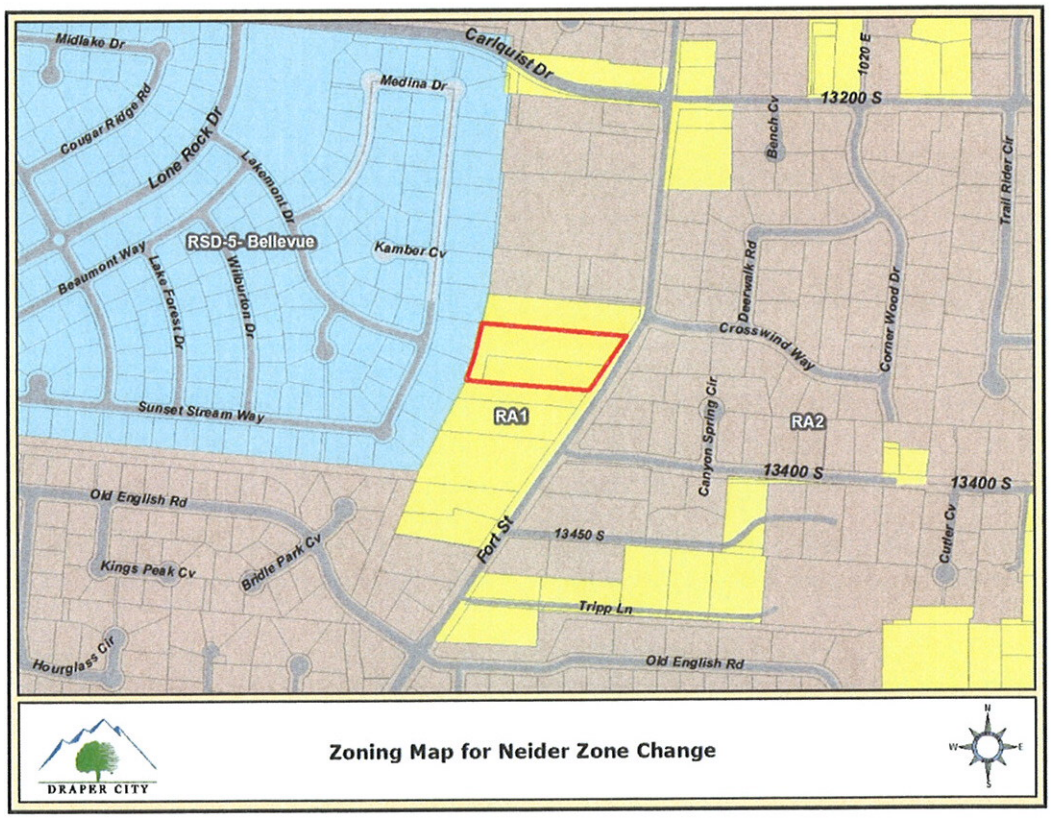
Midlake Dr
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Lone Rock Dr
Bench Cv
Trail Rider Cir
Lakemont Dr
RSD-5- Bellevue
Kamber Cv
Beaumont Way
Lake Forest Dr
Wilburton Dr
Deerwalk Rd
Crosswind Way
Corner Wood Dr
Sunset Stream Way
RA1
RA2
Canyon Spring Cir
13400 S
13400 S
Old English Rd
Fort St
13450 S
Cutler Cv
Kings Peak Cv
Bridle Park Cv
Tripp Ln
Hourglass Cir
Old English Rd
DRAPER CITY
Zoning Map for Neider Zone Change
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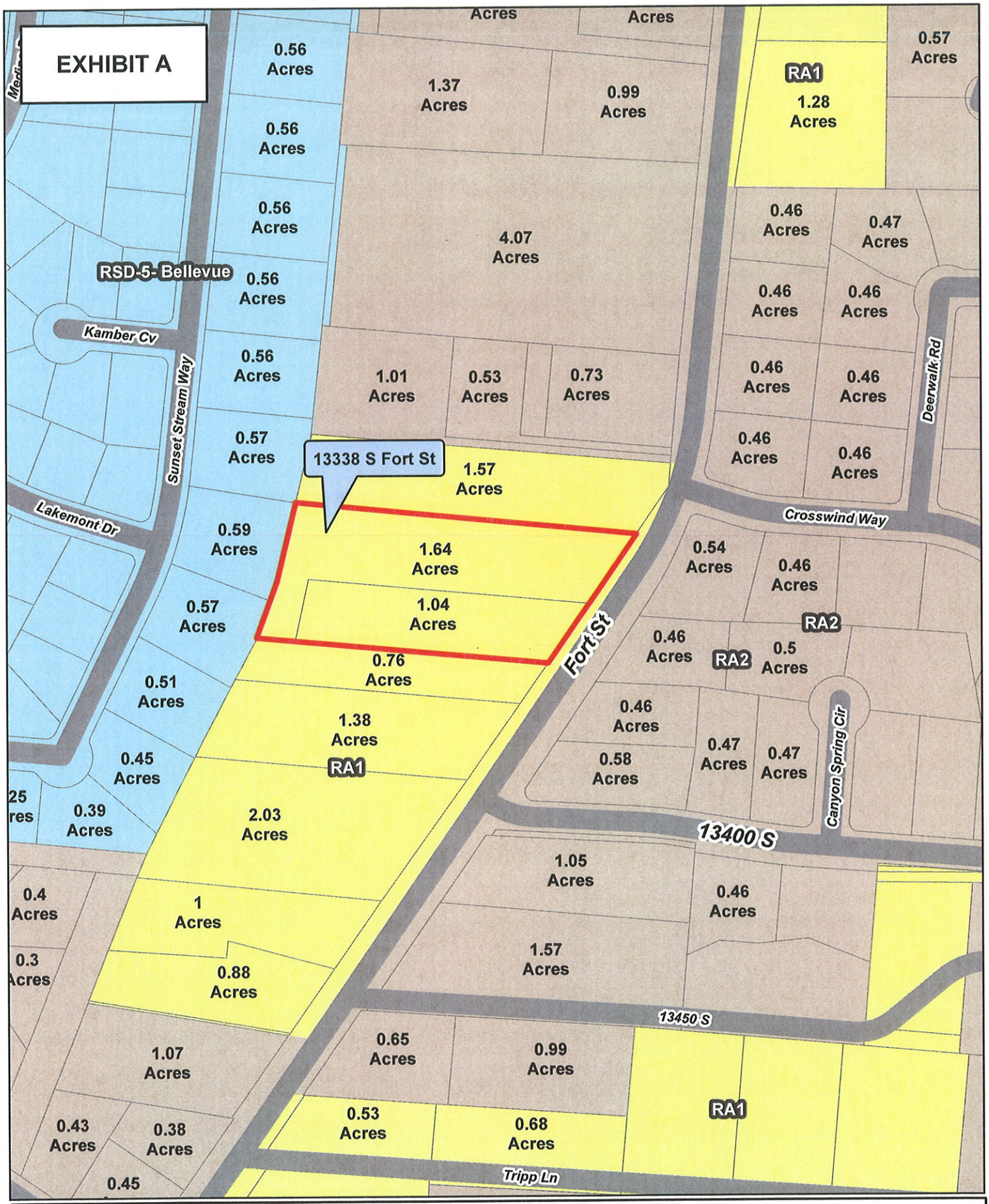


