

Approved December 5, 2017

MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, NOVEMBER 21, 2017, IN THE DRAPER CITY COUNCIL CHAMBERS, 1020 EAST PIONEER ROAD, DRAPER, UTAH

PRESENT: Mayor Troy K. Walker, and Councilmembers Bill Rappleeye, Jeff Stenquist, Alan Summerhays, Marsha Vawdrey, and Michele Weeks

STAFF PRESENT: David Dobbins, City Manager; Mike Barker, City Attorney; Rachelle Conner, City Recorder; Hazel Dunsmore, Human Resource Director; Russ Fox, Assistant City Manager; Rhett Ogden, Recreation Director; Clint Smith, Fire Chief, Glade Robbins, Public Works Director; and Bob Wylie, Finance Director

Dinner

Study Meeting

[5:56:29 PM](#)

1.0 Presentation: Compliance Engine

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- 1.1 Clint Smith, Fire Chief, explained the Fire Department is looking at options for better fire prevention options for the businesses in Draper. He showed a quick video that reviewed the benefits of the Compliance Engine. The Compliance Engine is a company that tracks business fire inspections and will send out reminder notices to the businesses for annual inspections and other fire prevention practices. There would be no cost to the City for this service, and the cost for a business is \$12.00 for each component that must be inspected.
- 1.2 Bryan Thatcher, Fire Marshal, explained most of his time is spent on new business inspections and he does not always have the time to do the existing business inspections to make sure they have complied with the inspection requirements. This program would help to insure that the businesses in Draper are having the inspections done as the law requires.
- 1.3 All of the Councilmembers were in favor of staff bringing back a resolution to the City Council to consider.

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**** Council/Manager Reports**

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- ** Councilmember Weeks indicated the City replaced the trees on Vestry Road. She has received some calls from the residents in that area wondering if the City was going to finish off the planters by adding rock or grass. Glade Robbins, Public Works Director, explained the project costs did not include anything other than replacing the sidewalks and planting smaller trees that would not ruin the sidewalks. There is not a plan to do anything else.

Councilmember Summerhays expressed concern that businesses in the City have been required to put in certain trees, and when the trees die, they are removed and not replaced. He asked staff to try to track it to make sure the trees are replaced as required.

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** Councilmember Stenquist advised he would like to revisit the Traverse Ridge Special Service District Administrative Control Board (TRSSDACB) and bring back an ordinance that would dissolve the TRSSDACB and put the City Council in that position as they were before. Right now, the Board is suing the City, and he is concerned that the arrangement did not work out how the Council wanted it to. He stated he is concerned about the cost of the lawsuit. All of the Council was in favor of looking at this except Councilmember Weeks.

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** Rhett Ogden, Parks and Recreation Director, reminded the City Council of the Tree Lighting Ceremony on Monday, November 27, 2017, at 6:00 p.m.

Business Meeting

[7:01:10 PM](#)

1.0 Call to Order: Mayor Pro Tem Rappleve

[7:01:20 PM](#)

2.0 Thought/Prayer and Pledge of Allegiance

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2.1 Zach Hoffman offered the prayer and led the Pledge of Allegiance.

[7:02:19 PM](#)

3.0 Recognition: Karli Branch, Corner Canyon High School, State 5A Cross Country Champion

[7:02:59 PM](#)

3.1 Mayor Walker recognized Karli Branch, a junior from Corner Canyon, for being the 5A girls Cross Country State Champion. Her time was 17:51 for a three mile race.

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4.0 Recognition: Juan Diego Football Team - State 3A Champions

[7:06:28 PM](#)

4.1 Mayor Walker recognized the Juan Diego football team for their 8th State Football Championship. They have won over 80% of their games which is the most for any Utah high school ever.

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4.2 Coach John Colosimo gave thanks to his coaching staff and athletes. He also acknowledged a great relationship with Draper City.

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5.0 Public Comments

To be considerate of everyone attending the meeting, public comments will be restricted to items not listed on this or a future agenda and limited to three minutes per person. Comments which cannot be made within these limits should be submitted in writing to the City Recorder prior to noon the day before the meeting. Comments pertaining to an item on the agenda should not be given at this time but should be held until that item is called.

