

**MINUTES OF THE DRAPER CITY PLANNING COMMISSION MEETING HELD ON THURSDAY, JUNE 13, 2019 IN THE DRAPER CITY COUNCIL CHAMBERS**

**PRESENT:** Vice Chairperson Craig Hawker, Planning Commissioners John Van Hoff, Kent Player, Gary Ogden, Traci Gundersen, Mary Squire, Scott McDonald and Lisa Fowler

**ABSENT:** Chairperson Andrew Adams

**STAFF PRESENT:** Mike Barker, Christina Oliver, , Spencer DuShane, Jennifer Jastremsky, Maryann Pickering, Brien Maxfield Dan Boles, and Pat Evans

**ALSO, PRESENT:** Roll on File

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**Business Meeting:**

- 1. Action Item: Planning Commission minutes for 05/09/2019**
- 2. Action Item: Planning Commission Minutes for 05/23/2019**

*Items 1 and 2 were approved under the same motion.*

Vice Chair Hawker opened the meeting with an invite to have a commissioner make a motion on the minutes.

**Motion:** Commissioner Scott moved to approve the minutes for May 9, 2019, and May 23, 2019.

**Second:** Commissioner Ogden.

**Vote:** A roll call was taken with Commissioners voting unanimously in favor of the motion. These items passed with a 5 to 0 vote. Commissioners Gundersen, Player, McDonald, Ogden, and Van Hoff voted “Aye”.

**3. Public Hearing: 136 Center Plat Amendment**

A request by Ryan Simmons of The Boyer Company for approval of a plat amendment for the adjustment of a boundary line between two subdivision plats. The property is located in the CSD-136-C (136 Center Commercial Special District) zoning district at approximately 13697 S. 200 W. Staff contact: Maryann Pickering at (801) 576-6391 or [maryann.pickering@draper.ut.us](mailto:maryann.pickering@draper.ut.us)  
Application: SUBD-597-2019.

Vice Chair Hawker turned the time over to Maryann Pickering to discuss the amendment.

Maryann Pickering, Planner, reminded the committee of their recent approval of an office building at this location. She addressed the proposed adjustment of the property line between the

proposed plat and the future location of the Home Builders Association called Miller or Osmond Property Plat so a building isn't built through the property line. She mentioned that they have included findings for both an approval and a denial.

Ryan Simmons, Applicant, stated that he will answer any questions the commission had. There were no questions at the time.

Vice Chair Hawker opened the public hearing. No one spoke. He then closed the public hearing.

Commissioner Player mentioned that they had discussed access issues on this plot a few weeks ago. Then he noted that is a different issue than the one being presented.

**Motion: Commissioner Ogden moved to approve plat amendment as requested by Ryan Simmons of The Boyer Company, Application: SUBD-597-2019, based on the findings and subject to the conditions listed in the staff report dated June 4, 2019.**

**Second: Commissioner Van Hoff.**

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

#### **4. Action Item: Point of View Apartments Approval Extension Request**

On the request of Zane Morris, representing Triton Investments, Inc. for approval of an extension of approval for a site plan for an apartment building in the Highline Commercial Special District zone located at approximately 275 East Highland Drive. Staff Contact: Dan Boles, [dan.boles@draper.ut.us](mailto:dan.boles@draper.ut.us) or 801-576-6335. **Application: SP-052-2017**

Vice Chair Hawker turned the time over to Dan Boles to discuss the request.

Dan Boles, Planner, mentioned that the request was approved June 14, 2018, and the purpose of this request is for an extension. The request is for an apartment building on eight acres just off of Highland Drive. He then pointed out that there is a road that connects the Pluralsight and the subject site to Vestry Rd. He stated that the applicant is requesting a one-time, six-month extension as permitted by the zoning code.

Zane Morris, Applicant, stated that they did get delayed six months due to the Highline Subdivision and the road going in. He mentioned that they couldn't submit any plans to the city until after the road was completed. He then mentioned that they hope to pull building permits in the week following this meeting. He added that they may not need the extension, but ask for it as a precautionary measure.

Vice Chair Hawker noted that no public hearing was needed for an 'Action Item'.

**Motion: Commissioner Player moved for the approval of the site plan request by Zane Morris, representing Triton Investments for a site plan allowing an apartment building.**

**Application: SP-052-2017, based on the findings and subject to the conditions listed in the staff report dated June 5, 2018, for an extension for their application.**

**Second: Commissioner Ogden**

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

**5. Public Hearing: Victoria Woods Phase 2 Site Plan:**

A request by Armando Alvarez for approval of a 17-unit townhome development in the O-R (Office Residential) zone. The property is located at 621 E. and 644 E. 12225 S., Application SPR-419-2018. Staff contact: Dennis Workman, [denis.workman@draper.ut.us](mailto:denis.workman@draper.ut.us), 801-576-6522.

Vice Chair Hawker turned the time over to Maryann Pickering to discuss the site plan.

Maryann Pickering, Planner, mentioned that the multifamily project is permitted in the O-R zone. She stated that the plan consisted of three, 4-plex buildings and one, 5-plex building. She addressed the parking consisted of alley loaded garages that the site met all of the minimum requirements, along with 7 guest parking spaces. She added that the landscaping plan exceeded the minimum requirement. She also added that the elevations will meet all of their design standards.

Vice Chair Hawker asked if they were going to share parking with retail, thinking that they talked about this a couple months prior to the meeting.

Ms. Pickering noted that Vice Chair Hawker was thinking of a different property.

Commissioner Van Hoff asked if the parking that was on the southern corner was being used for retail at this time, and if their parking would be hurt by the development going in.

Jennifer Jastremsky noted that the parking used is owned by the property owner and she was unaware of the retail having permission to park there. She added that the current parking in the southern corner would most likely become landscaping when the property is developed.

Commissioner Van Hoff brought up the point that the parking currently being shown in the aerial view doesn't pertain to the areas that are existing.

Ms. Jastremsky stated that the pad site was originally designed for use of office spaces and the parking was to be used for the offices, which are no longer going to be built. She then clarified that the applicant is proposing to place residential in place of office buildings, so the parking on the southern corner will be eliminated.

Vice Chair Hawker amended his earlier inquiry in that he was thinking of the adjacent property.