DRAPER CITY

Neider Zone Change RA1 to RA2
Surrounding Parcel Acreage

0 100 200 400 Feet

N W E S

Date: 8/26/2013

Return to Agenda

ITEM #9

ORDINANCE NO. 1063

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF DRAPER CITY FOR APPROXIMATELY 1.97 ACRES OF PROPERTY FROM CR COMMERCIAL TO CG GENERAL COMMERCIAL, LOCATED AT APPROXIMATELY 12855 AND 12875 SOUTH MINUTEMAN DRIVE WITHIN DRAPER CITY, OTHERWISE KNOWN AS THE VALET AUTO ZONING MAP AMENDMENT.

WHEREAS, pursuant to State law, Draper City has adopted a Zoning Ordinance and Zoning Map to guide the orderly development and use of property within the City; and

WHEREAS, from time to time it is necessary to review and amend the Zoning Map to keep pace with development within the City and to ensure the provision of a variety of economic uses; and

WHEREAS, the proposed zone change set forth herein has been reviewed by the Planning Commission and the City Council, and all appropriate public hearings have been held in accordance with Utah law to obtain public input regarding the proposed revisions to the Zoning Map; and

WHEREAS, the Planning Commission has reviewed and made a recommendation to the City Council concerning the proposed amendment to the official Zoning Map of Draper City, and the City Council has found the proposed zone change to be consistent with the City's General Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH:

Section 1. Zoning Map Amendment. The following described real properties located at approximately 12855 and 12875 South Minuteman Drive within Draper City, Salt Lake County, State of Utah, previously zoned CR as shown on the Draper City Zoning Map, as depicted in Exhibit "A" hereto, are hereby changed and rezoned to CG:

28-31-151-008 – BEG S 1747.5 FT & E 183.3 FT FR NW COR OF SEC 31, T 3S, R 1 E, S L M; E 183 FT; N 67 FT; E 119 FT; S 1°35'30" E 224.73 FT; W 167 FT; N 26° W 68 FT; W 111.5 FT; N 96.52 FT TO BEG. 1.11 AC M OR L.

28-31-151-007 - BEG S 1680.5 FT & E 183.3 FT FR NW COR OF SEC 31, T 3S, R 1E, S L M; E 183 FT; S 67 FT; W 183 FT; N 67 FT TO BEG. 0.28AC M OR L.

28-31-151-006 - BEG 1596.07 FT & 183.3 FT E FR NOW COR SEC 31, T 3S, R 1E, S L M; E 299.65 FT M OR L; S 1°35'30" E 84.46 FT M OR L; W 302 FT; N 84.43 FT TO BEG. 0.58 AC M OR L.

Section 2. Severability Clause. If any part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all provisions, clauses and words of this Ordinance shall be severable.

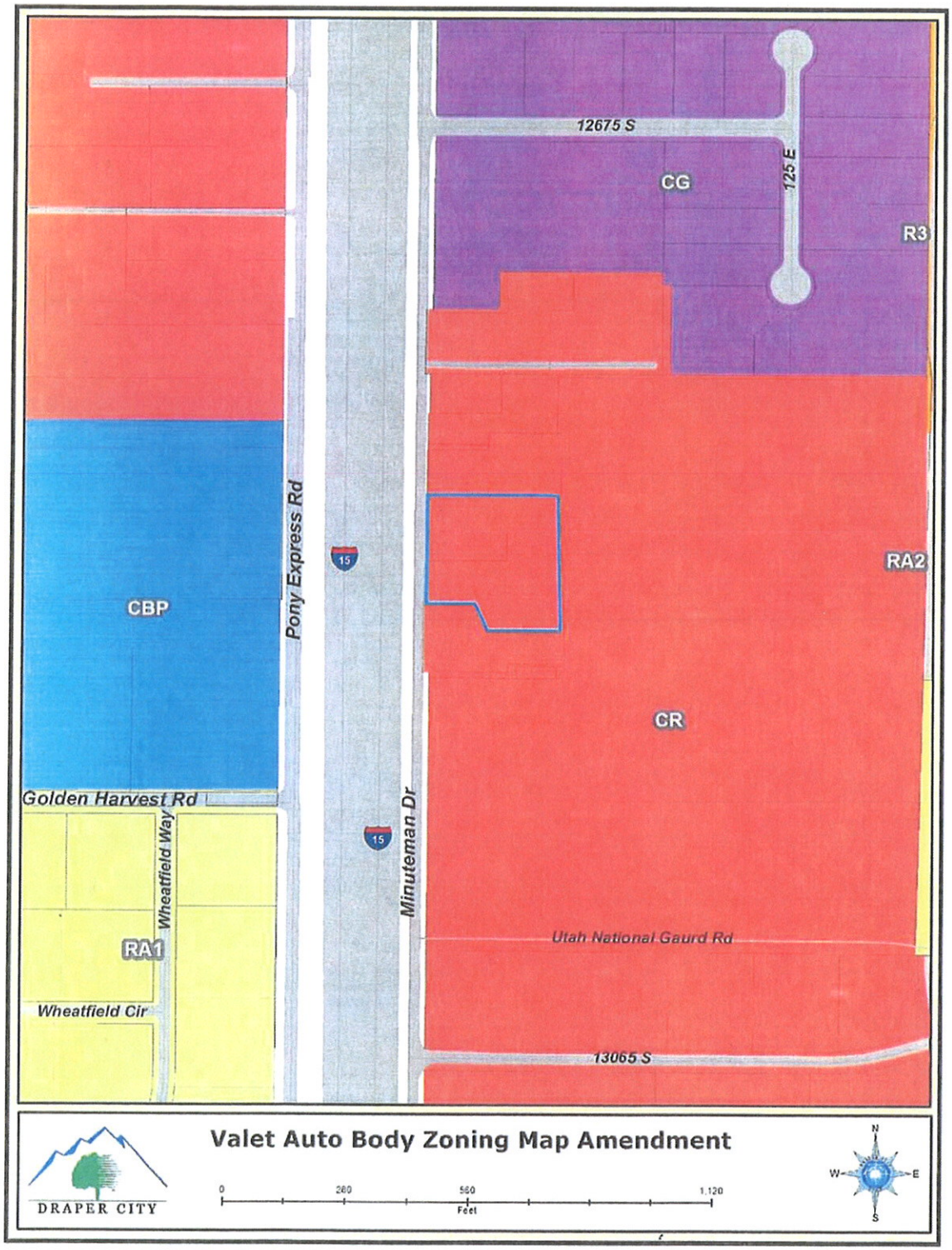
Section 3. Effective Date. This Ordinance shall become effective 20 days after publication or posting, or 30 days after final passage, whichever is closer to the date of final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, ON THIS _____ DAY OF _____, 2013.

