



Development Review Committee
1020 East Pioneer Road
Draper, UT 84020

STAFF REPORT
October 4, 2019

To: Jennifer Jastremsky, Zoning Administrator


Approved

10/12/19
Date

From: Development Review Committee

Prepared By: Dan Boles, AICP
Planning Division
Community Development Department
801-576-6335, dan.boles@draper.ut.us

Re: Piper & Scoot – Site Plan Amendment Request

Application No.: SPR-564-2019
Applicant: Nate Middleton, representing Piper & Scoot
Project Location: 892 East 12300 South & 12320 South 900 East
Current Zoning: TC (Town Center) Zone
Acreage: 0.64 Acres (Approximately 27,878 ft²)
Request: Request for approval of a site plan amendment in the TC (Town Center) zone to allow additional parking to the existing facilities and make changes to the elevations on the retail building.

SUMMARY & BACKGROUND

This application is a request for approval of a site plan amendment for approximately 0.64 acres located on the south side of 12300 South at 892 East. The site extends to 900 East at 12320 South. The property is currently zoned TC (Town Center). The applicant is requesting that a site plan amendment be approved to allow for the development of a portion of the site as additional parking for the Piper & Scoot business and the existing four unit apartment building. They are also proposing a modification to the building elevations.

There are currently three buildings on the site which consists of two parcels. The Piper & Scoot (Piper) building fronts 12300 South, and according to the County Assessors records, was constructed in 1946. On the second parcel that fronts 900 East are three buildings, an apartment building, a small retail building, and a single family home. The apartment building has four units and was constructed in 1973. The retail building, which houses Brownies Lock & Security, was constructed in 1947. Finally, the home, which is the only single family home in the immediate vicinity, was constructed in 1938.



ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Neighborhood Commercial land use designation for the subject properties. This category “*permits commercial land uses that target local residents and neighborhoods. Planned retail and office are encouraged.*”

The property has been assigned the TC zoning classification, which allows retail as a permitted use. The purpose of the TC zone is to “*provide a method for implementing special provisions found within the general plan and the Draper City conservation area master plan regarding the establishment and promotion of a historic core area of the community characterized by stringent design standards for buildings, public spaces, site design and landscaping with a harmonious mix of commercial uses, limited high density residential uses and civic areas.*” The property is abutted by the CN (Neighborhood Commercial) zoning on the west and TC zoning on all other sides.

Town Center Ordinance. Property located in the TC zone are regulated by Section 9-11-090 of the Draper City Municipal Code (DCMC). One of the goals of the TC zone is to “*support primarily the preservation and adaptive reuse of existing structures, including historic buildings...*” The DCMC goes on to set forth guidelines for new and existing buildings and sites. DCMC Section 9-11-090(E)(2) goes on to strongly encourage the reuse of existing buildings “*through renovation, structural conversion, and/or physical upgrading to accomplish the goals and objectives of their development project.*”

Amendments. The applicant has submitted a site plan and elevations depicting the proposed changes. The changes are as follows:

Parking lot. The property owner is proposing to remove the existing house to make way for additional parking for Piper & Scoot and the apartment building. The Piper building has traditionally had parking in the front of the building. The applicant has stated that due to the popularity of the current retail use, they get frequent complaints about the parking situation, particularly the difficulty with leaving the site onto 12300 South. This is what led to the decision to purchase the parcel directly south of the Piper building to allow for some additional parking. A “*Driveway easement and Shared Parking Agreement*” has been prepared and is ready to be recorded once the site plan amendment is approved. A condition so stating can be found at the end of this report.

The site includes the two parcels as one site. At 3,513 sq ft, the retail requires nine parking stalls and may go up to eleven (based on 25% deviation). The apartment use requires 2.25 stalls per unit. With four units, this requires a total of nine stalls. There are currently eight covered stalls for the apartment building. If Brownie’s was factored in, an additional three stalls would be allowed on site. Traditionally Brownie’s has obtained parking on the street, which we anticipate will continue, therefore, Brownie’s is not figured into the parking analysis. Whether or not Brownies is included, they are still in the required parking parameters. In total, the applicant is proposing twelve new parking stalls.