Armando Alvarez, Applicant, clarified some points from the staff report. One of those items was that there will be proper two car garages on each unit, allowing them to have trash cans inside the garages and not need to have a dumpster enclosure. The other item was a change in guest parking from 7 to 23. He then added that even after measures had been taken to prevent people from the

Midas Creek Office Building from parking on the lot will be put to rest with these plans. He added that after years of planning, this property would be better used to sustain 17, 2-story, 2000 sq. ft. units instead of office spaces. He also added that each home will have a private deck of 400-500 sq. ft. He noted that the height is 24 ft, which is lower than the neighboring buildings. He then added that the civil engineering plans have already gone through the city, South Valley Sewer, and Water Pro. He mentioned that the plans regarding fire have not been made yet.

Commissioner Player asked if there was any other access to the site other than off of 605 E from 12300 S.

Mr. Alvarez stated that there is a 38 ft wide access point between the car wash and Les Schwab, as well as another access off of 670 E.

Commissioner Ogden asked if there was any access on the northwest side of the property on 12200 S.

Mr. Alvarez replied with a no. He noted that the Wasatch Development wanted to have access through 605 E. If they had access to 12200 S. there would be a lot of traffic through the development.

Commissioner Ogden asked if there were 3 egress locations.

Mr. Alvarez replied with a yes.

Commissioner Ogden then asked if the 605 S exit would be a right turn only.

Mr. Alvarez replied with a yes, noting that there is a median there.

Vice Chair Hawker opened the floor up for a public hearing.

Tammy Bartel, Resident, lives right across from the development and was worried about the level of traffic, which was already addressed. She was also concerned about the number of cars currently parked on the street of 12200 S.

Vice Chair Hawker made note that this public hearing wasn't a question and answer session, but a time for the public to address their concerns, then the committee will ask the applicant afterwards.

Mark Hatch, Hatch insurance and Midas Creek condo project to the east, concerned about more high density housing places instead of more office buildings. When purchasing current plot for condos, they bought in on the premise that the proposed plot would be office buildings. He offered to buy the plot from Mr. Alvarez and wished to develop it, with no avail. He addressed the thought that there is a lot of demand for office space in the area. He noted that other owners in the area were concerned that the ratio of houses to businesses were not how they once were when they first set up their locations. He also noted that they are concerned parking from office spaces continue to fill up the residential parking, as Ms. Bartel pointed out.

Vice Chair Hawker closed the Public Hearing. He then invited Mr. Alvarez to address some of the issues, starting with the 605 E. situation, followed by the office versus the town home decision.

Mr. Alvarez stated that 605 E. is an existing point to 12300 S. and will not change. He noted that any additional traffic that would affect the area Ms. Bartel lives would only be increased if there were an access point on the northwest corner of the property. He then mentioned that if anyone looked at traffic reports, they would find that more traffic would be generated by an office building than a residential unit. He then addressed Mr. Hatches comments by stating that the legal documents they signed when they developed stated that they were under an expandable HOA with no guarantee that the HOA would expand to any other buildings. He added that the offer that Mr. Hatch offered him for his property was too low. He then noted that one of the main problems with developing the plot as an office building was that the plot didn't reside on 12300 S, but that traveling between two other offices to get there was needed.

Vice Chair Hawker asked the Commissioners if they had any other questions.

Commissioner Gundersen then asked if there was any way an argument could be made against whether or not the development met the requirements, goals, and objectives of the general plan if it was already zoned O-R.

Ms. Jastremsky replied that because it is already zoned O-R, residential is a permitted use.

Commissioner Gundersen clarified that the only issue in terms of denial would be whether or not the site plan met the design standards.

Ms. Jastremsky replied yes.

Vice Chair Hawker noted that there wasn't even a deviation on the application.

Commissioner Player also noted that no one thought that the issues being brought forth with this plan would happen when the area was first being developed. He voiced that it seems like this plan will work, given the circumstances.

Vice Chair Hawker asked if there was a Commissioner that would like to make a motion.

**Motion: Commissioner Gundersen moved to approve the site plan for Victoria Woods Phase 2 as requested by Armando Alvarez, Application SPR-419-2018, based on the findings and subject to the conditions listed in the staff report dated May 31, 2019.**

**Second: Commissioner Player**

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

## **6. Public Hearing: Kelly's Ice Cream Truck Home Occupation Conditional Use Permit**

On the request of Lori Kelly for a home occupation conditional use permit for the property located at 11743 South Nigel Peak Ln in the RM2 zone, in order to place a business vehicle on the property, **application USE-599-2019.** Staff contact is Jennifer Jastremsky, [jennifer.jastremsky@draper.ut.us](mailto:jennifer.jastremsky@draper.ut.us), 801-576-6328.

Vice Chair Hawker turned the time over to Jennifer Jastremsky to discuss the permit.

Jennifer Jastremsky, Planner, noted that the applicant wishes to store a vehicle for her business in her garage. She mentioned that the applicant does not have any employees. She then stated that the applicant's housing unit has a two car garage and a two car driveway, so there is room to park her vehicles as well as the ice cream truck. She added that the Ice Cream Truck has been HOA approved, as long as it is parked in the garage and not in guest parking spaces.

Vice Chair Hawker asked if the picture of the vehicle was on the site.

Ms. Jastremsky replied that it was not.

Vice Chair Hawker then asked if the HOA said the truck has to be parked in the garage or on the driveway.

Ms. Jastremsky believes that the HOA requested in the garage, and that the conditions of approval for the permit stated that it had to be on the applicants property in addition to the HOA standards.

Vice Chair Hawker clarified in asking that the applicant had to follow both the city in addition to the HOA standards.

Ms. Jastremsky replied with a yes.

Vice Chair Hawker then invited the applicant to address the commission.

Lori Kelly, Applicant, had no comments but expressed that she would be happy to answer any questions.

Vice Chair Hawker asked if the truck would be able to park in the garage.

Ms. Kelly replied that the truck was currently in the garage.

Commissioner Player noted that Ms. Kelly would have to be careful parking in the garage.

Commissioner Ogden asked if Ms. Kelly made her own ice cream.

Ms. Kelly replied that the ice cream was all pre-packaged.

Vice Chair Hawker opened the public hearing. No one spoke. He then closed the public hearing.