ATTEST: DRAPER CITY:

By: _____ By: _____
City Recorder Mayor

EXHIBIT A


12675 S
125 E
CG
R3
RA2
CR
CBP
Pony Express Rd
15
15
Minuteman Dr
Golden Harvest Rd
Wheatfield Way
RA1
Wheatfield Cir
Utah National Gaurd Rd
13065 S
DRAPER CITY
Valet Auto Body Zoning Map Amendment
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560
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REQUEST FOR COUNCIL ACTION

To:	**Mayor & City Council**
From:	**Dan Boles, AICP, Senior Planner**
Date:	**September 17, 2013**
Subject:	**Valet Auto Body Zoning Map Amendment**
Applicant Presentation:	**Trace Coccimiglio**
Staff Presentation:	**Dan Boles**

RECOMMENDATION:
To approve the request for a Zoning Map Amendment, as recommended by the Planning Commission, as per the staff report dated August 13, 2013, and as reflected in Ordinance #1063.

BACKGROUND AND FINDINGS:
This recommendation is based on the following findings:

1. That Section 9-5-060 of the Draper City Code allows for the amendment of the City's zoning map.
2. That the proposed amendment is consistent with the goals, objectives and policies of the City's General Plan, which identifies the subject property as Community Commercial, specifically:
    a. *Create a balanced community where residents can live, work and play, and have their essential needs met.*
    b. *Encourage the establishment of a strong tax base by accommodating commercial and industrial development in appropriate areas.*
    c. *Encourage development that can be adequately supported by required services and facilities; which conserves, to the extent possible, the natural and man-made environment.*
    d. *Encourage infill development in close proximity to existing facilities to promote orderly growth while reducing the cost and extent of public services.*
3. That all five findings for a zone change, as contained in 9-5-060(e), are satisfied.
4. That adequate facilities and services exist to serve the subject property, including but not limited to roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.
5. That the proposed zone change is harmonious with the overall character of existing development in the vicinity of the subject property.
6. That CG zoning has already been established in the area specifically along Minuteman Drive.
7. That the proposed amendment would not adversely affect adjacent property or the character of the neighborhood.

SUMMARY
This application is a request for approval of a Zoning Map Amendment for approximately 1.97 acres located on Minuteman Drive, at approximately 12855 & 12875 South Minuteman. The application consists of three parcels that are currently zoned CR Regional Commercial. The applicant is requesting that a Zoning Map Amendment be approved changing the property's zoning category from CR to CG (General Commercial). The applicant owns a vehicle body shop in town and desires to locate to the subject property. The use "Vehicle Repair and Equipment Repair, General" requires a Conditional Use Permit in the CG zone whereas it is expressly not permitted in the CR zone. The change in zone would allow him to seek the Conditional Use Permit for the relocation of the business.

The property was granted a conditional use permit on January 2, 1996 allowing an automobile dealership. For many years, an automobile dealership has been run on the subject property. As the property was developed as a

car dealer and has operated as an automobile dealer for the past fifteen years, the applicant feels this will be a good place to relocate his body shop that would complement the existing dealer.

General Plan and Zoning. The Land Use Map of the General Plan calls for the Community Commercial land use designation for the subject property. This category "*permits the full scope of commercial land uses that are destination oriented. The areas may include large-scale, master-planned commercial centers, big box stores and offices. These areas are strategically placed along high-traffic corridors with convenient points of traffic access to and from residential areas. This category includes the full scope of commercial land uses that require and utilize exposure to the freeway. The areas are intended to be traveler-or commuter-oriented and should provide lodging, food, personal services and other similar uses. Examples of appropriate services include restaurants and fast food establishments, automobile travel plazas, personal services (day care, cleaners, bank, video rental, florist, etc.), hotels and motels, commuter parking, and emergency services.*"

Additionally, the property has been assigned the CR Regional Commercial zoning classification. The purpose of the CR zone is to "*provide areas where a combination of destination-oriented business, retail commercial, entertainment, and related uses may be established, maintained and protected to serve both residents and non-residents of the City. Typical uses in this zone include large-scale, master-planned commercial centers with outlying commercial pads, big-box stores, offices, and various types of high density residential uses.*" Both the CR Regional Commercial and CG General Commercial zoning designation are identified by the General Plan as a preferred zoning classification for the Community Commercial land use designation. The property is completely surrounded by CR zoning.

Zoning in the Vicinity. The subject property is entirely surrounded by properties with the CR zoning classification. To the north, within 400 feet is CG zoning which is in the same Community Commercial land use category as the subject property. Though there is no contiguous CG zoning to the subject property, the zoning is in place in the general vicinity. With CG in the general vicinity, a change in zone on the subject property would not introduce new zoning within the area. For a list of permitted, conditional and non-permitted uses in the CR and CG zone, see exhibit 'A'.

PREVIOUS LEGISLATIVE ACTION:

- There has been no previous legislation taken on this property.

FISCAL IMPACT: Finance Review: JB

- As the business currently exists in a different part of the city, it is not anticipated that this change will create any fiscal impact to the city.

SUPPORTING DOCUMENTS:

- Ordinance #1063 with Exhibits
- Staff Report with Supporting Documentation
- Zoning, Land Use & Aerial Maps as part of staff report
- Planning Commission Minutes – from 8-22-13 meeting

DRAPER CITY

Development Review Committee
1020 East Pioneer Road
Draper, UT 84020
(801) 576-6539

STAFF REPORT
August 13, 2013

To: Draper City Planning Commission
Business Date: August 22, 2013

From: Development Review Committee

Prepared By: Dan Boles, AICP, Senior Planner
Planning Division
Community Development Department

Re: **Valet Auto Body – Zoning Map Amendment Request**

Application No.:	130723-12855S
Applicant:	Trace Coccimiglio
Project Location:	12855 & 12875 South Minuteman
Zoning:	CR Regional Commercial Zone
Acreage:	Approximately 1.97 Acres (Approximately 85,813 ft^2)
Request:	Request for approval of a Zoning Map Amendment to change the zoning on the property from CR (Regional Commercial) to CG (General Commercial).