The parking has been designed with landscaping to meet the requirements of the Town Center code. It is screened using a series of Carl Forester Grasses, Japanese Pagoda trees and Junipers. Obviously, a passerby will still see the parking lot but they are attempting to screen to the greatest extent possible. The ground cover will be sod which will blend into the apartment building landscaping on the south portion of the site. The landscaping around the apartment building and Brownie’s will not change. Overall, the site will contain 32.5% landscaping.

Elevations. The applicant is proposing a change to the existing Piper building. Traditionally, the building has consisted of primarily EIFS on the front and sides of the building with a brick rear

elevation. The front elevation has traditionally had a series of windows along the upper portion of the building. The applicant is proposing a change that would extend those windows to the ground. Though the numbers don't quite comply with the requirement for 50% of the building façade in the Town Center to be windows, it brings it closer to compliance than it has been. The windows along the front will be approximately 47%. No changes to the materials or design are proposed for the sides or rear elevations. They are painting the building (with the exception of the rear elevation) black and white from the dull tan colors previously associated with the building.

Section 9-6-070(A) requires a non-conforming site to be brought into compliance upon either the floor area increasing by more than 30% or 50% of the value of the building or premises. There will be no addition to any of the buildings and at an assessed value of 1.24 million dollars, the proposed changes will not come close to meeting the 50% value of the property. The site will not be required to bring the site into compliance.

Criteria for Approval. The criteria for review and potential approval of a site plan amendment request is found in Sections 9-5-090(H) of the Draper City Municipal Code. This section depicts the standard of review for such requests as:

- H. Amendments: Except as may be provided for elsewhere in this title, 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 architecture of the proposed alteration or expansion, and landscaping, site design and parking layout are compatible with facilities existing on the site;
 - f. The site can accommodate any change in the number of employees on the site or any change in impact on surrounding infrastructure; and
 - g. The proposed site alteration does not negatively impact neighboring property owners.
 2. If the Zoning Administrator cannot make the findings required in this subsection H:
 - a. A conditional use permit or amended site plan, as the case may be, shall be approved by the Planning Commission before any alteration or expansion occurs; and
 - b. Notice of proposed alteration or expansion should be given as provided in section [9-5-045](#) of this chapter.
 3. If the Zoning Administrator can make all findings required in this subsection H, no noticing shall be necessary and the Zoning Administrator may approve the proposed amendment without a public hearing.

4. Except as may be provided elsewhere in this title, when a site plan is amended, the site shall be brought into compliance with current provisions of this title in the following areas:
 - a. Landscaping;
 - b. Storage;
 - c. Off street parking;
 - d. Lighting;
 - e. Pedestrian and vehicular access;
 - f. Off street loading and unloading;
 - g. Setbacks and building heights;
 - h. On site surface water drainage;
 - i. Off-site curb, gutter and sidewalk;
 - j. Piping of irrigation ditches; and
 - k. Sign requirements.

Section 9-11-090(E) which governs development in the Town Center further clarifies:

E. Redevelopment Provisions:

1. Nonconforming Uses: Uses existing at the time of adoption and application of the TC Zone which do not conform to the permitted and conditional uses allowed within the zone shall be allowed to continue without penalty, including the allowance of permits for the expansion of said use until the time when that use changes in accordance with [chapter 6](#) of this title. Upon the change of any nonconforming use, the new use and the property on which it is located shall be required to fully conform to the provisions of this section, subject to the provisions of subsection E2 of this section.
2. Reuse of Buildings: In an effort to maintain and enhance the feel of the Town Center area, development is strongly encouraged to utilize existing buildings through renovation, structural conversion, and/or physical upgrading to accomplish the goals and objectives of their development project. In the event that the existing constraints of the site prevent the reasonable compliance of the site and/or structure, the Planning Commission may approve the site and redevelopment thereof as being compliant to the greatest extent possible. Such sites shall not be considered nonconforming following completion of the redevelopment work as an exception to [chapter 6](#) of this title when establishing the following findings:
 - a. The constraints of the site do not lend themselves to achieving full compliance with the terms of this section and have complied to the greatest extent possible;
 - b. The development meets the intent of the general plan and the terms of this section;
 - c. The development is harmonious with surrounding development; and
 - d. Adequate provisions have been made to improve the site beyond the minimum requirements of the TC zoning classification.