**Motion: Commissioner McDonald moved to approve the Home Occupational Conditional Use Permit as requested by Lori Kelly for Kelly's Ice Cream Truck, Application USE-599-2019, based on the findings and subject to the conditions listed in the staff report dated May 24, 2019.**

**Second: Commissioner Player**

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

## **7. Public Hearing: Lone Peak Business Park CSD Text Amendment**

A request by Price Realty Group to amend various sections of Chapter 9-18G (Lone Peak Commercial Special District) of the Draper City Municipal Code. The changes would apply to all properties within the boundaries of the CSD. Staff contact: Maryann Pickering at (801)576-6391 or [maryann.pickering@draper.ut.us](mailto:maryann.pickering@draper.ut.us). Application: TEXTMAP-597-2019.

Vice Chair Hawker turned the time over to Maryann Pickering to discuss the amendment.

Maryann Pickering, Planner, noted that the current CSD Standards were adopted in 2012 and may be outdated for current development practices and standards. She addressed the changes the applicant wishes to make to the text.

1. Reduce number of types of design elements for commercial development from 7 to 5.
2. Landscape buffer for interior streets reduced from 20 feet to 5 feet.
  - a. Affecting only the roads on the interior to the business park
3. Update lighting standard for current practices
  - a. Foot candle reading from 1.5 to 0
  - b. Use of LED lighting
4. Minor changes to signs allowed
5. Request to add a 40-foot height limitation for pole signs.
6. Allow the Zoning Administrator to administratively approved site plans in the CSD boundaries.

She mentioned that findings for both recommendations and denial were included in the staff report.

Vice Chair Hawker asked if there were other CSD sites nearby that had a 40 ft pole, or something around that height to be used as a reference.

Ms. Pickering stated that the only signs she knows of that are 40 ft tall are along the freeway. She deferred to Ms. Jastremsky to better answer that question.

Ms. Jastremsky noted that close to the freeway is the only place that had anything close to the recommended height.

Vice Chair Hawker asked if there would be any signs this height along 12300 S.

Ms. Pickering clarified that any signs that would be the 40 ft. height would be close to the freeway.

Vice Chair Hawker then asked if any other Commissioners had any questions for Ms. Pickering.

Commissioner Van Hoff asked if the staff recommendations requested the 25 ft pole and not a 40 ft pole.

Ms. Pickering answered that 25 ft is to be considered by the planning commission. She added that even though 40 ft isn't typical for the area, if it is deemed as appropriate by the commissioners, include that in the recommendation to the city council.

Commissioner Gundersen asked if architecture coming in as part of projects now warrants a



limitation of the design elements from 7 to 5.

Ms. Pickering replied that with the modern architecture, having less elements is acceptable.

Commissioner Gundersen asked if the city had any 'heartburn' over that issue.

Ms. Pickering replied no.

Ms. Jastremsky pointed out that Day Dairy's larger signs are 30 ft.

Vice Chair Hawker clarified that because this was a recommendation, whatever is decided will go to the City Council.

Ms. Pickering confirmed Vice Chair Hawker's clarification question and added that the recommendation has been cleared to go before the City Council the following week at their meeting.

Steven Price, Applicant, explained the history behind the properties he purchased and how they triggered his movements to try to get many different life science product line developers to produce on the property. He added that the request for the pole sign was from Starbucks with the development of their new line of stores. He mentioned that, after having discussions with many high end life science product line developers, these recommendations are things that they have requested to be able to make it worth their coming out to this part of the country.

Vice Chair Hawker asked if Mr. Price would speak to the height of the sign.

Mr. Price stated that for Starbucks to be successful on the recommended site, the pole would have to be 40 ft tall. He added that he negotiated with them from 50 ft to 40 ft. He then stated that the sign was the last hurdle to go through with Starbucks, and it has been a 4-year process.

Commissioner Player commented that it is quite a process.

Vice Chair Hawker opened the public hearing. No one spoke. He then closed the public hearing.

Commissioner Van Hoff expressed that he was concerned that the 40 ft sign would make this part of town look like a freeway. He then firmly stated that the height needed to be lowered.

Commissioner McDonald agreed and asked Ms. Jastremsky if the Draper Peak signs were 30 ft.

Ms. Jastremsky looked at the code and replied that the Day Dairy signs were 30 ft and the Draper Peak signs were allowed 35 ft.

Commissioner McDonald then asked where those signs were specifically located.

Ms. Jastremsky stated that Day Dairy has two signs at the entrances, and that Draper Peak had a sign on 12300 S. and one on State Street.

Commissioner McDonald proposed a compromise of recommending 35 ft to be consistent with what was done on the other side of the freeway.



Ms. Jastremsky stated that the decision was up to the commissioners to decide and that Draper had a history of 30 ft and 35 ft.

Ms. Pickering clarified that the request of 40 ft will still go to City Council with a note of what the Planning Committee recommended.

Commissioner Van Hoff recommended that the pole be lowered to at least 35 ft.

Vice Chair Hawker reminded the Commissioners that this is just a recommendation.

Commissioner Player stated that 40 ft didn't bother him.

**Motion:** Commissioner Player moved to forward a positive recommendation to the City Council for the Lone Peak Business Park CSD Text Amendment request, Application TEXTMAP-597-2019, based on the findings listed in the staff report dated June 4, 2019.

**Second:** Commissioner Gundersen

Commissioner Van Hoff continued to recommend that the recommendation be listed at 35 ft instead of 40 ft.

**Vote:** A roll call was taken. This recommendation was denied with a 2 to 3 vote. Commissioners Gundersen and Player voted "Aye". Commissioners McDonald, Ogden, and Van Hoff voted "Nay".

**Motion:** Commissioner Ogden moved to forward a positive recommendation to the City Council for the Lone Peak Business Park CSD Text Amendment request, Application TEXTMAP-597-2019, with the height limitation of the sign to be 35 ft as opposed to the 40 ft in the application.

Commissioner McDonald amended that the rest of the motion reads "based on the findings listed in the staff report dated June 4, 2019"

**Second:** Commissioner Van Hoff.

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

## **8 Public Hearing: City Initiated Corner Lot Setback Text Amendment**

On the request of Draper City for a text amendment to Draper City Municipal Code Section 9-3-040 and Tables 9-9-2 and 9-10-3 for the purposes of modifying the standards for corner lot setbacks in residential and agricultural zones. Application TEXTMAP-668-2019. Staff contact Jennifer Jastremsky, [jennifer.jastremsky@draper.ut.us](mailto:jennifer.jastremsky@draper.ut.us), 801-576-6328.

