

Development Review Committee

1020 East Pioneer Road Draper, Utah 84020

STAFF REPORT

November 28, 2023

| To: | | Jennifer Jastremsky, Zoning Administrator | | | |
|------|---|---|--|---------|--|
| | | | | 12/4/23 | |
| | | Approv | ed | Date | |
| From | 1: | Develo | oment Review Committee | | |
| Prep | ared By: | Plannin Commu | n Pickering, AICP, Planner III g Division Inity Development Department 76-6391 or <u>maryann.pickering@draperutah.gov</u> | | |
| Re: | <u>The Ging</u> Applicatio Applicant: | n No: | <u>Cottage — Site Plan Amendment</u> SPR-051-2023 Summer Pugh, property owner | | |

| , application reo. | 51 1 05 1 2025 |
|--------------------|--|
| Applicant: | Summer Pugh, property owner |
| Project Location: | Approximately 12210 S. 700 East |
| Current Zoning: | OR (Office Residential) |
| Acreage: | Approximately 0.15 acres (approximately 6,534 square feet) |
| Request: | Remodel an existing residence into a commercial business. |
| | |

SUMMARY AND BACKGROUND

This application is a request for approval of an amended site plan for approximately 0.15 acres located on the southwest corner of 700 East and 12200 South, at approximately 12210 S. 700 East (Exhibits B and C). The property is currently zoned OR. The applicant is requesting that the amended site plan be approved to permit conversion of the existing residence into a commercial business and permit operation of a convenience store from the property.



The property is not located in a platted subdivision and was built in 1962. There was a residential remodel in 2005. This application would permit upgrading the building and property for use as a convenience store.

| ANALIJIJ | | | |
|-------------------|--|-----------|--|
| Table 1 | General Plan and Zoning Designations | Exhibit | |
| Existing Land Use | Office/Service | Exhibit D | |
| Current Zoning | OR | Exhibit E | |
| Proposed Use | Commercial | | |
| Adjacent Zoning | | | |
| East | CN (Neighborhood Commercial) across 700 East | | |
| West | OR | | |
| North | CN (Neighborhood Commercial) across 12200 South | | |
| South | RA1 (Residential Agricultural, 40,000 square foot minimum) | | |

<u>ANALYSIS</u>

The Office/Service land use designation is characterized as follows:

Office/Service

| LAND USE DESCRIPTIO | N |
|---------------------|---|
| CHARACTERISTICS | Includes a variety of office and service uses that range from residential scale and character to major offices that have multiple stories and underground parking, which generate moderate traffic volumes Development and landscaping standards vary, depending upon the location of the use, and underlying zoning regulations For minor offices strict development and landscaping requirements will protect adjacent residential uses For major offices and services, arterial access is desirable and should be located around the central business district, other major commercial cores, or freeway interchanges and away from residential areas |
| LAND USE MIX | Small-scale commercialPlanned retailOffice buildings |
| DENSITY | • Up to 12 dwelling units per acre for residential |
| COMPATIBLE ZONING | Professional Office (CO2) Professional Office (CO1) Office Residential (OR) |
| LOCATION | Near retail centers, offices, or other compatible uses |



According to DCMC Section 9-11-080 the purpose of the OR zone is *"a district composed of certain land and structures used primarily to provide administrative, clerical, and professional offices, of a residential scale and character, to serve nearby residential and commercial areas, as well as the city as a whole. These uses are characterized by low volume, direct daily customer contact. This district also provides for accessory mediumhigh density residential (0 to 12 du/ac). This district is designed to be a transitional zone, and should be used to buffer low density residential uses from more intense land uses, districts, and heavily traveled transportation routes. The property development standards, while strict in order to protect adjacent low density residential uses, are designed to be flexible enough to allow experimentation in office and housing design, and to allow housing constructed within this district to incorporate its own protection from more intense intense adjacent uses."*

Site Plan Layout. The proposed site plan (Exhibit F) shows the location of the existing residence on the site and the associated site improvements. The applicant intends to add parking, additional landscaping and accessibility access into the commercial business. There are no proposed changes to the exterior of the existing building, except adding the accessibility access. Parking is proposed to be added to the site to comply with ordinance requirements pertaining to the change to a commercial use. The applicant will be required to record a cross access easement with the property to the west per Section 9-25-080(E) of the DCMC. A condition of approval for the cross access has been provided.