REVIEWS

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

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

Historic Preservation Committee. The proposed plans were routed to the Historic Preservation Committee for their review and they had no comments regarding the proposal.

STAFF RECOMMENDATION

Staff recommends that the Zoning Administrator review the request and make a decision based on the findings listed below and the criteria for approval, or denial, as listed within the staff report. If the Zoning Administrator decides to approve the request, staff recommends including 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. All outstanding redlines and department/division comments listed in Exhibit A of this staff report shall be addressed and application documents modified to comply with redlines/comments prior to application being eligible to apply for or obtain a land disturbance permit or building permit.
3. Section 9-5-090(j) of the Draper City Municipal Code specifies that the approval of a site plan expires one year from the date of approval. As such, the approval granted for the subject request will be rendered null and void on October ???, 2020 if no building permit has been issued for the project. The expiration of the approval can also be avoided through an extension of the approval. A maximum of one extension for a period of up to six months can be requested in writing prior to the date of expiration from the Community Development Department.
4. That a cross access and parking agreement is recorded at the Salt Lake County recorders office.

Findings for approval are as follows:

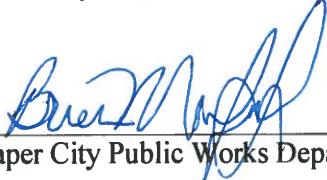
1. That the proposed site plan is consistent with the goals, objectives and policies of the City's General Plan.
2. That adequate facilities and services exist to serve the subject property, including but not limited to roadways, police and fire protection, storm water drainage systems, water supplies, and waste water and refuse collection.
3. That all site plan amendment drawings were developed in accordance with the standards contained in Draper City's zoning ordinance.

Findings for denial as are follows:

1. That the proposed plans do not meet the requirements of the General Plan and Zoning Ordinance.
2. That the proposed changes to the site plan would be out of character with the surrounding area.
3. That the prepared drawings do not adhere to the development standards outlined in Title 9 of the DCMC.

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 Building Division



Draper City Fire Department



Draper City Planning Division



Draper City Legal Counsel

**EXHIBIT A
DEPARTMENT REVIEWS**

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

Planning Division Review.

1. That a cross access and parking agreement is recorded at the Salt Lake County Recorder's office.

Engineering Review Comments

1. 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.
2. Any work in the public right of way will require an Encroachment Permit obtained through the Engineering Division.
3. Utility cuts shall be per Draper City Standard Detail ST-19 and ST-21.

Building Department.

