

## **MINUTES OF THE DRAPER CITY PLANNING COMMISSION MEETING HELD ON THURSDAY, JULY 11, 2019 IN THE DRAPER CITY COUNCIL CHAMBERS**

**PRESENT:** Chairperson Andrew Adams, Traci Gunderson, Craig Hawker, Kent Player, John Van Hoff, Mary Squire, Gary Ogden, Lisa Fowler

**ABSENT:**

**STAFF PRESENT:** Jennifer Jastremsky, Dan Boles, Christina Oliver, Mike Barker

**ALSO, PRESENT:** Roll on File

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**Business Meeting: [Meeting does not begin until 1:09:48 on the video]**

Chairperson Adams welcomed everyone in attendance and noted that Agenda Item Four has been continued to the July 25, 2019 Planning Commission Meeting.

### **1. Action Item: Planning Commission Meeting Minutes for June 13, 2019**

Minutes of the Draper City Planning Commission meeting held on Thursday June 13, 2019 in the Draper City Council Chambers.

**Motion: Commissioner Hawker motioned to approve the June 13, 2019 Planning Commission Meeting Minutes.**

**Second: Commissioner Squire**

**Vote: A roll call was taken with the Commissioners voting 5-0 in favor of the motion. Commissioners Gunderson, Player, Hawker, Squire, and Van Hoff voted, "Aye".**

### **2. Public Hearing: 7-Eleven Site Plan**

On the Request of Elliott Smith, representing Terraform Companies, for approval of a site plan for a 7-Eleven convenience store and gas station in the CC (Community Commercial) zone. The property is located at 507 West 12300 South. Staff contact is Dan Boles at 201-576-6335 or [dan.boles@draper.ut.us](mailto:dan.boles@draper.ut.us). **Application SPR-528-2019**

Dan Boles, City Planner, introduced the Item and explained the 7-Eleven Site Plan. He then reviewed the landscape plan, store elevations, and Gas Canopy Elevations. He noted they are not asking for any deviations for the site plans.

Elliott Smith, Applicant, stated he was there to answer any questions they might have.

Chairperson Adams opened the public hearing on the Item. Seeing none Chairperson Adams closed the public hearing.

**Motion:** Commissioner Gundersen motioned to approve the site plan as requested by Elliot Smith representing Terraform Companies application SPR-528-2019 based on the findings and subject to the conditions listed in the Staff Report dated July 2, 2019.

**Second:** Commissioner Van Hoff

**Vote:** A roll call was taken with the Commissioners voting 5-0 in favor of the motion. Commissioners Gunderson, Player, Hawker, Squire, and Van Hoff voted, "Aye".

### **3. Public Hearing: 12682 Office Building Amended Site Plan**

On the request of Ross Holliday for approval of a site plan amendment in order to convert a vehicle repair shop into an office building in the TC (Town Center) zone. The property is located at 12682 South Fort Street. Staff contact is Dan Boles at 201-576-6335 or [dan.boles@draper.ut.us](mailto:dan.boles@draper.ut.us). **Application SPR-595-2019.**

Mr. Boles introduced the Item and reviewed the amended site plan. He noted the plans do not meet all the terms of Draper City municipal code.

Commissioner Hawker pointed out construction has already been done and asked why they are coming in for approval now. Mr. Boles responded that construction has been done and the City asked them to come in and get approval. Commissioner Hawker asked about the state of the paving in the back. Mr. Boles indicated for lack of better terms it is being grandfathered in.

Commissioner Squire asked why they got rid of the front door. Ross Holliday, Applicant, shared several reasons they chose to remove the door including ADA accessibility, structural reasons, sidewalk use and more.

Commissioner Van Hoff asked about the pedestrian access on Fort Street. Mr. Holliday indicated there is a sidewalk there that goes into the parking lot. Commissioner Van Hoff asked why they are not continuing the side walk down Fort Street.

Chairperson Adams asked what plans are with the unpaved portion in the back. Mr. Holliday indicated it would mainly be for storage. Chairperson Adams asked about fencing. Mr. Holliday responded they have a wrought iron fence.

Chairperson Adams opened the public hearing on the Item.

Mark Grower indicated he owned the building next door to the subject site. He pointed out the owners spent lots of money on the project to do it well. He indicated he was bothered that the City kicked them out and called it dangerous.