| Table 2 | Site Plan Design Requi | Site Plan Design Requirements | | |
|----------|--------------------------|----------------------------------|--------------------------------|--|
| Standard | DCMC Requirements | Proposal | Notes | |
| Setbacks | | | | |
| Front | None | Approximately 25 feet (existing) | Must comply with Chapter 23 | |
| Rear | n/a | Approximately 7 feet (existing) | | |
| Sides | n/a | Approximately 45 feet (existing) | | |

Landscaping and Lot Coverage. As the site has historically been a residential property, it will need to be brought into conformance with commercial landscaping standards (Exhibit G). This application was submitted prior to the recent major updates to the adoption of the landscape standards and it subject to those prior regulations.

| Table 3 | Landscaping Design Requirements | | | |
|---------------------------------|---------------------------------|----------------|-------|--|
| Standard | DCMC Requirements | Proposal | Notes | |
| Lot Coverage | n/a | 12% (existing) | | |
| Overall Landscaping Coverage | 20% | 52% | | |



| Parking Lot Landscaping | 7% | 13% | |
|----------------------------|--|--------|---|
| Perimeter Landscaping | 10 feet, can be reduced to 5 feet adjacent to parking. | 5 feet | |
| Buffer Landscaping | 20 feet plus 6 foot fence | n/a | No landscape buffer is required adjacent to a property in the same zoning district. |

<u>Parking</u>. Because this site was developed as a residential use and property, the applicant will need to provide parking for the proposed commercial business (Exhibit F). The applicant has indicated that the basement level of the building will only be used for storage and therefore that square footage has been calculated at a lower ratio. The upper or main level is considered a convenience store and the parking has been calculated at that ratio. The applicant is required to provide four parking stalls, and four stalls, including one accessible stall, have been provided.

| Table 4 | Parking Lot Design Requirements | | | |
|----------------------|---------------------------------|--|-------|--|
| Standard | DCMC Requirements | Proposal | Notes | |
| Parking Required | | | | |
| Storage | ½ per 1,000 square feet | 796 square feet or 0.398 stalls | | |
| Convenience Store | 4 per 1,000 square feet | 796 square feet or 3.184 stalls | | |
| Total | | 3.582 stalls or 4 parking stalls total | | |

<u>Architecture</u>. There are no changes proposed to the exterior of the home. The applicant intends to build a deck and an accessible ramp. The deck and ramp comply with all applicable setbacks and there are no design standards for those features.

Lighting. The applicant has provided a lighting plan for the proposed remodel (Exhibit H). All lights will be located on the exterior of the building. No light poles are proposed as part of the project.

<u>*Criteria for Approval*</u>. The criteria for review and potential approval of a site plan amendment request is found in Sections 9-5-060(E) and (H) of the Draper City Municipal Code. This section depicts the standard of review for such requests as:



- *E.* Standards For Approval: The following standards shall apply to the approval of a site plan:
 - *1. The entire site shall be developed at one time unless a phased development plan is approved.*
 - 2. A site plan shall conform to applicable standards set forth in this title, including but not limited to, building heights, setbacks, access points, parking, landscaping, and building materials.
 - *3.* The proposed development plans meet the intent, goals, and objectives of the general plan and the purpose of the zone district in which the site is located.
 - *4. The public facilities and services in the area are adequate to support the subject development, as required by engineering standards and specifications.*
 - 5. The proposed development plans comply with the engineering standards found in Titles 7, 8, 11, 12, 16, and 18 of this code, including traffic, storm water drainage, and utilities concerns.
- *H.* Amendments: Except as may be provided for in this section, no element of an approved site plan shall be changed or modified without first obtaining approval of an amended site plan as follows:
 - 1. Alteration or expansion of an approved site plan may be permitted by the Zoning Administrator upon making the following findings:
 - *a.* The proposed use is consistent with uses permitted on the site;
 - b. Existing uses were permitted when the site plan was approved, or have received a conditional use permit;
 - *c.* The proposed use and site will conform to applicable requirements of this Code;
 - *d.* The proposed expansion meets the approval standards of subsection *E* of this section;
 - *e.* The site can accommodate any change in the number of people on the site or any change in impact on surrounding infrastructure; and
 - 2. If the Zoning Administrator cannot make the findings required in this subsection H, the amended site plan may only be approved by the Planning Commission. The Planning Commission may only approve an amended site plan after a public hearing that complies with all requirements of this code, including section 9-5-045.
 - *3. If the Zoning Administrator can make all findings required in this subsection H the Zoning Administrator may approve the proposed amendment without a public hearing and without notice.*
 - *4. Properties that do not conform to the standards found within this code may be required to come into compliance, subject to the standards in 9-6-040, 9-6-050, 9-6-060, and 9-6-070 of this title.*



REVIEWS

Planning Division Review. The Draper City Planning Division has completed their review of the site plan amendment submission. Comments from this division, if any, can be found in Exhibit A.