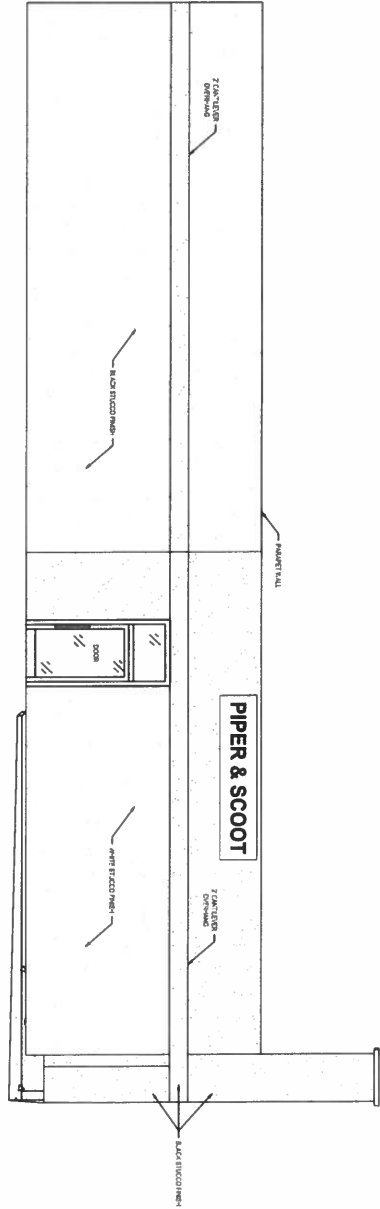
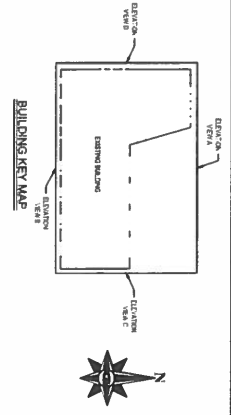
1. The Building Department had no further comments.

Fire Department Comments

1. The Fire Department had no further comments.

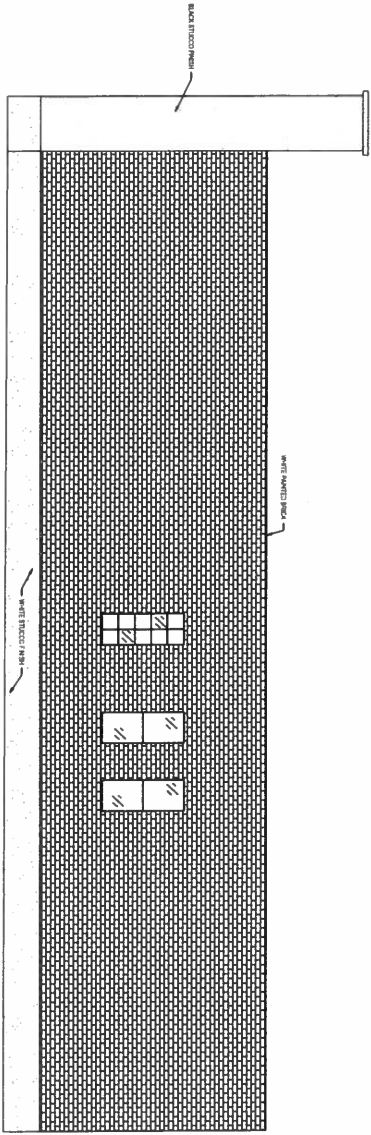
EXHIBIT B

PROPOSED SITE PLAN AMENDMENT AND ELEVATIONS



C EXISTING EAST ELEVATION VIEW
DATE: 5-17-2019

EAST ELEVATION MATERIALS
ATTACHED BY 7M



D EXISTING WEST ELEVATION VIEW
DATE: 5-17-2019

WEST ELEVATION MATERIALS
BRICK: 77.1"
STUCCO: 18.8M

C.106 SHEET NO.	DESIGN: B DATE: 04B-010	ELEVATION VIEWS PIPER & SCOOT PARKING LOT 12320 S 900 E DRAPER, UTAH 84020 SALT LAKE COUNTY, UTAH		DATE: MAY 2019	DRAWING NAME: ELEVATION VIEWS	DESIGNER: JMB	CHECKED: [Signature]	APPROVED: [Signature]	SCALE: AS SHOWN UNLESS OTHERWISE NOTED ADJUST FOR HALF SIZE SHEETS		
		WEST ELEVATION MATERIALS BRICK: 77.1" STUCCO: 18.8M		EAST ELEVATION MATERIALS ATTACHED BY 7M		BUILDING KEY MAP		PIPER & SCOOT		13441 SOUTH WINDY HILL DRIVE, SUITE 100, DRAPER, UT 84020 PHONE: (801) 571-1111 FAX: (801) 571-8000	