Vice Chair Hawker turned the time over to Jennifer Jastremsky to discuss the amendment.

Jennifer Jastremsky, Planner, pointed out that the current code states that a corner lot has two front yard and two side yards. She also pointed out that the development standard tables have separate setbacks for corner lots with adjacent rear yards and side yards. She then stated that one of the purposes of the text amendment is to fix the conflict of stating that a corner lot has a rear yard when it says that it doesn't. She then went further into detail about the proposed changes.

1. Definitions
  - a. Corner Lot
    - i. Two front and two rear yards.
2. Tables
  - a. Agricultural Zones and Residential Zones
    - i. Front yard
      1. Main buildings on interior and corner lots combined entries
    - ii. Rear yard
      1. Main buildings on interior and corner lots separate entries
    - iii. Side yard
      1. Main buildings on interior and corner lots combined entries
  - b. A few cleanup items

Vice Chair Hawker asked if this text amendment was for subdivisions or for detached garages, sheds, and swimming pools.

Ms. Jastremsky replied that this is for a main dwelling unit. She added that the code required for setbacks be placed on subdivision plats and when the city gets permits for building new homes.

Vice Chair Hawker asked if corner lots had a smaller setback of 12 ft and an interior lot had 20 ft.

Ms. Jastremsky clarified that corner lots are considered to have two front yards, or two street sides. Due to the extended area required for the two front yards, providing a lesser rear setback on those properties provides a larger buildable area.

Vice Chair Hawker opened the public hearing.

Ferris Taylor, HOA President of Draper Heights, has been led to believe that these zoning changes precipitated from some of his residents at Draper Heights. He then expressed that changing the setbacks would increase the development density by approximately 10%. He also expressed that the change is too broad and will have a lot of implications.

Nichole Hawkins, Resident, advised the committee to take a lot more time to consider this change with hundreds of residents being impacted by the change. She added that those residents don't even know they will be impacted.

Vice Chair Hawker closed the public hearing. He then reminded those in attendance that the committee is just a recommending committee on this amendment and that the citizens will have a deciding voice when it is addressed at City Council.

Christina Oliver mentioned that the legal dispute between private parties is not what the meeting was about. The city initiated the amendment to for existing property owners this implicates all corner lots, including future lots. She clarified that the goal of this amendment is for the greater

good of Draper City. She added that the reasons for the rewriting of the code was in response to problems citywide.

Commissioner McDonald asked if properties that are considered “non-conforming” would be grandfathered in.

Mike Barker replied that this change is curing the creation of non-conforming lots.

Commissioner McDonald asked if those who have gotten prior approvals would have to go back and change them.

Ms. Oliver said they would have to if they wanted to modify their approval.

Mr. Barker stated that it is impossible to go back and force compliance upon everybody that has had prior approvals.

Commissioner McDonald stated that it sounds like the people mentioned were being grandfathered in unless they wanted to make a modification.

Mr. Barker agreed stating that those people are “legal, non-conforming” now.

Vice Chair Hawker asked if houses have been identified that would be considered “legal, conforming”, where they were once non-conforming but aren’t with this change. He added to his inquiry if there would still be setbacks for some people who would still be non-conforming.

Mr. Barker clarified that if the setbacks are under 12 ft, they are already non-conforming.

Ms. Jastremsky added that the setback is solely based on the zone, where some zones have a 12 ft setback and some have 8 ft.

Commissioner Van Hoff asked if all that is being changed is from side yards to rear yards.

Ms. Oliver answered that there is a removed sentence about rear yards that needs to have adjustments made in the table to accommodate the removal.

Ms. Jastremsky showed the removed conflicting sentence, where the definition stated that a corner lot had two fronts and two sides, whereas the table stated that a corner lot with a rear yards adjacent to a side yard.

Commissioner McDonald asked if we went from something conflicting where there are two fronts and two sides to a front and a side.

Ms. Jastremsky clarified that the change is from two fronts and two sides to two fronts and two rears, and then removing the language in the table and replacing them with more clear language.

Vice Chair Hawker stated that he will entertain a motion.

**Motion: Commissioner McDonald moved to a positive recommendation to the City Council for the City Initiated Corner Lot Setbacks Text Amendment as requested by Draper City in**

**DCMC 9-3-040, definitions tables 9-9-2 and 9-10-3 Development Standards, Application TEXTMAP-668-2019, based on the findings listed in the staff report dated May 29, 2019.**

**Second: Commissioner Gundersen.**

Commissioner McDonald stated that this amendment may cause a lot of problems, but if the amendment isn't addressed, it would cause a lot of ambiguity later.

Commissioner Player stated that having a graphic would better help him understand the issues. Ms. Oliver commented that they will add pictures when they bring the amendment before the City Council.

Commissioner Van Hoff stated that he has a corner lot and expressed that his setbacks make sense to him with how his lot is set up. He added that he doesn't understand why the change in dimensions was needed, only that a decision needs to be made on which yard is a 'side' yard and which one is a 'rear' yard.

Ms. Jastremsky replied that the reason they wanted two rear yards instead of a side yard is because a builder could build the house facing either direction. She added that since they won't know which way the house is facing until they receive the plans, they either had to make all of the houses face the same way or have the code require two rear yards.

Commissioner Van Hoff commented that if the builder is given the option, they have to know that if the building is facing one direction, the rear yard is behind it and the side is to the side.

Ms. Jastremsky replied that the city has been interpreting a corner lot as having two sides and that there were many homes built at the minimum and not given any additional space.

Commissioner Van Hoff asked if the city had been calling the yard behind the house a side yard. He still states that the back of the house, regardless of the direction, is the rear.

Ms. Oliver clarified that the reason for this change is for the historical interpretation of the setback. She added that even though they can talk more about the topic later, they are concerned about those who are currently working on the homes.

Vice Chair Hawker called the discussion to a vote.

**Vote: A roll call was taken. This item passed with a 4 to 1 vote. Commissioners Gundersen, Player, McDonald, and Ogden voted "Aye". Commissioner Van Hoff voted "Nay".**

**8. Public Hearing: Money Zoning Map Amendment**

On the request of Ryan Money, for approval of a zoning map amendment to change the zoning on the property located at 11490 South 700 West from RA1 (Residential Agricultural, 40,000 sq. ft. minimum) to RA2 (Residential Agricultural, 20,000 sq. ft. minimum). The property is located at approximately 11490 South 700 West. Application: TEXTMAP-263-2019. Staff contact is Dan Boles, [dan.boles@draper.ut.us](mailto:dan.boles@draper.ut.us), 801-576-6335.