SUMMARY
This application is a request for approval of a Zoning Map Amendment for approximately 1.97 acres located on Minuteman Drive, at approximately 12855 & 12875 South Minuteman. The application consists of three parcels that are currently zoned CR Regional Commercial. The applicant is requesting that a Zoning Map Amendment be approved changing the property's zoning category from CR to CG (General Commercial). The applicant owns a vehicle body shop in town and desires to locate to the subject property. The use "Vehicle Repair and Equipment Repair, General" requires a Conditional Use Permit in the CG zone whereas it is expressly not permitted in the CR zone. The change in zone would allow him to seek the Conditional Use Permit for the relocation of the business.

BACKGROUND
The property was granted a conditional use permit on January 2, 1996 allowing an automobile dealership. For many years, an automobile dealership has been run on the subject property. As the property was developed as a car dealer and has operated as an automobile dealer for the past fifteen years, the applicant feels this will be a good place to relocate his body shop that would complement the existing dealer.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Community Commercial land use designation for the subject property. This category "*permits the full scope of commercial land uses that are destination oriented. The areas may include large-scale, master-planned commercial centers, big box stores and offices. These areas are strategically placed along high-traffic corridors with convenient points of traffic access to and from residential areas. This category includes the full scope of commercial land uses that require and utilize exposure to the freeway. The areas are intended to be traveler-or commuter-oriented and should provide lodging, food, personal services and other similar uses. Examples of appropriate services include restaurants and fast food establishments, automobile travel plazas, personal services (day care, cleaners, bank, video rental, florist, etc.), hotels and motels, commuter parking, and emergency services.*"

Additionally, the property has been assigned the CR Regional Commercial zoning classification. The purpose of the CR zone is to "*provide areas where a combination of destination-oriented business, retail commercial, entertainment, and related uses may be established, maintained and protected to serve both residents and non-residents of the City. Typical uses in this zone include large-scale, master-planned commercial centers with outlying commercial pads, big-box stores, offices, and various types of high density residential uses.*" Both the CR Regional Commercial and CG General Commercial zoning designation are identified by the General Plan as a preferred zoning classification for the Community Commercial land use designation. The property is completely surrounded by CR zoning.

Zoning in the Vicinity. The subject property is entirely surrounded by properties with the CR zoning classification. To the north, within 400 feet is CG zoning which is in the same Community Commercial land use category as the subject property. Though there is no contiguous CG zoning to the subject property, the zoning is in place in the general vicinity. With CG in the general vicinity, a change in zone on the subject property would not introduce new zoning within the area. For a list of permitted, conditional and non-permitted uses in the CR and CG zone, see exhibit 'A'.

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:

> (e) Approval Standards. A decision to amend the text of this Title or the zoning map is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard. However, in making an amendment, the City Council should consider the following factors:
>
> (1) Whether the proposed amendment is consistent with goals, objectives and policies of the City's General Plan;
> (2) Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;
> (3) Whether the proposed amendment is consistent with the standards of any applicable overlay zone.
> (4) The extent to which the proposed amendment may adversely affect adjacent property; and
> (5) 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.

As the proposed zoning of CG is listed as a preferred zoning category within the "Community

Commercial" land use category, it can be stated that it is consistent with the general plan. Specifically, some of those goals, objectives and policies are to:

a. *Promote development patterns and standards that are consistent with the surrounding uses and reinforce an area's character.*
b. *Encourage land uses that create a sense of community among those who work, live, and play within local neighborhoods.*
c. *Protect and revitalize established areas/neighborhoods by promoting new development and the adaptive reuse of existing community resources that reenergize an area.*

As stated previously, the amendment would be harmonious with the area as all other properties in the general vicinity are commercially zoned. There are no overlay zones in the area. The use that is desired on this property, "vehicle and equipment, repair general", requires a conditional use permit to be granted in order to establish the use on the property. Even if the applicant should walk away from this property, it would be adequate and appropriate for the uses found in the CG zone as it is a heavier commercial use area. Finally, there are adequate facilities to serve the property including roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.

REVIEWS

Planning Division Review. The Draper City Planning Division has completed their review of the Zoning Map Amendment submission and has issued a recommendation for approval for the request.

Engineering and Public Works Divisions Review. The Draper City Engineering and Public Works Divisions have completed their review of the Zoning Map Amendment submission and have issued a recommendation for approval for the request with the following proposed comments:

1. It appears that the site currently drains to a sump. This type of drainage will likely need to continue when the property develops as an adequate drainage outfall is not available.

Building Division Review. The Draper City Building Division has completed their review of the Zoning Map Amendment submission and has issued a recommendation for approval for the request without further comment.

Unified Fire Authority Review. The Unified Fire Authority has completed their review of the Zoning Map Amendment submission and has issued a recommendation for approval for the request without further comment.

Noticing. The applicant has expressed their desire to rezone the subject property and to do so in a manner which is compliant with the City Code. As such, notice has been properly issued in the manner outlined in the City and State Codes.

STAFF RECOMMENDATION

Staff recommends approval of the request for a Zoning Map Amendment by Trace Coccimiglio, application 130723-12855S. This recommendation is based on the following findings:

1. That Section 9-5-060 of the Draper City Code allows for the amendment of the City's zoning map.
2. That the proposed amendment is consistent with the goals, objectives and policies of the

City's General Plan, which identifies the subject property as Community Commercial, specifically:

a. *Create a balanced community where residents can live, work and play, and have their essential needs met.*
b. *Encourage the establishment of a strong tax base by accommodating commercial and industrial development in appropriate areas.*
c. *Encourage development that can be adequately supported by required services and facilities; which conserves, to the extent possible, the natural and man-made environment.*
d. *Encourage infill development in close proximity to existing facilities to promote orderly growth while reducing the cost and extent of public services.*

3. That all five findings for a zone change, as contained in 9-5-060(e), are satisfied.
4. That adequate facilities and services exist to serve the subject property, including but not limited to roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.
5. That the proposed zone change is harmonious with the overall character of existing development in the vicinity of the subject property.
6. That CG zoning has already been established in the area specifically along Minuteman Drive.
7. That the proposed amendment would not adversely affect adjacent property or the character of the neighborhood.