Engineering and Public Works Divisions Review. The Draper City Engineering and Public Works Divisions have completed their review of the site plan amendment submission. Comments from this division, if any, can be found in Exhibit A.

Building Division Review. The Draper City Building Division has completed their review of the site plan amendment submission. Comments from this division, if any, can be found in Exhibit A.

<u>Fire Division Review</u>. The Draper City Fire Marshal has completed his review of the site plan amendment submission. Comments from this division, if any, can be found in Exhibit A.

Legal Division Review. The Draper City Attorney has completed his review of the site plan amendment submission. Comments from this division, if any, can be found in Exhibit A.

Noticing. Notice has been properly issued in the manner outlined in the City and State Codes.

STAFF RECOMMENDATION

Staff finds that the application complies with the DCMC and recommends that the Zoning Administrator review the request and approve the application based on the findings listed below and the criteria for approval, as listed within the staff report.

If the Zoning Administrator approve the request, staff recommends they include the following conditions of approval:

- 1. That all requirements of the Draper City Engineering, Public Works, Building, Planning, and Fire Divisions are satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
- 2. The basement area shall be limited to storage only and there shall be no public access to the basement.
- 3. A cross access agreement that complies with Section 9-25-080(E) shall be recorded prior to issuance of a Certificate of Occupancy.

The findings for approval as are follows:

1. The proposed development plans meet the intent, goals, and objectives of the Draper City General Plan.



- 2. The proposed development plans meet the requirements and provisions of the Draper City Municipal Code.
- 3. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
- 4. The proposed development conforms to the general aesthetic and physical development of the area.
- 5. The public services in the area are adequate to support the subject development.

The findings for denial as are follows:

- 1. The proposed development plans do not meet the intent, goals, and objectives of the Draper City General Plan.
- 2. The proposed development plans do not meet the requirements and provisions of the Draper City Municipal Code.
- 3. The proposed development plans will be deleterious to the health, safety, and general welfare of the general public and the residents of adjacent properties.
- 4. The proposed development does not conform to the general aesthetic and physical development of the area.
- 5. The public services in the area are not adequate to support the subject development.
- 6. Reasonable mitigation measures cannot be placed on the conditional use to alleviate anticipated detrimental effects, including traffic and parking.



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 Public Works Department

Draper City Planning Division

Draper City Fire Department

Draper City Legal Counsel

Draper City Building Division



EXHIBIT A DEPARTMENT REVIEWS

REVIEWS ARE NOT MEANT TO BE AN ALL INCLUSIVE LIST OF POSSIBLE COMMENTS OR CONDITIONS.

Planning Division Review.

1. A cross access agreement is required for this property and the property to the west.

Building Division Review.

1. No additional comments provided.

Engineering and Public Works Divisions Review.

- Stormwater Maintenance Plan and Agreement are now required for every private storm drainage system, per DCMC 16-2-170. Submission of the maintenance plan is now required prior to site approval. The maintenance agreement is a condition of approval; it is required to be recorded and returned to the city prior to issuance of the Land Disturbance Permit for construction of the site. No storm drainage structures are proposed. Retention to be provided by landscaped basin. Landscaping maintenance is adequate maintenance and inspection for retention basin. No plan or agreement required, unless structures are added to design, such as underground storage.
- 2. Retaining walls are to comply with DCMC 9-27-085. Retaining walls are not reviewed or approved with this review and approval process. Retaining walls are not shown onsite, however, elevation differences between parcels may necessitate walls.
- 3. Once site plan has been approved, a Land Disturbance Permit is required prior to construction activities onsite. Permit is obtained through the Engineering Division and is required prior to Building Permit issuance.
- 4. Any work in the public right-of-way will require an Encroachment Permit obtained through the Engineering Division.
- 5. Dimension utility cuts per Draper City Standard Detail ST-19 and ST-21. Site plan does not indicate any cuts are required. No action is required if no street cuts are planned.

Fire Division Review.