Vice Chair Hawker turned the time over to Dan Boles to discuss the amendment.

Dan Boles, Planner, stated that the resident had a low-medium density on the property. He mentioned that the property is surrounded by RA1 zoning, except to the north with a PI zoning. He stated that the applicant was thinking about subdividing his lot in the future.

Commissioner Gundersen asked if the idea of this amendment was to just do a flag lot.

Mr. Boles answered that he doesn't see what other configuration could be done.

Vice Chair Hawker invited Ryan Money to speak.

Ryan Money, Applicant, stated he did not have any thoughts to add and would answer any questions. He then expressed appreciation for the employees of the city who didn't treat him like an idiot.

Vice Chair Hawker asked if Mr. Money's intention was to do a plat on the property in question if the recommendation to the City Council was approved.

Mr. Money affirmed that he would subdivide the property.

Commissioner Gundersen asked if he was going to tear down the original house.

Mr. Money replied no, that he would do just do a flag lot and a house in the back.

Commissioner Player mentioned that in that neighborhood, there are many property challenges to overcome.

Mr. Money acknowledged that he is fully aware of those challenges.

Vice Chair Hawker opened the public hearing.

Robert Rightling, Resident, pointed out that Mr. Money knew the lot was zoned RA1, and that the original owner of the land, along with those who owned the land around, would want to keep the land as a 1 acre lot. He added that the resident property would affect the property value of all of those around if it were to change. He finished by saying that he protests the change.

Jennifer O'Neil, Resident, mentioned that it was the understanding of those in the area to keep their lots as 1 acre lots. She added that if Mr. Money wanted to tear down the house and build another one, that would be beneficial. She finished by saying that she would like to see the lot stay as a 1 acre lot.

Barbara Wilson, Resident, objects to the change because the change wouldn't conform to the rural area the neighbors had purchased. She added that if this change went through, the door would be opened to have other residents do the same. She expressed concern with what the plan would be with the new home if it were to be built. She finished by saying that the change wouldn't protect the value of the other neighbor's properties.

Vice Chair Hawker closed the public hearing.

Commissioner Gundersen asked what the age was of the home immediately to the south of this

property.

Commissioner Player answered that it was approximately 20 years old. He added that all of the other ones in the neighborhood is 20-25 years old.

Commissioner Gundersen expressed that she hates flag lots and that it would break up the cul-de-sac area. She added that it would create another entrance onto 700 W. which is noted to already be too busy. She mentioned that she was not in favor of the zone change.

Commissioner Van Hoff mentioned that he was always against putting a different zone in what was already existing in the area.

Commissioner Ogden stated that the act of changing this lot would open up to the other neighbors a bunch of flag lots.

Commissioner Van Hoff reminded the committee that one of their documents they rule by is to maintain the state of a rural atmosphere in Draper. He then added that he was against the change.

**Motion: Commissioner Gundersen moved to forward a negative recommendation to the City Council for the Money Zoning Map Amendment as requested by Ryan Money from RA1 to RA2, Application TEXTMAP-263-2019, based on the findings dated in the staff report dated June 4, 2019.**

**Second: Commissioner Van Hoff**

**Vote: A roll call was taken with Commissioners voting unanimously in favor of the motion. The committee will be forwarding a negative recommendation with a 5 to 0 vote. Commissioners Gundersen, Player, McDonald, Ogden, and Van Hoff voted “Aye”.**

*Vice Chair Hawker called for a short break.*

## **10. Public Hearing. Rasmussen Farms Zone Change, Land Use Change and Development Agreement**

A request by Justin Atwater to change the land use designation on 9.81 acres from Neighborhood Commercial to Residential High Density, and to change the zoning designation from A5 (Agricultural 5-acre minimum) to RM2 (Residential Multifamily up to 12 dwelling units per acre) with a Development Agreement. The property is located at 12197 S. 300 E. Staff contact: Dennis Workman, [dennis.workman@draper.ut.us](mailto:dennis.workman@draper.ut.us), 801-576-6522. Application TEXTMAP 557/558-2019 and DA-559-2019

Mr. Barker made mention, for the record, that Commissioner Ogden had to leave.

Vice Chair Hawker acknowledged Commissioner Ogden leaving and added that they will not be filling his seat for the remaining two items. He then turned the time over to Ms. Jastremsky to discuss the request.

Ms. Jastremsky mentioned that the land owner proposed no more than 8 single-family residential dwelling units per acre, with conditions on the statement. She mentioned that the lots to the south

of 12230 S. would be common open space and the lots north of 12230 S. would have individually owned lots. She added that the applicant would continue the wall to the north to divide the single-family residential property to the north and the subject property. She noted that the homes along the northern boundary line would be 27 ft tall, whereas the other homes could be 35 ft. She then mentioned that all of the streets connecting to the property would be private streets, with the exception of 12230 S. She stated that the applicant wishes to amend the private road requirement to 32 ft wide private streets as opposed to the required 36 ft.

Commissioner McDonald asked if the details of what the roads entailed, including how much asphalt is used, whether or not there is sidewalk included or curbs, etc, should be hammered out before coming before the committee for amendment recommendations.

Ms. Jastremsky answered that they had put a condition for approval on requiring that information and that the roads would have to meet the fire code for emergency access.

Commissioner McDonald asked if that would be sufficient information for them to determine whether or not the site will provide the necessary fire code requirements.

Brien Maxfield answered that if the applicant was proposing sidewalks, they would be concerned as to whether or not the roads would be adequate for fire. He added that they wouldn't be able to determine anything without knowing what is being proposed by the applicant.

Vice Chair Hawker asked if the dead end by Day Dairy would remained walled off or if the path would eventually open up.

Ms. Jastremsky showed pictures to show that the road would continue into Day Dairy property.

Vice Chair Hawker asked to clarify that the road would be a thru road and not dead end.

Ms. Jastremsky replied with the affirmative.

Mr. Maxfield stated that the road in question is known as a minor collector. He added that the road would need to be connected to Day Dairy to help alleviate the business of 12300 S.

