

**MINUTES OF THE DRAPER CITY PLANNING COMMISSION MEETING HELD ON
THURSDAY, DECEMBER 8, 2022 IN THE DRAPER CITY COUNCIL CHAMBERS**

PARTICIPATING: Andrew Adams, Chair
Commission Member Craig Hawker
Commission Member Mary Squire
Commission Member Lisa Fowler
Alternate Commission Member Susan Nixon
Alternate Commission Member Tab Bingham

ABSENT: Commission Member Gary Ogden
Commission Member DeLaina Tonks
Alternate Commission Member Kendra Shirey

STAFF PRESENT: Jennifer Jastremsky, Planning Manager
Laura Oscarson, City Recorder
Brien Maxfield, Senior Engineering Manager
Spencer DuShane, Asst. City Attorney
Mike Barker, City Attorney
Maryann Pickering, Planner III
Tevai Haunga, Planning Coordinator

6:30 PM Business Meeting

- 1. Action Item; Approve Planning Commission Meeting Minutes for September 22, 2022 (Administrative Action)**

Motion: Commissioner Lisa Fowler moved to approve the minutes from the September 22, 2022 Planning Commission meeting, with the change of adding page numbers to the final draft.

Second: Commissioner Craig Hawker

Vote: A roll call was taken with the Commissioners voting 5-0 in favor of the motion. Commissioners Fowler, Hawker, Squire, Nixon, and Bingham voted, “Aye”.

- 2. Action Item: Approve Planning Commission Meeting Minutes for October 13, 2022 (Administrative Action)**

Motion: Commissioner Mary Squire moved to approve the minutes from the October 13, 2022 Planning Commission meeting.

Second: Commissioner Tab Bingham

Vote: A roll call was taken with the Commissioners voting 5-0 in favor of the motion. Commissioners Fowler, Hawker, Squire, Nixon, and Bingham voted, “Aye”.

3. Action Item: Approve Planning Commission Meeting Minutes for October 27, 2022 (Administrative Action)

Motion: Commissioner Susan Nixon moved to approve the minutes from the October 27, 2022 Planning Commission meeting, with the proposed changes as presented on the screen.

Second: Commissioner Mary Squire

Vote: A roll call was taken with the Commissioners voting 5-0 in favor of the motion. Commissioners Fowler, Hawker, Squire, Nixon, and Bingham voted, “Aye”.

4. Action Item: 2023 Chair and Vice-chair Appointments (Administrative Action)

Motion: Commissioner Squire made a motion to nominate Andrew Adams as chairman for 2023.

Second: Commissioner Hawker

Vote: A roll call was taken with the Commissioners voting 5-0 in favor of the motion. Commissioners Fowler, Hawker, Squire, Nixon, and Bingham voted, “Aye”

Motion: Commissioner Fowler made a motion to nominate Craig Hawker as vice chairman for 2023.

Second: Commissioner Bingham

Vote: A roll call was taken with the Commissioners voting 5-0 in favor of the motion. Commissioners Fowler, Hawker, Squire, Nixon, and Bingham voted, “Aye”

5. Public Hearing: Southfork Lot 2 Zoning Map Amendment (Legislative Action)

On the request of Brad and Catherin Findlay, property owners, for a zoning map amendment to change the zoning from RA1 (Residential Agricultural, 40,000 square foot lot minimum) to RA2 (Residential Agricultural, 20,000 square foot minimum) for approximately 1.61 acres located at approximately 1094 E 13800 S. Application: TEXTMAP- 134-2021. Staff contact: Maryann Pickering at 801-576-6391 or maryann.pickering@draperutah.gov

Commissioner Hawker asked to recuse himself from the hearing and was excused from this item. Maryann Pickering presented the project. The applicant Brad and Catherin Findlay, property owners, were requesting the change in zones from RA1 to RA2. The applicants would like to come

back and apply for a subdivision to sell the property behind their home, if it is approved through the city council with a positive recommendation. A private road would have to be installed, and possible demolition of a structure would need to take place if the zoning is approved. There were public comments made over the phone and email in opposition of this item.

Applicant Brad Findlay addressed the commissioners. Mr. Findlay stated that his original plan was to raise his kids with horses and that was why they bought the property years ago. His children had allergies and having horses was not an option for them. Now the children have all grown up and moved away and the property was hard to keep up on maintenance. The structure to be removed was a barn. If the structure is removed they could build a home that would be the exact size of the existing barn.

Chairman Adams opened the public hearing.