5.1 No one came forward to speak.

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6.0 Consent Items

- a. **Approval of November 14, 2017, City Council Meeting Minutes**
- b. **Approval of the 2017 General Election Canvass of Votes.** Staff: Rachelle Conner
- c. **Approval of Resolution #17-71, Terminating the Police Chief's Employment**
Staff: David Dobbins

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6.1 Councilmember Rappleye moved to approve the Consent Items. Councilmember Summerhays seconded the motion.

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6.2 A roll call vote was taken with Councilmembers Rappleye, Stenquist, Summerhays, Vawdrey, and Weeks voting in favor. Councilmember Weeks abstained from the vote the motion passed unanimously.

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7.0 Action Item: Resolution #17-69 Approving the Traverse Range Conservation Easement

[7:16:00 PM](#)

7.1 David Dobbins, City Manager, explained this document includes both prohibited and permissible uses, which is typical of any other conservation easement. He presented an aerial map depicting the area to be included with this easement, and noted in total it will comprise 2,913 acres. Mr. Dobbins explained the City has an agreement with Hidden Canyon Estates and the Mercer Mountain Project. The settlement agreement allows the owners of those properties to put in utilities, and the conservation easement includes language stating the City will honor that agreement with those property owners. In addition, minor property boundary adjustments will be allowed. The easement allows for active recreation with associated structures, as well as provides the right to develop limited

structures to the facility. These structures include: playgrounds, disc golf, group pavilions, off-leash dog areas, picnic areas, rock climbing, paved trails, visitor center, camp grounds and an alpine slide. Councilman Summerhays requested the easement also include renewable energy structures such as windmills and solar panels.

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7.2 Councilmember Stenquist asked how many acres were in the conservation easement. Mr. Dobbins answered there are 2,900 acres. Councilmember Stenquist discussed the Corner Canyon easement and the celebration that ensued when that property was first acquired. He said this is three times the amount of land that will be put under conservation easement. This easement has been in the works since 2012, and it will allow this land to be used for recreation for generations to come.

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7.3 Councilmember Summerhays said this is the biggest easement that has ever been done in Draper. Mr. Dobbins stated between Corner Canyon, Little Valley and this new easement there will be a total of 4,075 acres protected for recreational use. Councilmember Summerhays said he is proud of the amount of land they have been able to put in the conservation easement.

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7.4 Councilmember Weeks requested language to be added for a bird/animal sanctuary to be built in the future. Mr. Dobbins said her request could be added when making a motion. Councilmember Weeks said she also would like better clarification in the language for a wildlife rehabilitation center.

Councilmember Stenquist said the best way to achieve this is to have a motion to approve the conservation easement, and then make changes as amendments. Councilmember Summerhays asked if this included the windmills as well.

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7.5 Mr. Dobbins clarified that the recommendation was to approve the settlement agreement and then to add the amendments.

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7.6 Councilmember Rappleye reminded everyone of the time it took for the City to reach this point.

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7.7 Councilmember Vawdrey said this has been a dream of several residents, to save open space by way of this easement.

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7.8 Mayor Walker acknowledged the partnership with Salt Lake County, Mayor McAdams and the Salt Lake City Council.

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7.9 Councilmember Stenquist moved to approve Resolution #17-69, approving the Traverse Range Conservation Easement and include the language from Section III Part A Subsection xiii. Councilmember Rappleye seconded the motion.

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7.10 Councilmember Weeks moved to amend the motion to include allowing a wildlife/bird sanctuary to the language. Councilmember Summerhays seconded the motion.

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7.11 Councilmember Stenquist said adding more proposed uses put the conservation easement at risk. Councilmember Weeks said she simply wanted the language to include the bird/animal sanctuary and did not feel like this request would put the easement in jeopardy.

Mayor Walker asked for clarification on the addition of the renewable energy structures as being part of this language. It was noted this will be a different motion.

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7.12 Mayor Walker called for a vote on the amended motion. Councilmembers Weeks and Summerhays voted yes. Councilmember Vawdrey, Councilmember Rappleye and Councilmember Stenquist no. The motion failed due to a lack of majority vote.