Mark Holliday stated he had concerns about the project. He explained that the business did not align with City plans to have only business that target the neighborhood and Draper residence located in the area. He expressed concern that they do not fully understand what kind of business they will be running in the space.

Taylor Keys stated he works in real-estate and plans to sublet space in the building from the owners. He then expressed his support for the building.

Maryann Holladay stated it is important for the public and the Commission to know what will be done in the building. She then asked for a prohibition of storage of construction materials on the 20property. She then asked that public access on the front of the building should be restored to meet code requirements.

Chairperson Adams closed the public hearing.

Brien Maxfield explained some of the requirements for the downtown district area. He noted the plans for 90-degree parking off the street closely followed the City's plans.

Chairperson Adams asked why Staff is not asking for the sidewalk to be continued. Mr. Maxfield explained they felt it might be an unreasonable burden. Discussion was made on the sidewalk and Mr. Maxfield further explained why it would be unreasonable to ask for the sidewalk to be extended including potential drainage and slope issues. He noted that requiring all frontage improvements would not be possible unless they cut into the building.

Chairperson Adams commented that it may still be a missed opportunity if they do not ask for sidewalk to be put in at this time.

Mr. Maxfield stated if it was a new development they would ask for side walk, but they are working around an existing building. He noted that the Town Center Ordinance encourages the reuse of existing buildings. Chairperson Adams pointed out that the building to the North was also repurposed and it had sidewalk. Dan Boles reiterated that with new construction they would include the frontage requirements but did not feel it was reasonable while working with this existing structure.

Commissioner Van Hoff pointed out that if this is a town center it needs to be pedestrian friendly. He asked when sidewalk might go in and who would pay for it. Mr. Maxfield stated if the City does it they will use a continuous design. He clarified that if any existing sidewalk does not match the City's continuous design they have to pay to tear it out before reconstructing it.

Chairperson Adams remarked that the parking in the front was an issue when there was room to put it in the back. He then asked if they would meet minimum parking requirements if the parking directly off the street was removed. Jennifer Jastremsky replied that the town center does not allow on street parking to count toward a site's parking requirements and the property complies with the parking standards.

Chairperson Adams reiterated his desire to have sidewalk on the site. Mr. Maxfield indicated that part of the issue is that they do not have a design for Fort street, so they do not know exactly where they will want the sidewalk in the future. Chairperson Adams indicated they need a plan for Fort street.

Commissioner Squire asked if they normally would have required curb and gutter on this type of project. Mr. Maxfield replied that they try to get all the frontage requirements if they do not exist. Commissioner Gundersen asked if there was a type of bond that the applicant could participate in if a sidewalk was ever put in. Mike Barker, City Attorney, responded they need something in their code to allow them to do that.

Ms. Jastremsky commented that the town center strongly encourages the renovation of historic structures. She noted that because of that the Planning Commission has the ability to approve a site plan that does not comply with all the standards with the understanding that there are site constraints.

Chairperson Adams asked if the back lot gets to remain the way it is. Mr. Maxfield responded that it is grandfathered in.

**Motion: Commissioner Player motioned to approve the site plan amendment as requested by Ross Holliday, application SPR-595-2019, based on the findings and subject to the conditions listed in the Staff Report dated July 2, 2019.**

**Second: Commissioner Squire**

**Vote: A roll call was taken with the Commissioners voting 3-2 in favor of the motion. Commissioners Gundersen, Player, Squire voted, “Aye” and Commissioners Hawker and Van Hoff voted, “Nay”.**

**4. Public Hearing: Marion Vista – Zoning Map and Text Amendment Requests. This item has been continued to the July 25, 2019 Planning Commission meeting.**

This application is a request for approval of a text amendment and zoning map amendment for approximately 6.5 acres located at approximately 14875 S. Minuteman Drive. The property is currently zoned A5 (Agricultural, 5 acre lot minimums). The applicant is requesting to rezone the property to a newly created mixed use zoning district called Freeway Major Arterial Frontage Road (MARF). The proposed MARF zone will be located in Chapter 9-11 (Commercial Uses) in the Draper City Municipal Code (DCMC). Staff contact is Maryann Pickering at 801-576-6391 or [maryann.pickering@draper.ut.us](mailto:maryann.pickering@draper.ut.us). **Application TEXTMAP-670-2019 and TEXTMAP-671-2019.**

**5. Adjournment: Commissioner Player moved to adjourn the meeting. A voice vote was taken with all in favor. The meeting adjourned.**