- 1. The Fire Department is going to require limited storage in the basement and there be no public access to basement. Unless there is an exit added from the basement to the exterior directly, or the building is fire sprinklered and alarmed.
- 2. 2A-10BC Fire Extinguishers required. The extinguisher needs to be a serviceable type meaning metal head and metal neck. Extinguishers need to be located in a conspicuous location where they will be readily accessible and immediately available for use. Placed every 75 feet of travel. If in cabinet or not the extinguisher

or cabinet needs to be mounted so that the top is not more than 5 feet above the floor.

- 3. Knox Boxes Required. Fire Department "Knox Brand" lock box to be mounted to exterior walls, near the main entrance and/or nearest the door serving the exterior access to the fire sprinkler riser room, at a height of 5 feet to the top of the box. Lock box purchase can be arranged by the General Contractor.
- 4. Visible Addressing Required. New and existing buildings shall have approved address numbers plainly legible and visible from the street fronting the property. These numbers shall contrast with their background. The current building does not have a clear visible address that can be seen from the road. This will need to be fixed.

Legal Division Review.

1. No additional comments provided.

EXHIBIT B VICINITY MAP

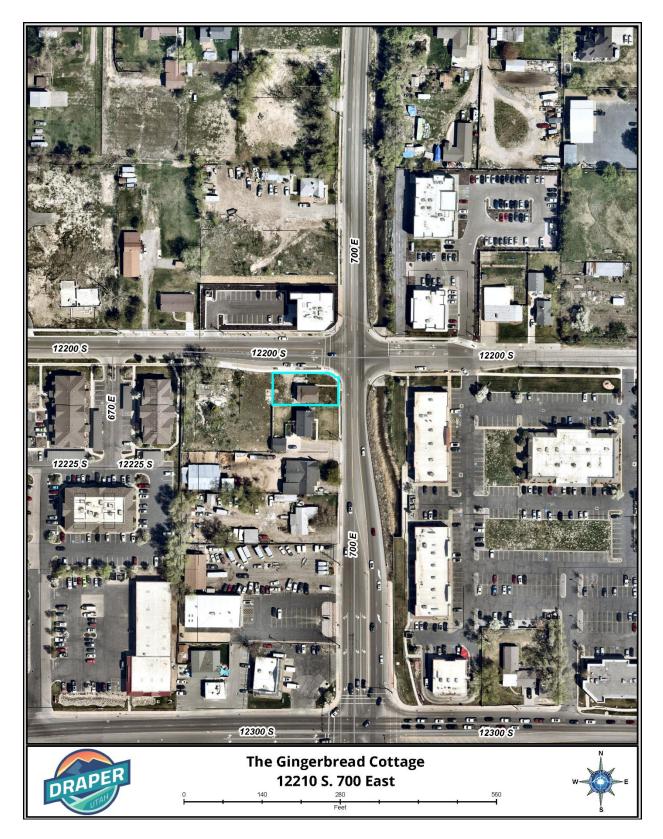


EXHIBIT C AERIAL MAP

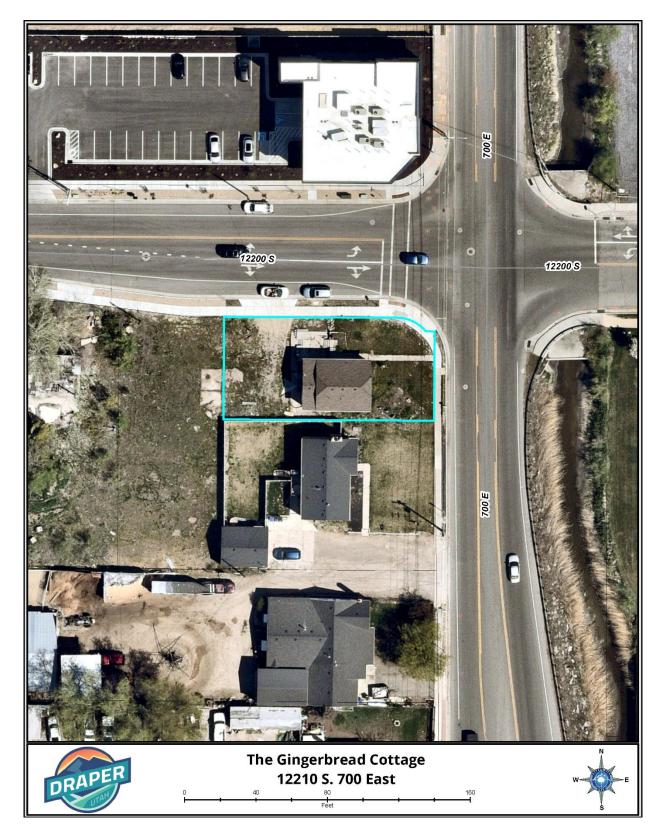


EXHIBIT D LAND USE MAP

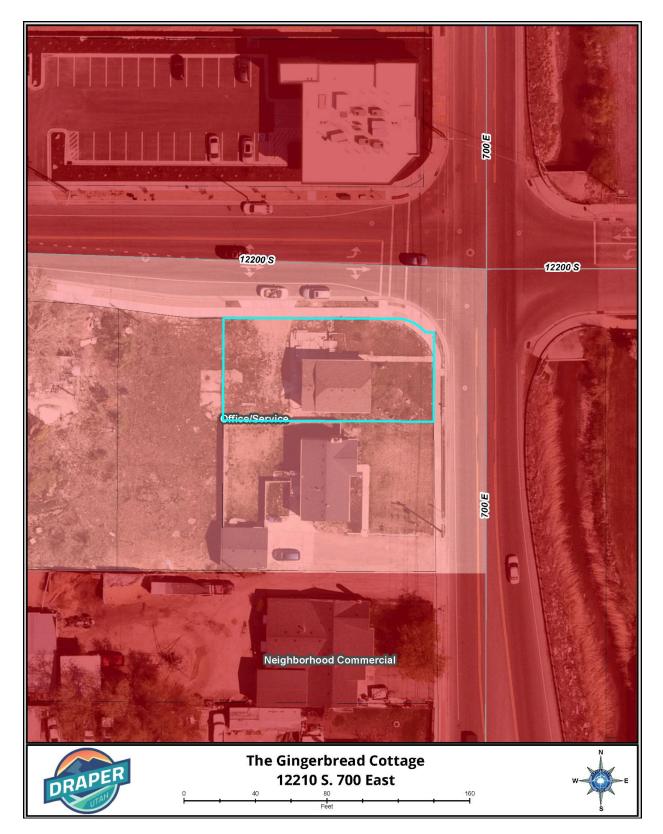


EXHIBIT E ZONING MAP

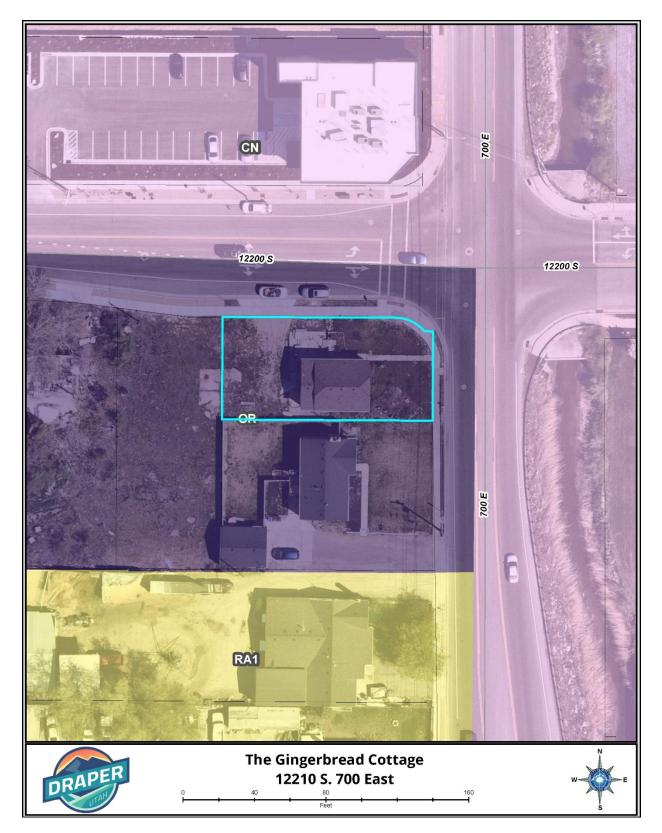
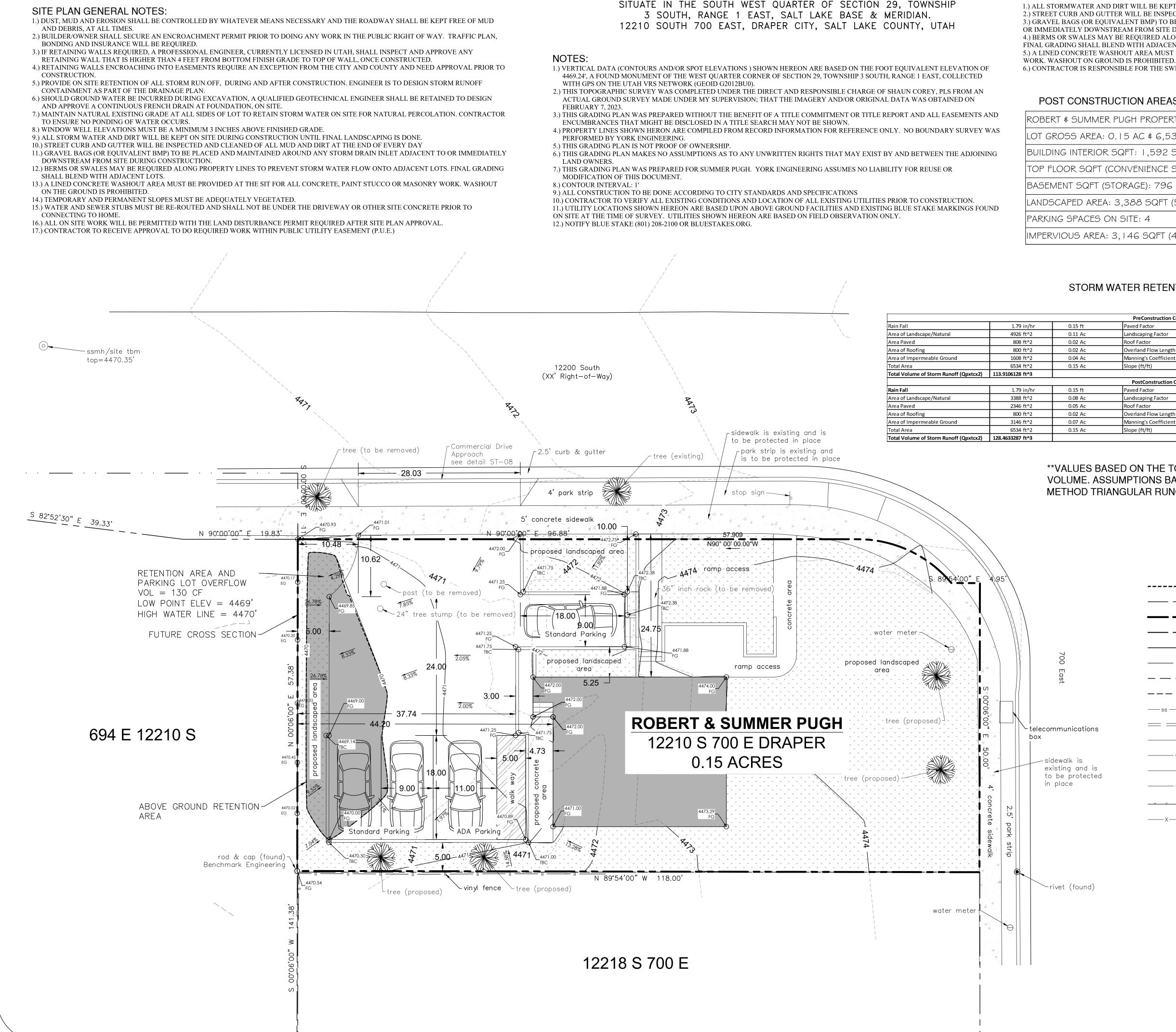