Public Comment:

Dave Oeser (resident in opposition). Mr. Oeser stated this change could impact his barn, horses, fences and neighboring property. Mr. Oeser stated he thinks it should stay horse property. It is the way it was designed for the location.

Ed Peterson (resident in opposition) Mr. Peterson stated large lots are nice. The distance between houses should be bigger because it provides more privacy. Mr. Peterson stated the setbacks were off and do not meet code. He expressed his concern that a ten-foot setback on a busy street was not ideal. Mr. Peterson stated that landscaping should not be an issue. He expressed concern and said if this were to be approved he would file a class action lawsuit against the city and Findlay's for the change in home values and lifestyles.

Catherine Findlay (applicant) explained she was unaware of the opposition. Mrs. Catherine Findlay stated that they love their neighbors and want to keep the peace.

Tracie Petersen (resident in opposition). Ms. Petersen stated she was not notified of the meeting. She stated that none of the neighbors in the area were notified of this or of the meeting. Change does happen, but the neighbors don't want townhomes to go up near them. It is not a big enough space for this to take place.

Chairman Adams closed the public hearing.

Commissioner Nixon asked what the radius of notifications went out to the neighbors. Jennifer Jastremsky stated it was a 400-foot radius and approximately 21-22 notices were sent out in the mail.

The commissioners discussed this item, noting the concerns of the residents. The commissioners agreed that this would not be the best interest for the property, they have seen it happen in other locations. Chairman Adams asked about the topography of the land. A map was shown that the back property had a slight incline and hill. Chairman Adams stated it is a case-by-case scenario, it would potentially be doable, the question was should it be done?

Motion: Commissioner Fowler motioned to make a negative recommendation for a Zoning Map Amendment to change the zoning from RA1 (Residential Agricultural, 40,000 square foot lot minimum) to RA2 (Residential Agricultural, 20,000 square foot minimum) as requested by Brad and Catherin Findlay. Application TEXTMAP- 134-2021. Based on the findings and subject to the conditions listed in the staff report dated November 29, 2022.

Second: Commissioner Bingham

Vote: A roll call was taken with the Commissioners voting 3-1 in favor of the motion. Commissioners Fowler, Squire, and Bingham voted, “Aye”; Commissioner Nixon voted “Nay”

6. Public Hearing: Kuwahara’s Pumpkin Patch & Thriller Park Conditional Use Permit (Administrative Action)

On the request of Alex Kuwahara for a Conditional Use Permit for outdoor storage on 4.19 acres of land located at 12153 S 700 W. Application USE-180-2022. Staff contact is Jennifer Jastremsky, 801-576-6328, jennifer.jastremsky@draperutah.gov

Jennifer Jastremsky presented the project. The request is for Kuwahara’s pumpkin patch and thriller park to use the outdoor storage during their off-season. This property has always been agriculture and has gotten bigger over the years. Rather than storing things off-site they have requested to store things onsite. Each year the business applies for a special event application for their business.

The question arose about fencing for the areas where the storage would take place and what type of fencing would be used?

Commissioner Squire asked if the fencing will be permanent or temporary. Ms. Jastremsky stated that is a question for the applicant.

Applicant: Alex Kuwahara addressed the commissioners stating that offsite storage costs have gone up and they would like to store all things on site to cut down the costs and keep the budget down for their business to flourish. His family has been farming on that location for fifty years. This business has gotten bigger each year.

Commissioner Nixon asked about the fence, what type would be used, and if storage sheds would be brought in. Mr. Kuwahara stated all things stored on site would be in existing sheds, greenhouses, and buildings. The type of fencing that would be used was the walls of the castle on the inside. They would be like a partition closing off to the public and if anyone broke into the property, they would not be able to access. The entire property is surrounded with a fence, would not be in heaps, but would be securely and neatly stored in the buildings.

Commissioner Adams opened the public hearing

Public Comment:

JoDee Esplin (resident) stated she was concerned that this would be a rubber stamp approval. And if so, it would make it so the business would not have to come in and reapply for future applications. Ms. Esplin expressed concern about the parking issue and stated that during the events cars are parked along both sides of busy streets, making it dangerous for all involved.

Chairman Adams closed the public hearing

Chairman Adams asked the applicant Alex Kuwahara about the parking, and how it could potentially fix the parking issue.

Mr. Kuwahara stated with the business getting bigger and bigger the parking and traffic were definitely impacted. Mr. Alex Kuwahara reported to the commissioners that he plans to post no parking signs in areas. He also stated they hope to create a shuttle, from a local park to the location to help with this in the coming years.