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7.13 Councilmember Summerhays moved to add language to allow renewable energy structures including windmills and solar panels. Councilmember Weeks seconded the motion.

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7.14 Councilmember Summerhays explained windmills would not be seen. He feels that these windmills are necessary and the area is made to support the structures. Councilmember Stenquist disagreed the windmills fit with the open area and said they will have a visual impact, as well as create many safety issues. Councilmember Stenquist questioned the motivation for this addition. Councilmember Summerhays said they will be needed, and he wanted to keep the option open. After subsequent deliberation, Councilmember Stenquist noted restrooms existed and were allowed in the canyon.

Councilmember Vawdrey said while she appreciates Councilman Summerhays looking to the future, she does not want to jeopardize the easement. Councilmember Summerhays said it was narrow minded not to add the option.

Councilmember Rappleye agreed with Councilmember Summerhays and said he thinks it is short sighted not to put up the windmills.

Councilmember Summerhays clarified that they are amending the language of Section 3 Part A Subsection 5 to add the clause, "Renewable Energy Structures including Windmills and Solar Panels", to the approval language.

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7.15 Mayor Walker called for a vote on the second amended motion to include “Renewable Energy Structures including Windmills and Solar Panels”. Councilmembers Summerhays, Weeks, Vawdrey, Rappleye, and Stenquist voted no. The motion failed unanimously.

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7.16 Mr. Dobbins asked if there was further discussion of the motion.

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7.17 Councilmember Stenquist agreed to amend his motion to allow the City Attorney to make grammatical changes to the agreement. Councilmember Rappleye seconded the motion.

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7.18 A roll call vote on the original motion including allowing the City Attorney to make grammatical changes was taken with Councilmembers Rappleye, Stenquist, Vawdrey, and Weeks voting in favor. Councilmember Summerhays voted no. The motion carried with a majority vote of 4 to 1.

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8.0 Action Item: Resolution #17-70, Accepting the Audit and Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ending June 30, 2017 (CAFR)

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8.1 Rob Woods, Auditor, presented the results detailed in this year’s CAFR. He said this audit is required by State law and the audited funds are those within the City’s operating budget. Mr. Woods said the City’s auditing reports show improvements have taken place from year to year. The General Fund financial statement shows the City’s assets at \$54.6 million and liabilities at \$14.1. Draper City has a clean report on internal controls and is in compliance with all laws and regulations.

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8.2 Councilmember Summerhays said he would like clarification on the general liability insurance policy for the City. He was informed that the City is self-insured for \$7,500. When a claim comes in under that amount, the claim is paid; if the claim comes in over \$7,500 it is then sent to Utah Risk Management Mutual Association (URMMA). From there, the claim is litigated or decided on a case motion up to \$6 million.

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8.3 Councilmember Stenquist moved to approve Resolution #17-70, accepting the Audit and Comprehensive Annual Financial Report. Councilmember Vawdrey seconded the motion.

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8.4 A roll call vote was taken with Councilmembers Rapple, Stenquist, Summerhays, Vawdrey, and Weeks voting in favor. The motion passed unanimously.

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9.0 Public Hearing: Brooks Lane Land Use Change, Zone Change and Development Agreement. Request for approval of a Land Use Map Amendment, a Zoning Map Amendment, and a Development Agreement for 3.04 Acres Located Generally Between 13568 and 13660 South 300 East

[8:04:03 PM](#)

9.1 Dennis Workman, Planner, stated that this application proposed to change the land use plan from residential low density to residential high density. Zoning would change from RA1 to RM2. There are 21 proposed lots.

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9.2 Councilmember Summerhays asked if there were any other proposals for this land. Mr. Workman asked the applicant to respond.

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9.3 Chris Roth, applicant, said he wants to revisit the proposed plan and zone to a lighter density with single family homes instead of town homes. Councilmember Weeks asked if he wanted a motion to continue. Mr. Roth stated he wasn't sure of how to proceed.

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9.4 Mayor Walker clarified Mr. Roth needed to continue with his proposal. Mr. Roth stated that he will reissue the proposal with the Planning Commission with a lower density.

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9.5 Councilmember Stenquist said that they should still hold the public hearing, even though the action has changed.

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9.6 Mayor Walker opened the public hearing.