EXHIBIT F SITE PLAN



GRADING & DRAINAGE PLAN SITUATE IN THE SOUTH WEST QUARTER OF SECTION 29, TOWNSHIP

SWPPP NOTES:

| ROBERT & SUMMER PUGH PROPERTY |
|---|
| LOT GROSS AREA: 0.15 AC \$ 6,534 SQFT |
| BUILDING INTERIOR SQFT: 1,592 SQFT |
| TOP FLOOR SQFT (CONVENIENCE STORE): 796 SQI |
| BASEMENT SQFT (STORAGE): 796 SQFT |
| LANDSCAPED AREA: 3,388 SQFT (51.9%) |
| PARKING SPACES ON SITE: 4 |
| IMPERVIOUS AREA: 3,146 SQFT (48.1%) |

1.) ALL STORMWATER AND DIRT WILL BE KEPT ON SITE DURING CONSTRUCTION UNTIL FINAL LANDSCAPING IS DONE. 2.) STREET CURB AND GUTTER WILL BE INSPECTED AND CLEANED OF ALL MUD AND DIRT AT THE END OF EVERY DAY. 3.) GRAVEL BAGS (OR EQUIVALENT BMP) TO BE PLACED AND MAINTAINED AROUND ANY STORM DRAIN INLET ADJACENT TO OR IMMEDIATELY DOWNSTREAM FROM SITE DURING CONSTRUCTION.