MODEL MOTIONS

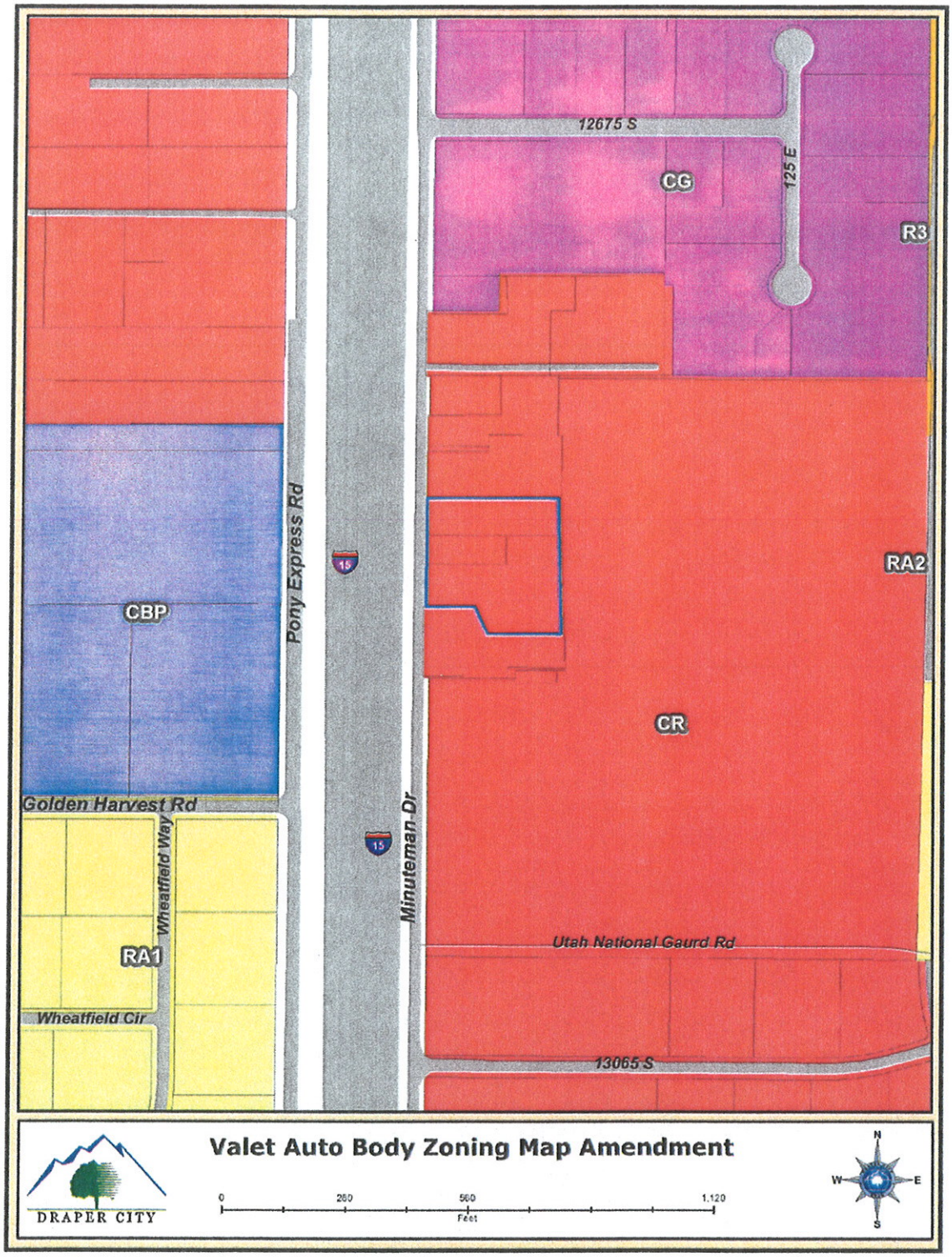
Sample Motion for a Positive Recommendation – "I move we forward a positive recommendation to the City Council for the Valet Auto Body Zoning Map Amendment Request by Trace Coccimiglio, application 130723-12855S, based on the findings and subject to the conditions listed in the Staff Report dated August 13, 2013 and as modified by the conditions below:"

1. List any additional findings and conditions…

Sample Motion for a Negative Recommendation – "I move we forward a negative recommendation to the City Council for the Valet Auto Body Zoning Map Amendment Request by Trace Coccimiglio, application 130723-12855S, based on the following findings:"

1. List any findings…

12675 S
125 E
Community Commercial
Residential Medium Density
Pony Express Rd
15
Cultural/Institutional
Minuteman Dr
Golden Harvest Rd
Wheatfield Way
15
Utah National Gaurd Rd
Residential Low/MediumDensity
Wheatfield Cir
13065 S
DRAPER CITY
Valet Auto Body Zoning Map Amendment
0
280
560
1,120
Feet
N
W
E
S