Commissioner Gundersen asked if the traffic congestion on 12300 S. would also be alleviated.

Mr. Maxfield replied with the affirmative. He added they haven't done any studies yet. He then stated that the connection road would provide the residents with a back route to avoid the congestion area.

Commissioner Gundersen thanked him.

Ms. Jastremsky asked if the Committee had any other questions.

Vice Chair Hawker asked if the houses to the south of the main road through the property would have their own HOA, while those houses to the north would own their own ground and have a different HOA.

Ms. Jastremsky deferred how the applicant is setting up the HOA to the applicant. She added that



the lots to the north of 12230 S. private while those to the south would be common open space.

Vice Chair Hawker asked if the committee had seen any development plans before on this lot.

Ms. Jastremsky replied that this was all they had seen on this lot before.

Justin Atwater, Applicant, requested to answer the questions of the public and the commissioners at the end of what he had to say. He mentioned that the plans presented were a collective effort of staff, neighbors, engineers, and others with many iterations over the course of over a year. He then wanted to make it clear that he was looking for a land use amendment and to rezone the property. He added that the reason for having the Development Agreement brought before the Planning Committee was the they were intentionally restricting the density for the area. He noted that the RM2 zone was the only zone that had the needed requirements. He then added that what will be developed would be a medium-high density product and not a high density product. He pointed out that one of the things to consider was whether or not the Development Agreement was consistent with the general plan. He added that the general plan included a statement to include a wide variety of detached single family units for those who wanted to buy single family homes. He noted that there were a couple of lots in Draper that offered single family homes, but not like what was presented. He then addressed the topic of traffic, since he believed most of the residents present at the meeting wanted to talk about that. He believed the completion of 12230 S. would invite more people to come through. He noted that though the residents were concerned about that new traffic, it was not Rasmussen Farms' creation. He added that they would not be upset if the committee voted against the traffic plan because of the concerns of the neighboring residents. He then addressed the road width change. He mentioned that the fire department had reviewed the plans and that they currently comply with fire codes. He then expressed his belief that this is the product that should go on this lot, creating a suitable buffer and transition from the high density residential areas to commercial areas.

Commissioner McDonald asked if there would be sidewalks on both sides of the private roads.

Mr. Atwater answered that there would be a 5 ft sidewalk on one side, on the side of the interior portion of houses.

Commissioner Player asked if there would be sufficient space for on street parking on the 32 ft roads.

Mr. Atwater answered that on street parking had been prohibited by the fire department. He added that a requirement would be to paint the curbs "No Parking". He then stated that there are some guest parking spots on the south side of the property.

Vice Chair Hawker pointed out that there would be three really close right turns right off of a public road.

Mr. Atwater stated that after discussions with the staff, the distances work with the code. He added that because of many factors, 12230 S. cannot be moved. He then stated that the question would be what would become of the property to the north of that road.

Vice Chair Hawker opened the public hearing.

Ms. Jastremsky pointed out that the committee had packets of public comments since the agenda went out.

Vice Chair Hawker read a public comment from Doris Brunatti, stating that she would like the council to deny access to 300 E due to too much traffic.

Jeff Hansen expressed being in favor of the plan. He added that he has seen many bad developments close by, and this seems to be the best plan he had seen. His biggest concern is the traffic.

Chuck Wilkinson expressed that when school is in session, the backup goes past the roundabout on 300 E and people speed down his road to avoid it. He then went on to say that even though the developers may have things planned for their developments, the time will come when they will have a whole new set of problems because of choices other developers have made.

Kelly Scorzato expressed concern with the outdated street and city plan. She brought up how busy 300 E is with every business and residential nearby, and that the proposed road through the property could not sustain the traffic currently in existence. She then pleaded with the city commission and city council to reconsider the issue.

Shannon Falkner she commended the applicant for such a great job at planning the development. Her only concern was 12200 S. couldn't handle the traffic either.

Anthony Scorzato also had a major problem with the traffic. He didn't see what the trend was to go from commercial to high density housing. He believes that lowers the quality of living.

Ranae Wilkinson agreed with everything said by those who came before her in the public hearing. She was concerned with parking, if there isn't room to park all of the needed vehicles, people would park on the neighboring streets, giving more and more problems to traffic.

Susan Nielson appreciated that Mr. Atwater was working hard with the neighbors to try to make this plan work. She then recalled that there was a conflict of interest to take the traffic off 12300 S and put it onto 12200 S., when other planners recommended the opposite. She then recommended to have the southernmost entrance to McDonalds to be closed so that everyone can use one entrance onto 300 E to access McDonalds.

Vice Chair Hawker stated that the committee would like to hear anything other than thoughts on traffic at this point.

Charles Pugh wondered if they could shift the houses so the neighboring houses would get more of the side of the houses. He also recommended to not put the 1 acres lots right up against the high density properties. He stated that he would rather have 4 or 5 houses right up against the lots rather than the 15.

Ted Ferris expressed indifference to the property itself. He stated that if the committee was able to come up with a solution that really helped alleviate the traffic, then he is all for the development.

Vice Chair Hawker closed the public hearing and opened the floor to questions by the Commissioners.

Commissioner Gundersen stated that the connecting road was a minor collector. She added that she thinks that the road in question does need to go there. She then asked where the people would be parking if there was no parking on the street, especially when the residents have visitors.

Mr. Maxfield stated that the minor collector presently can accommodate on-street parking. He added that Draper City Issued that if it becomes a problem, it will be posted as no parking.

Vice Chair Hawker expressed that he and many people would drive many of the mini streets to avoid the major pile-ups. He then expressed that the three turns on the southern part of the land are too close together to make it even more difficult for those who live there to get through if the traffic builds up on that road.

Mr. Maxfield stated that the current access requirement requires 150 ft between each spacing.

Vice Chair Hawker asked if the measurement was center to center on the streets for the spacing requirements.

Mr. Maxfield replied that it is the center of the new street to the edge of the existing street, but center to center on the proposed streets. He stated that the studies would happen at the site plan stage.

Commissioner McDonald asked if the site plan would have many of the details the committee was discussing, to be ironed out.

Ms. Jastremsky explained that what is being seen is part of the development plan. She stated that this is what is being proposed. She then explained that if the proposal was approved, the applicant would then come in and work on the site plan with fully engineered drawings.