4.) BERMS OR SWALES MAY BE REQUIRED ALONG PROPERTY LINES TO PREVENT STORM WATER FLOW ONTO ADJACENT LOTS. FINAL GRADING SHALL BLEND WITH ADJACENT LOTS. 5.) A LINED CONCRETE WASHOUT AREA MUST BE PROVIDED AT THE SITE FOR ALL CONCRETE, PAINT, STUCCO, OR MASONRY

6.) CONTRACTOR IS RESPONSIBLE FOR THE SWPPP AND EROSION CONTROL DURING CONSTRUCTION.

POST CONSTRUCTION AREAS & VALUES

96 SQFT

TOP FLOOR = 796 SQFT @ $\frac{4}{1000}$ (CONVENIENCE STORE) = 3.184

BOTTOM FLOOR = 796 SQFT @ 0.5/1000 (STORAGE) = 0.398

3.184+0.398 = 3.582 OR 4 PARKING STALLS NEEDED

STORM WATER RETENTION CALCULATIONS

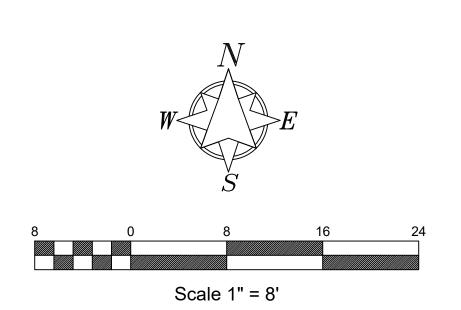
| PreConstruction Conditions | | | | |
|-----------------------------|-------------|---|----------------------|--|
| Paved Factor | 0.89 | Drainage Area | 0.15 Acres | |
| Landscaping Factor | 0.44 | Existing Composite "C" Value | 0.544630435 | |
| Roof Factor | 0.84 | Peak Flow Rate (Qp) | 0.146233272 ft^3/sec | |
| Overland Flow Length (ft) | 131.21 | Time of Concentration (Kinematic Wave EQ) | 389.4825423 sec | |
| Manning's Coefficient | 0.043813754 | Duration (Time of Concentration OR tc) | 389.4825423 sec | |
| Slope (ft/ft) | 0.023397607 | Volume to Peak Flow | 56.95530642 ft^3 | |
| Volume 113.9106128 ft^3 | | | | |
| PostConstruction Conditions | | | | |
| Paved Factor | 0.89 | Drainage Area | 0.15 Acres | |
| Landscaping Factor | 0.44 | Proposed Composite "C" Value | 0.650542372 | |
| Roof Factor | 0.84 | Peak Flow Rate (Qp) | 0.174670627 ft^3/sec | |
| Overland Flow Length (ft) | 131.21 | Time of Concentration (Kinematic Wave EQ) | 367.7301987 sec | |
| Manning's Coefficient | 0.039811875 | Duration (Time of Concentration) | 367.7301987 sec | |
| Slope (ft/ft) | 0.023397607 | Volume to Peak Flow | 64.23166437 ft^3 | |
| | | Volume | 128.4633287 ft^3 | |

Volume of Retention Area

**VALUES BASED ON THE TOTAL AREA OF THE LOT VOLUME. ASSUMPTIONS BASED ON THE RATIONAL METHOD TRIANGULAR RUNOFF HYDROGRAPH

LEGEND

| | Survey Limits |
|----------------|------------------------------|
| | Adjacent Lot Line |
| | Property Line |
| | Subdivision Boundary |
| | Right of Way |
| | Centerline Road |
| | Easement Line |
| ——— 4474 —— | Existing Contour |
| ssss | Sanitary Sewer and Manhole |
| $==\bigcirc==$ | Storm Line and Manhole |
| W | Waterline |
| uge | Underground Electric Line |
| fo | Underground Fiber Optic Line |
| gas | Underground Gas Line |
| | Asphalt |
| | |



KELBY MAX YORK No. 7229413 s A _ • _





| DESIGNED BY: NA |
|-----------------------|
| DRAWN BY: KTC |
| CHECKED BY: KMY |
| SCALE: 1" = 8' |
| DATE: 10/30/2023 |
| PROJECT NUMBER: NA |
| SHEET 1 OF 3 |