12675 S
125 E
CG
R3
RA2
CR
CBP
Pony Express Rd
Minuteman Dr
15
15
Golden Harvest Rd
Wheatfield Way
RA1
Wheatfield Cir
Utah National Gaurd Rd
13065 S
DRAPER CITY
Valet Auto Body Zoning Map Amendment
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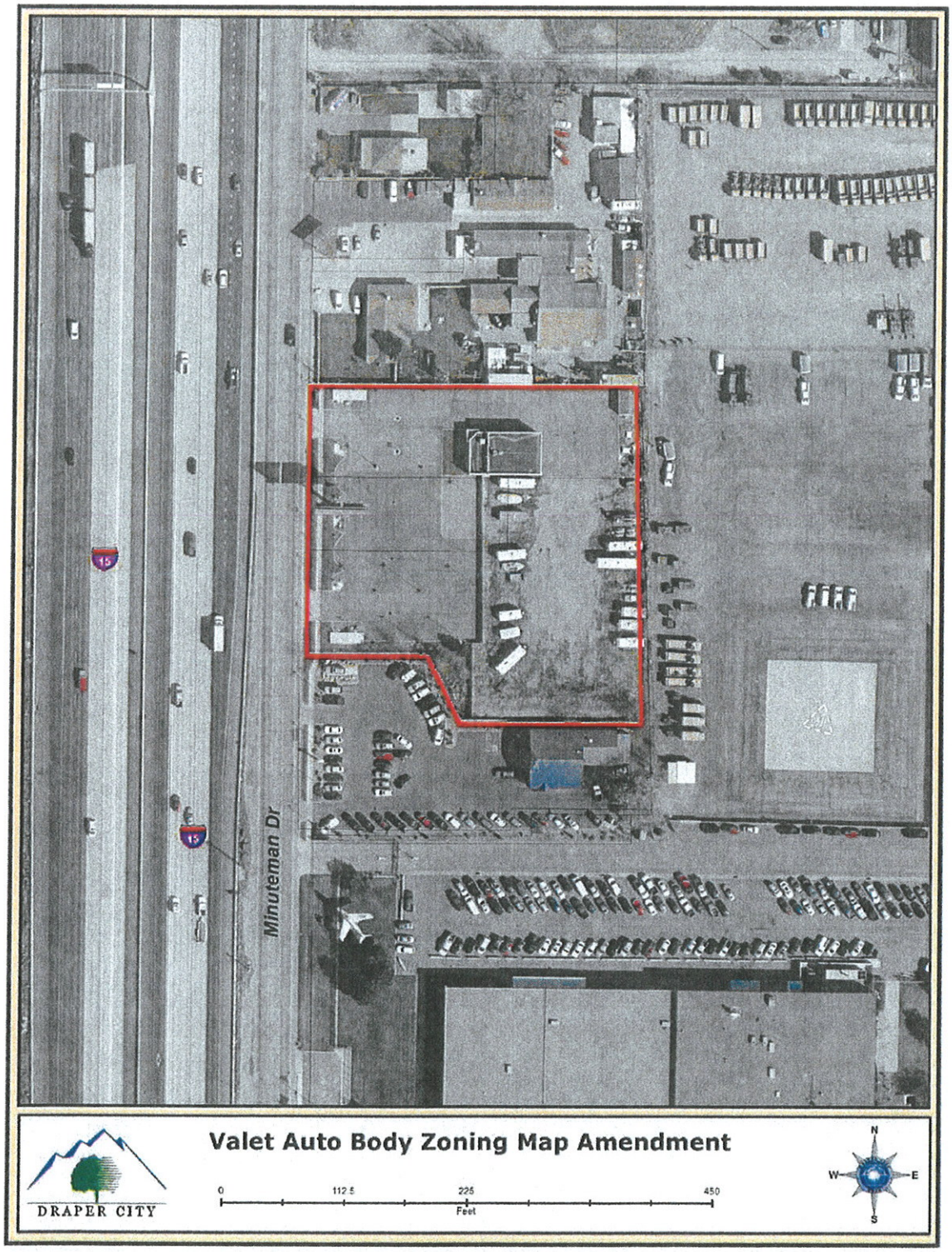
Minuteman Dr
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15
DRAPER CITY
Valet Auto Body Zoning Map Amendment
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112.5
225
450
Feet
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W
E
S

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.

Draper City Engineering Division

Draper City Building Division

Draper City Public Works Department

Draper City Planning Division

Unified Fire Authority

Draper City Legal Counsel

Exhibit 'A'

Table 9-11-1 Permitted and Conditional Uses

Allowed in Commercial Zones

Table 9-11-1 Permitted and Conditional Uses Allowed in Commercial Zones (except CSD zones).

Uses	Zones	
	CR	CG
Residential Uses		
Assisted Living Facility	C	C
Dwelling, Multiple-Family	C[1]	NP
Dwelling, Single-Family	NP	NP
Home Occupations	See Chapter 9-34 of this Title	
Residential Facility for Elderly Persons	C	C
Residential Facility for Persons With a Disability	C	C
Public and Civic Uses		
Auditorium, Major	C	NP
Auditorium, Minor	C	NP
Bus Terminal	C	NP
Charter Schools	P	P
Church or Place of Worship	P	P
Club or Service Organization	P	NP
Government Service	P	NP
Higher Education Facility, Private	C	C
Higher Education Facility, Public	C	C
Hospital	P	NP
Private School	C	C
Protective Service	P	P
Public School	P	P
Public Utility Substation	See Chapter 9-36 of this Title	
Reception Center	P	C
Trade / Vocational School	C	C
Utility, Minor	P	P
Municipal Uses		
Franchise Municipal Uses	C	C
Municipal Uses	P	P
Commercial Uses		
Auto, Truck, RV, and Equipment Storage	C	C
Bank or Financial Institution	P	P
Bed and Breakfast Inns	NP	NP
Business Equipment Rental and Supplies	NP	P
Business Service	NP	P
Car Wash	C	NP
Cashing Services	NP	NP
Club, Dining[2]	P	P
Club, Social[4,5]	C	C
Construction Sales and Service	C	C
Convenience Store	C	P
Day Care, General	P	P
Farmers Market	P	NP
Funeral Home	C	C
Garage, Public	C	C
Gas And Fuel, Storage and Sales	NP	C
Gasoline Service Station	P	P

[1] Only as a part of a mixed use center with no dwellings allowed on the ground floor.
[2] Subject to the alcohol provisions per Chapter 4 of Title 6 DCMC.
[5] Allowed only in combination with a hotel or as part of a restaurant and comprising less than 50% of the floor space of the entire facility.
[6] Without gasoline sales.

Table 9-11-1 Permitted and Conditional Uses Allowed in Commercial Zones (except CSD zones).

Uses	Zones	
	CR	CG
Grooming Service	P	P
Hotel	C	C
Kennel	C	C
Laundry and Dry Cleaning, Limited	P	P
Laundry Service	P	P
Media Service	P	P
Medical or Dental Laboratory	NP	C
Medical Service	P	P
Motel or Motor Lodge	C	C
Nursery	P	P
Office, General	P	P
Parking, Commercial	C	C
Personal Care Service	P	P
Personal Instruction Service	P	P
Pre-School, General	P	P
Precious Metals and Gems Dealer	P	P
Printing and Photocopying, Limited	P	P
Printing, General	NP	P
Recreation and Entertainment, Indoor	P	P
Recreation and Entertainment, Outdoor	C	C
Recycling Collection Station	P	P
Repair Service	P	P
Research Service	NP	P
Restaurant	P	P
Retail, General	P	P
Secondhand or Thrift Store, Large, With No Outside Storage and No Drop-Off of Items During Hours the Business is Closed	NP	C
Secondhand or Thrift Store, Large, With Outdoor Storage or Drop-Off of Items During Hours the Business is Closed	NP	NP
Secondhand or Thrift Store, Small	P	P
Sexually Oriented Business	NP	NP
Tattoo Establishment	C	C
Transportation Service	NP	C
Vehicle and Equipment Rental or Sale	P	P
Vehicle and Equipment Repair, General	NP	C
Vehicle Rental, Limited	P	P
Vehicle Repair, Limited	P	P
Veterinary Service	C	C
Warehouse, Self-Service Storage	NP	C
Wireless Telecommunication Facility	See Chapter 9-41 of this Title	
Manufacturing Uses		
Manufacturing, Limited	NP	C
Wholesale and Warehousing, Limited	NP	C

These minutes have not yet been approved and are not official until the Planning Commission votes to approve the minutes.