Vice Chair Hawker asked that if the committee recommended this to the City Council, and the City Council approved the Site Plan changes, would the Planning Committee have to go through this whole process again.

Ms. Jastremsky stated that would depend on how much would be changed, especially since what is seen is only concept. She added that none of the needed studies were performed, nor was the development fully engineered by an engineer. She stated that if they wanted to increase the number of units or some items were not complying, then the applicant would need to come in to amend the Development Agreement.

Commissioner McDonald asked if the committee would have another pass at seeing the development of this plan, or would that just be the City Council at that point.

Ms. Jastremsky clarified that the committee would see the plan again at the Site Plan Stage.

Commissioner McDonald then asked if they would then make a recommendation on the Site Plan to the City Council.

Ms. Jastremsky stated that if the City Council approved any concept, then the committee would be the voice of approval for the site plan.

Commissioner McDonald asked if Ms. Jastremsky was satisfied that the city had enough staff to make sure that the plan met with the committee's standards before they would see it.

Ms. Jastremsky answered that any Site Plan had to comply with city code before it came before the Planning Committee. She added that sometimes they would have small corrections stated in the conditions of approval.

Vice Chair Hawker asked what was recommended to the council when the Day Dairy people came to request development of small family housing.

Ms. Jastremsky answered that the City Council approved their request, but she didn't remember what the committee recommended. She added that the committee would see the Day Dairy Site Plan in their next meeting.

Vice Chair Hawker asked if that plan was going to be townhomes where there was already going to be commercial.

Ms. Jastremsky stated that there will be townhomes as well as 3 new commercial buildings.

Vice Chair Hawker asked if that was the one that was going to do the shared parking.

Ms. Jastremsky replied yes.

Vice Chair Hawker asked if this current site was zoned Neighborhood Commercial at this time.

Ms. Jastremsky clarified that the Neighborhood Commercial was for the land use, and the zoning was Agricultural.

Vice Chair Hawker asked if anyone wanted to do anything on this land, there would need to be a zone change.

Ms. Jastremsky replied that Vice Chair Hawker's question would only apply to anything other than farming and 5 acre lots.

Vice Chair Hawker affirmed that he understood.

Commissioner McDonald asked if there was another amendment being recommended other than the single family detached.

Ms. Jastremsky directed the committee to the amendments listed in the agenda packet.

Commissioner McDonald asked if these amendments would need to be explicitly mentioned in the motion.

Ms. Jastremsky answered that these conditions were already listed in the staff report.

Vice Chair Hawker asked if there was currently an easement on the property to go to 300 E. He then asked if the purpose of the Developer Agreement is to get some kind of collector road through

the land.

Mr. Maxwell stated that there was currently no easement or public assess. He added that the only way for the city to build a road through there would be to purchase the land, condemn it, or create a Developer Agreement.

Vice Chair Hawker asked that regardless of what happens, there needs to be some kind of communication between the property owner and the city.

Mr. Maxwell stated that the connection between the existing road and the roundabout is on the master plan.

Commissioner Player suggested to put the needed new road in, then plant the rest of the land in Rasmussen Corn.

Mr. Atwater sympathized with the residents about the traffic. He then added that the traffic issue was irrespective of the project. He stated that if anyone else came in and zoned the land with anything other than single family detached, the traffic situation would be drastically worse. He explained that this plan is the lowest traffic yielding product other than agricultural or a weekend use location, such as a church. He added that the traffic problem already exists, and the solutions presented are here to make the problem more palatable. He then explained that the plan was mainly a commitment to lock in the plan of 8 units per acre and to prove to the city their commitment to connect the road that was required of them. He added that all other factors are able to change as needed as the process moves forward. He then addressed the concern of parking, in that the units will have two car garages and driveway, as well as everything south.

Commissioner Gundersen explained that she hates living in a neighborhood that doesn't have street parking but has two car garages.

Mr. Atwater brought up the hypothetical situation of if Day Dairy brought up the condition of no garages and no driveways. He added that this plan is the least impactful.

Commissioner Gundersen pointed out that a neighboring community was really struggling with commercial. She expressed that she doesn't think commercial is viable in this location.

Mr. Atwater countered that if someone came in front of the committee with a commercial plan for this location, the committee could not turn them down because of the General Plan. He brought that up to point out that if his request was denied for a rezone, the committee would know what they would expect in the future from somebody else. He then stated that the proposed product is consistent with the General Plan.

Vice Chair Hawker pointed out that Draper is a place that has many drivers. He asked what will be done if somebody wanted to have a party if there is no street parking and no visitor parking to the north side.

Mr. Atwater answered that the problem addressed would be there whether or not the street sizes were 36 ft instead of the 32 ft. He added that the city standard allows for what is being asked for and the restriction for the street parking comes from the fire department, so he has little control over that. He then explained that the problem described by Vice Chair Hawker was a better

problem than what another one might be. He then added that the direct answer to the problem will be addressed at the Site Plan stage.

**Motion:** Commissioner Gundersen moved to forward a negative recommendation to the City Council regarding the proposal to change the land use designation on the subject property from the Neighborhood Residential to Residential High Density as requested by Justin Atwater, Application TEXTMAP 558-2019, based on the findings listed in the staff report dated May 31, 2019.

**Second:** Commissioner McDonald

Commissioner McDonald stated that he generally likes the product. He added that if they approved this, they wouldn't have any of the tools needed to solve some of the problems talked about. He understands that the product is better than the neighboring high-density products. He added that one of the issues that needs to be resolved in this product is parking.

Commissioner Gundersen agreed.

**Vote:** A roll call was taken. This item was given a negative recommendation with a 3 to 1 vote. Commissioners Gundersen, McDonald, and Van Hoff voted "Aye". Commissioner Player voted "Nay".

**Motion:** Commissioner Gundersen moved to forward a negative recommendation to the City Council regarding the proposal to change the zoning designation on the subject property from A5 to RM2 as requested by Justin Atwater, Application TEXTMAP 557-2019, based on the findings listed in the staff report dated May 31, 2019.

**Second:** Commissioner McDonald

Commissioner Player noted that the state legislature passed legislation that required cities to offer opportunities similar to this product.

Commissioner Gundersen acknowledged that this land will not stay A5, nor will it stay a single detached home or a 1 acre home. She then stated that for this recommendation, she is going with a negative recommendation.