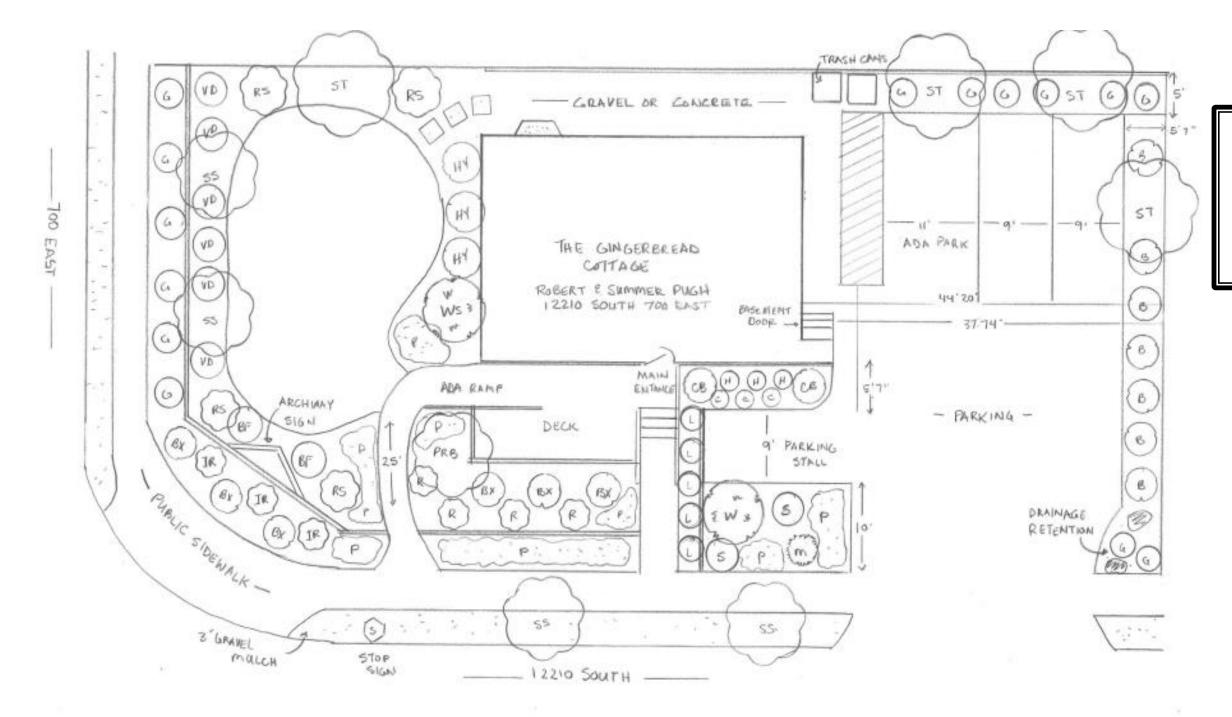
- \odot Rod Found
- Telephone Manhole

130 ft^3

- ☑ Telephone Box
- Fire Hydrant
- \otimes Water Valve
- \ominus Water Meter
- Electric Pedestal \bigcirc
- Monument
- Fiber Optic Marker Ð
- 4 Electric Transformer
- Light Pole -0-
- \ominus Irrigation Control Valve
- Rivet in Curb Found
- ✓ Utility Pole

⊸ Sign

EXHIBIT G LANDSCAPE PLAN



| PLANT KEY | | | |
|-----------|---|-----|--------|
| KEY | ТҮРЕ | QTY | SIZE |
| TREES | | | |
| RB | Purple Redbud | 1 | 20 gal |
| JM | Japanese Ribbonleaf Maple | 1 | 10 gal |
| ST | Shade Tree of choice (Honeylocust, Maple, Linden, Zelkova, etc.) | 4 | 20 gal |
| WS | Weeping White Spruce | 1 | 4-5' |

| BF | Dwf. Butterfly Bush | 2 | 5 gal |
|----|-------------------------------------|----|--------|
| BX | Boxwood | 6 | 5 gal |
| CB | Columnar Boxwood or Hicks Yew | 2 | 5 gal |
| G | Ornamental Grass | 6 | 5 gal |
| HY | Hydrangea, Lime light or Quick Fire | 3 | 5 gal |
| IR | Icecap Roses | 3 | 5 gal |
| Ρ | Perennials, asst. | 40 | 1 gal. |
| R | Knockout Roses | 6 | 5 gal |

LANDSCAPE DESIGN FOR

Summer Pugh

The Gingerbread Cottage

12210 South 700 East



EXHIBIT H LIGHTING PLAN