MINUTES OF THE DRAPER CITY PLANNING COMMISSION MEETING HELD ON THURSDAY, AUGUST 22, 2013 IN THE DRAPER CITY COUNCIL CHAMBERS

"This document, along with the digital recording, shall constitute the complete minutes for this Planning Commission meeting."

PRESENT:	Chairperson Drew Gilliland, Planning Commissioners Andrew Adams, Ryan, Clerico, Leslie Johnson, Kent Player, and Marsha Vawdrey. Alternate Commissioners Craig Hawker and Traci Gundersen.
STAFF PRESENT:	Doug Ahlstrom, Keith Morey, Dennis Workman, Dan Boles, Carolyn Prickett, Jennifer Jastremsky, and Angie Olsen
ALSO PRESENT:	Roll on File

Study Meeting:

6:16:14 PM
Study Business Items: The Commissioners reviewed the application for the business meeting and addressed questions to staff members.

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

6:22:37 PM
5.0 **Staff Reports:** Staff provided the Planning Commission with a report regarding the recent actions of the City Council.

Business Meeting:

Chairperson Gilliland explained the rules of public hearings and called the meeting to order at 6:32:50 PM.

The Oath of Office for Alternate Planning Commissioner Craig Hawker was administered by Deputy City Recorder, Angie Olsen at 6:33:23 PM.

6:34:40 PM
1.0 **Action Item: Approval of minutes from the July 18, 2013 Planning Commission meeting.**

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6:35:26 PM

1.1 **Motion**. Commissioner Player made a motion to approve the minutes of the Planning Commission meeting held on July 18, 2013 with submitted changes. Commissioner Head seconded the motion.

6:35:56 PM

1.2 **Vote**. A roll call vote was taken with Commissioners Player, Vawdrey, Head, Adams, and Johnson voting in favor of approving the minutes.

6:36:05 PM

2.0 **Public Hearing: On the request of Ryan Robinson for approval of a Zoning Map Amendment of 1.71 acres at 12201 South 300 East from the A5 Agricultural to the CC Community Commercial zone. The application is otherwise known as the Chick-fil-A Zone Change Request, Application #130719-12201S.**

6:36:25 PM

2.1 Staff Report: Using the aid of a PowerPoint presentation and his staff report dated August 9, 2013, Planner Dennis Workman reviewed the details of the proposed application. He explained the applicant has requested a zone change for the subject property from A5 Agriculture to CC Community Commercial. He reviewed the overall parcel of property owned by the applicant and highlighted the section of the parcel that is being rezoned, which is 1.71 acres. He stated the applicant has plans to develop the property for a Chick-fil-A restaurant and staff recommends approval of the application, based on the findings and subject to the conditions listed in the staff report, because it meets all development requirements included in the Draper City Municipal Code (DCMC).

6:38:41 PM

2.2 Chairperson Gilliland opened the public hearing.

6:39:02 PM

2.3 Brenton Rasmussen, 723 E. Corner Ridge Drive, stated he feels like the addition of Craig Hawker to the Planning Commission is fantastic. He stated he has three fairly quick comments; one is the God is not making any more land or roads. He added that he thinks Chick-fil-A will be very competitive with the other businesses in the area. He stated he owns lands on two sides of this subject property and he is extremely excited for a quality company and quality people to come to the City and he is in favor of the zone change. He added that anything that can be done for agricultural property would be greatly appreciated because those property owners are fighting a battle to get water down the ditch to have a field to farm. He stated he plans to farm until he dies and he then thanked the staff for all their hard work and professionalism as well.

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6:41:03 PM

2.4 There being no additional persons appearing to be heard and the public hearing was closed.

6:41:10 PM

2.5 **Motion:** Commissioner Head moved to forward a positive recommendation to the City Council regarding the Chick-fil-A zone change request by Ryan Robinson, application 130719-12201S, based on the findings listed in the staff report dated August 9, 2013. Commissioner Player seconded the motion.

Findings:

1. That Section 9-5-060 of the Draper City Code allows for the amendment of the City's zoning map.
2. That the proposed amendment is consistent with the goals, objectives and policies of the City's General Plan.
3. That all five findings for a zone change, as contained in 9-5-060(e), are satisfied.
4. That adequate facilities and services exist to serve the subject property, including but not limited to roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.
5. That the proposed zone change is harmonious with the overall character of existing development in the vicinity of the subject property.
6. That the proposed amendment would not adversely affect adjacent property or the character of the neighborhood.

6:41:40 PM

2.6 Commissioner Head stated he thinks this is a very good use of the subject property and the business will be a great addition to the City.

6:41:58 PM

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

6:42:08 PM

3.0 **Public Hearing: On the request of Trace Coccimiglio for approval of a Zoning Map Amendment of approximately 1.97 acres at 12855 South & 12875 South Minuteman Drive from CR Regional Commercial to CG General Commercial. This application is otherwise known as the Valet Auto Body Zoning Map Amendment Request, Application #130723-12855S.**

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6:42:37 PM

3.1 Staff Report: Using the aid of a PowerPoint presentation and his staff report dated August 13, 2013, Planner Dan Boles reviewed the details of the proposed application. He stated this is an application for approval of a Zoning Map Amendment for approximately 1.97 acres located on Minuteman Drive, at approximately 12855 & 12875 South Minuteman. He noted the application consists of three parcels that are currently zoned CR Regional Commercial and the applicant is requesting that a Zoning Map Amendment be approved changing the property's zoning category from CR to CG (General Commercial). He reviewed a plat of the area and highlighted the location of the subject property and noted it is located in the middle of an industrial area. He stated most of the surrounding property owners are also zoned CR, but there are CG properties located to the north of the subject property. He reviewed the land use map and noted it is the guide for how the property should be zoned it the future. He pointed out that the future projected use of the property is CC Community Commercial and CR and CG zones are both permitted in that land use category. He stated the question of whether to approve the rezone should be based on what is most appropriate for the area. He noted the CG and CR zones are not too different and he reviewed some of the minor differences between the two zones. He noted the applicant is seeking to move his business from 12675 South Minuteman to the subject property and he will build another building to the north of the existing building that would be used as an auto body shop. He stated that if the property is zoned CG, the applicant is allowed to ask for a conditional use permit (CUP) for that use, but he would not be allowed to do that if the property continues to carry the CR zoning designation. He stated staff recommends approval of the application based on the findings and subject to the conditions listed in the staff report.