Motion: Commissioner Nixon made the motion to approve the Conditional Use Permit as requested by Alex Kuwahara for Kuwahara's Pumpkin Patch & Thriller Park. Application USE-180-2022. Based on the findings and subject to the conditions listed in the staff report dated November 29, 2022. Emphasizing this approval is for the conditional use permit and not on the special event application.

Second: Commissioner Squire

Vote: A roll call was taken with the Commissioners voting 5-0 in favor of the motion. Commissioners Fowler, Hawker, Squire, Nixon, and Bingham voted, "Aye"

7. Public Hearing: Draper Frontrunner Apartments Master Area Plan Amendment (Legislative Action)

On the request of Jake Hemingway, property owner, for a Master Area Plan Amendment for the purpose of amending the approved Vista Station Master Area Plan. The subject site to be amended was approximately 13003 S. Frontrunner Boulevard in the TSD (Transit Station District) zone. Application: TEXTMAP-183-2022. Staff contact: Maryann Pickering at 801-576-6391 or maryann.pickering@draperutah.gov

Maryann Pickering reported on this project. The project is located on the Frontrunner property. The lot is currently vacant. The applicant would like to develop the property into office and residential use utilizing the Frontrunner property to its fullest. The zoning is TSD (Transit Station

District). The master plan would be to reallocate the density from TSD 2 to TSD 1 to provide up to 118 units. This request for change would update the charts and maps.

Applicant: Jake Hemingway stated this is the perfect location for this change, and would utilize the public transportation area better. The height of the proposed building is seven floors (40ft).

Chairman Adams opened the public hearing.

No public comment.

Chairman Adams closed the public hearing.

Motion: Commissioner Hawker moved to make a positive recommendation to the city council for the Map Amendment as requested by Jake Hemingway. Application TEXTMAP-183-2022. Based on the findings and subject to the conditions listed in the staff report dated November 29, 2022.

Second: Commissioner Bingham

Vote: A roll call was taken with the Commissioners voting 5-0 in favor of the motion. Commissioners Fowler, Hawker, Squire, Nixon, and Bingham voted, “Aye”.

8. Public Hearing: Draper Galena Park Office Site Plan (Administrative Action)

On the request of Logan Fawcett, representing The Boyer Company, for Site Plan approval on 3.93 acres of land located at 681 West 12300 South. Application SPR-135-2022. Staff contact is Jennifer Jastremsky, 801-576-6328, jennifer.jastremsky@draperutah.gov

Jennifer Jastremsky presented the project. She stated the commissioners have previously seen a rezone application earlier this year. This project would be consolidating four properties into one. The homes currently on the property are being demolished. This request is for a single office building with two access entries on 12100 South Street. The site shows there will be plenty of parking. The property is near Galena Park and the applicant was working with the city for the grading as the park progresses. The landscaping is twenty-five percent, and the only grass area would be near a pickleball court. The building design will be modern and will be about forty-five feet tall.

Applicant: Logan Fawcett informed the commissioners the homes are nearly all demolished.

Chairman Adams opened the public hearing

No public comment

Chairman Adams closed the public hearing

Motion: Commissioner Hawker moved to approve the site plan as requested by Logan Fawcett representing The Boyer Company for the Draper Galena Park Office Site Plan. Application SPR-135-2022. Based on the findings and subject to the conditions listed in the staff report dated November 30, 2022.

Second: Commissioner Nixon

Vote: A roll call was taken with the Commissioners voting 5-0 in favor of the motion. Commissioners Fowler, Hawker, Squire, Nixon, and Bingham voted, “Aye”.

9. **Public Hearing: City initiated Oak Vista No. 2 at Suncrest Lot 60 (Administrative Action) This item is being continued to the January 12, 2023 Planning Commission meeting.**

On the request of Draper City for a plat amendment to adjust common property lines between Draper City and the Suncrest Homeowners Association. The modifications affected approximately 12, 176 square feet of area and is located at approximately 14886 South Traverse Ridge Road. Application SUBD-214-2022. Staff contact is Jennifer Jastremsky, 801-576-6328, jennifer.jastremsky@draperutah.gov

Chairman Adams stated this item has been continued to the January 12, 2023 meeting. Jennifer Jastremsky stated the next Planning Commission is canceled. There will be a Joint meeting with the city council on January 10, 2023.

10. **Commissioner Hawker made the motion to adjourn.**

The meeting was adjourned at 7:57p.m.