Commissioner McDonald expressed that this is a good product and it is needed. He continued to express concern for the traffic and parking issues that would need to be actively addressed and more carefully considered.

**Vote:** A roll call was taken. This item was given a negative recommendation with a 3 to 1 vote. Commissioners Gundersen, McDonald, and Van Hoff voted "Aye". Commissioner Player voted "Nay".

Ms. Oliver wished to clarify to Commissioner Player's comment that the moderate-income housing component does not require the specific type, but it does require moderate income which is multifaceted and includes 80% AMI. She then added that the price lines of these particular households would not qualify under that.

**Motion:** Commissioner Gundersen moved to forward a negative recommendation to the City Council regarding the proposed Development Agreement as requested by Justin Atwater, Application DA-559-2019, based on the findings listed in the staff report dated May 31, 2019.

**Second:** Commissioner McDonald

**Vote:** A roll call was taken. This item was given a negative recommendation with a 3 to 1 vote. Commissioners Gundersen, McDonald, and Van Hoff voted “Aye”. Commissioner Player voted “Nay”.

#### **11. Public Hearing APA D3 Auditorium Addition Site Plan and APA Draper Plat Amendment Request**

On the request of Tim Evancich, representing Utah Charter Academies, Inc. for a Site Plan and Plat Amendment for the American Preparatory Academy (APA) property located at 431 West 11915 South. Applications SPR-519-2019 and SUBD-518-2019. Staff contact is Jennifer Jastremsky, [jennifer.jastremsky@draper.ut.us](mailto:jennifer.jastremsky@draper.ut.us), 801-576-6328.

Commissioner McDonald noted that Bruce Baird, who has counseled for APA, will be representing them at this meeting. He then disclosed that Mr. Baird is a client of Commissioner McDonald and wished to recuse himself to avoid potential conflict.

Vice Chair Hawker stated that they will allow the recuse and dismissed Commissioner McDonald from the meeting. He then turned the time over to Ms. Jastremsky to discuss the proposal.

Ms. Jastremsky stated that one application is to build a new auditorium on the property, and the other is a plat amendment to combine some of the properties. She added that the proposed plat will not affect the secondary emergency access. She stated that the proposed plat will also include a 26 ft wide access looped road throughout the property, as well as maintaining existing access through the front. She noted that the proposed auditorium would consist of just under 24,000 sq ft with 820 seats. She added that the auditorium would be connected to the High School with a plaza between them. She explained that a parking plan and a parking study has been provided. She noted that there is space designated to accommodate for events. She pointed out that there was a slight change with the parking requirement for the auditorium. She then noted that the proposed numbers are within the required standards. She then pointed out that there is a condition of approval listed in the staff report with recommendations for the applicant to address. She stated that landscaping will be added around the auditorium. She pointed out that the building meets the height requirement.

Vice Chair Hawker asked if the events would be during school hours or after school so they wouldn't interfere with the proposed pickup arrangement.

Ms. Jastremsky explained that one of the conditions is that any out of school event happens outside one of the drop off/pick up times. She added that during school hours, the school will be using the auditorium.

Vice Chair Hawker clarified his question asking if there will be a play or recital where parents would be coming during school hours.

Ms. Jastremsky deferred that question to the applicant.



Vice Chair Hawker pointed out that sometimes there would be multiple drivers to see one child. He then asked if they were addressing that issue of having enough parking spaces.

Ms. Jastremsky pointed out that they do meet the parking standards. She then deferred how they were to handle the different events to the applicant.

Vice Chair Hawker invited Mr. Maxwell to speak about the Lone Peak Parkway.

Mr. Maxwell, mentioned that City Council approved the use of two park lanes in each direction with a center turn lane. He stated that the project would be completed by Summer 2020 at the earliest.

Vice Chair Hawker invited Bruce Baird to speak.

Bruce Baird, Applicant, mentioned that he had a few people from APA and a general contractor with him at the meeting. He addressed Vice Chair Hawker's parking question stating that it would be hard to have 1600 cars when the auditorium would only seat 800 people. He then stated that, to accommodate the off-hour events, they have almost as many parking stalls as there are seats in the auditorium. He then expressed appreciation for the helpful comments of the staff regarding the traffic flow issues. He stated that he was happy the Lone Peak Parkway extensions were taking place, because that would fix all of the traffic control problems on Lone Peak Parkway. He then expressed that he was slightly insulted that Mr. Castleton stated that they manipulated the drone footage. He then expressed having put an 8 ft fence on the northern edge of the property in response to the neighbors' concerns about lights and noises during the late-night events.

Vice Chair Hawker relayed the question of Ray Quinney Nebeker on behalf of Nu skin Enterprises on number 1A, asking about the school enrollment from what the traffic study was compared to what the true school enrollment is.

Mr. Baird stated that the numbers are based off of current enrollment. He feels like with the traffic study, they have been able to get an adequate idea of what the reality is. He also pointed out that Draper 2 are kids that are too young to drive, so the numbers aren't as inadequate as they seem for parking there. He then pointed out that the reason for combining the two lots is purely for emergency access only.

Vice Chair Hawker opened the public hearing. No one spoke. He then closed the public hearing.

**Motion: Commissioner Player moved to approve the Site Plan requested by Tim Evancich, representing Utah Charter Academies, Inc., for the APA D3 Auditorium Addition Site Plan, Application SPR-519-2019, based on the findings and subject to the conditions listed in the staff report dated May 24, 2019.**

**Second: Commissioner Van Hoff**

**Vote: A roll call was taken with Commissioners voting unanimously in favor of the motion. This item passed with a 3 to 0 vote. Commissioners Gundersen, Player, and Van Hoff voted "Aye".**

**Motion: Commissioner Player moved to approve the Plat Amendment requested by Tim**

Evancich, representing Utah Charter Academies, Inc., for the APA Draper Plat Amendment, Application SUBD-518-2019, based on the findings and subject to the conditions listed in the staff report dated May 24, 2019.

**Second:** Commissioner Gundersen

**Vote:** A roll call was taken with Commissioners voting unanimously in favor of the motion. This item passed with a 3 to 0 vote. Commissioners Gundersen, Player, and Van Hoff voted “Aye”.

**12. Adjournment:** Commissioner Player moved to adjourn the meeting. Commissioner Gundersen seconded the motion.

A voice vote was taken with all in favor.