6:46:20 PM

3.2 Commissioner Player stated it appears the proposed use fits in with other uses in the area.

6:46:36 PM

3.3 Mr. Boles stated the applicant was unable to attend tonight's meeting.

6:46:36 PM

3.4 Chairperson Gilliland opened the public hearing. Seeing no persons appearing to be heard, the public hearing was closed.

6:46:53 PM

3.5 Commissioner Johnson referred the Planning Commissioners to the land use table provided by staff and noted there are three areas where there is a non-permitted use in the CR zone that are conditionally permitted uses in the CG zone. She stated those uses could be concerning, though she does not know if that is the case. She reviewed the three uses that she was referencing and stated that just because the Planning Commission is being told tonight that the plan is to build an auto body

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repair shop on the property, once the zone changes that plan could change. She stated any uses allowed in the zone could be requested once the rezone is approved. She stated she is somewhat concerned about the application for that reason, but she thinks the applicant has good intentions and the use being specified tonight does fit into the surrounding area.

6:48:12 PM

3.6 Commissioner Player stated the applicant would need to apply for a CUP for those uses referenced by Commissioner Johnson and the Planning Commission would have the opportunity to consider that application. Commissioner Johnson stated that is correct, but noted the Planning Commission could not deny the application for a CUP if the impacts of the use could be mitigated. Commissioner Head added that he would not have a concern about any of the other uses referenced by Commissioner Johnson locating in the area of the subject property.

6:48:41 PM

3.7 **Motion:** Commissioner Head forward a positive recommendation to the City Council for the Valet Auto Body Zoning Map Amendment Request by Trace Coccimiglio, application 130723-12855S, based on the findings and subject to the conditions listed in the Staff Report dated August 13, 2013. Commissioner Vawdrey seconded the motion.

Findings:

1. That Section 9-5-060 of the Draper City Code allows for the amendment of the City's zoning map.
2. That the proposed amendment is consistent with the goals, objectives and policies of the City's General Plan, which identifies the subject property as Community Commercial, specifically:
    a. *Create a balanced community where residents can live, work and play, and have their essential needs met.*
    b. *Encourage the establishment of a strong tax base by accommodating commercial and industrial development in appropriate areas.*
    c. *Encourage development that can be adequately supported by required services and facilities; which conserves, to the extent possible, the natural and man-made environment.*
    d. *Encourage infill development in close proximity to existing facilities to promote orderly growth while reducing the cost and extent of public services.*
3. That all five findings for a zone change, as contained in 9-5-060(e), are satisfied.
4. That adequate facilities and services exist to serve the subject property, including but not limited to roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.
5. That the proposed zone change is harmonious with the overall character of existing development in the vicinity of the subject property.

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6. That CG zoning has already been established in the area specifically along Minuteman Drive.
7. That the proposed amendment would not adversely affect adjacent property or the character of the neighborhood.

6:49:22 PM

3.8 **Vote:** Commissioners Head, Johnson, Adams, Vawdrey, and Player voted in favor of forwarding a positive recommendation to the City Council.

6:49:34 PM

4.0 **Public Hearing: On the request of Clark Jones, representing Parkway Lane Group, LLC for approval of a Commercial Site Plan on 1.58 acres in the CC Community Commercial zone to allow an office building at 13957 South Bangerter Parkway. The application is otherwise known as the Black Sage Professional Office Site Plan Request, Application #130626-13957S.**

6:49:56 PM

4.1 Staff Report: Using the aid of a PowerPoint presentation and his staff report dated August 9, 2013, Planner Dennis Workman reviewed the details of the proposed application. He reviewed an aerial map of the site and referenced some of the businesses located in the Black Sage Subdivision and stated the building under review will be located closer to the street and is located on 0.75 acres of property that has been called out as lot two of the Subdivision. He stated the application meets the requirements of the DCMC and he noted that one of the main concerns of staff in the past has been relative to building materials and in this case the applicant recommended a building with 80 percent of primary building materials on all sides of the building, which exceeds the requirements of the DCMC. He then reviewed the landscape plan for the project and stated staff is comfortable with it as well. He reviewed the proposed architecture of the building and noted it is a modern architecture that has been 'dressed up' somewhat. He stated the parking requirements have also been met by the applicant; there will be 25 parking spaces on the subject property and it was necessary to use a portion of lot three to provide that many spaces. He stated there is a cross parking agreement or easement throughout the entire Black Sage Subdivision. He then concluded his report by stating staff recommends approval of the application based on the findings and subject to the conditions listed in the staff report.

6:53:18 PM

4.2 Applicant's Presentation: Clark Jones representing Parkway Land Group of Highland stated he had nothing to add to Mr. Workman's report.

6:53:45 PM

4.3 Commissioner Player stated this is an interesting design that the City has not seen before and it is nice to see something different. Mr. Jones stated the idea was

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gathered from a nearby development. Commissioner Player asked if there are confirmed tenants to occupy the office building. Mr. Jones stated there are an orthodontist and pediatric dentist that may take both suites in the building. Commissioner Player stated that is good because there are many office buildings throughout the City that are vacant.

6:55:12 PM

4.4 Commissioner Vawdrey asked if the office building will share parking spaces with the Jiffy Lube located in the subdivision. Mr. Jones stated that the building will not technically share parking with any other business. He stated that he owns the entire Subdivision; the business will encroach somewhat on lot three, but all three lots are owned by the same owner so there was not need to change the lot lines.

6:55:56 PM

4.5 Chairperson Gilliland opened the public hearing. There were no persons appearing to be heard and the public hearing was closed.

6:56:09 PM

4.6 **Motion:** Commissioner Adams moved to approve the site plan request by Clark Jones, application 130626-13957S, based on the findings and subject to the conditions listed in the staff report dated August 9, 2013. Commissioner Player seconded the motion.

Conditions:

1. That all requirements of the Draper City Engineering and Public Works 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 Draper City Building Division are satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
3. That all requirements of the Unified Fire Authority are satisfied throughout the development of the site.
4. That all requirements and recommendations of the geotechnical report and the subsequent city review of that report are satisfied throughout the development of the site.
5. That the applicant submits a CD to the City that contains all plan set sheets in their final versions, using appropriate AutoCAD format.
6. That no signage is reviewed or approved as a part of the subject site plan review, and all signage is reviewed and approved under a separate application.
7. That the final plan set shows the future building site to be treated with weed barrier and gravel.
8. That upon Planning Commission approval, the applicant submits 12 sets of plans to be stamped "Approved for Construction." Six of these shall be 24x36 in size and six shall be 11x17. Each of these sets shall contain all

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