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9.7 Bob Clark, resident, noted he lives on the north boundary of the proposed land. Mr. Clark said he is glad to hear there will be a change in density. He would like the same size lots that are currently there to continue throughout the area.

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9.8 Jerry Bartos, resident, also lives on the north end of the proposed land proposal. He would like to have consistency of housing in all the area.

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9.9 Mary Squire, resident, lives across the street from the proposed development. She is representing approximately 20 of her neighbors. She is relieved to hear of the change in density and will wait to see the new proposal before making further comment.

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9.10 Mayor Walker closed the public hearing.

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9.11 Councilmember Stenquist moved to remand this item back to the Planning Commission for changes to the proposal. Councilmember Weeks seconded the motion.

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9.12 Councilmember Rappleye would like the applicant to keep in mind the comments that were made tonight in making the new proposal for the land. Councilmember Stenquist reiterated that the applicant needs to be mindful of the area and use of this land.

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9.13 A roll call vote was taken with Councilmembers Rappleye, Stenquist, Summerhays, Vawdrey, and Weeks voting in favor. The motion passed unanimously.

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10.0 Public Hearing: Willow Creek Townhomes Land Use and Zone Change. Request for Approval of a Land Use Change from Residential Low Density to Residential High Density, and a Zone Change from RA1 (Residential Agricultural) To RM2 (Multiple-Family Residential) For 1.97 Acres Located Generally At 12460 South 1130 East

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10.1 Mr. Workman explained the property consists of two, one acre parcels located west of the County Library. The applicant would like to change the land use from residential low density to residential high density, which would mean changing the zoning from RA1 to RM2. The planning staff did not take a recommendation to the Planning Commission and after laying out the pros and the cons they voted 4 to 1 in favor of changing the zoning. One of the main reasons they gave their recommendation of approval is that TRAX and the Town Center are close. In theory, this would support economic activity in the town center.

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10.2 Councilmember Stenquist asked if there was recommendation one way or another from staff and the Planning Commission. Councilmember Stenquist then inquired if there was a development agreement and asked about the residential density of the area. Mr. Workman responded no recommendation was given by staff; however, a positive recommendation was given by the Planning Commission. He answered there was no development agreement. He said the residential density is 25 units to the acre and noted the ground level would be commercial. Councilmember Stenquist asked if the property is within a quarter mile from TRAX Station. Mr. Workman answered affirmatively and said the property is

easily within a quarter mile. He further explained the access to the project is the same to the library and the senior center. He believes the County will willingly work with the applicant to share said access because it would be to their mutual benefit. Councilmember Stenquist wondered how the project fits because the surrounding area is low density. He is also concerned there will eventually need more access to the south. Mr. Workman responded that the shared access only applies to the two acre area.

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10.3 Councilmember Weeks said an Ivory Homes development was just approved further to the south, and at one point they were trying to divert traffic off of 1300 East. She explained they had asked the County if the City would be allowed to connect a road through the senior center and the library, and the County said no at the time. She then asked that if this proposal passes and a road is built connecting to the town homes, will the road not continue to connect into the Ivory Homes development. Mr. Workman responded that is correct.

Councilmember Summerhays asked if there is a letter from the County allowing access from 1135 East, and he was informed that there is not. He said he would like a letter from the County before going any further.

Councilmember Rappleye said he is very concerned about the access point. He says it's already a bottle neck in the area, especially during Draper Days. Adding more units will generate a problem at certain times of the day.

Councilmember Weeks said the City is not sure what's going to happen with the town center and how it will develop. She said by putting town houses there it will set precedence to what the Town Center will be like.

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10.4 Sherman Bingham, applicant, explained the properties to the north and east are zoned Town Center. He said if they requested Town Center zoning it would provide them with the exact same density they are asking for now, which is 12 units per acre. He said he recognized they are trying to develop next to an agriculture area for which future plans have not yet been determined. He said they contacted Spencer Moffat at the Boyer Group regarding their plans for the agricultural area, but the Boyer Group did not have any current plans. They are asking for the RM2 because it has the same zoning density without the commercial aspect of it. He said the setback of the proposed subdivision is far enough to where it would not attract traffic. The subject property is within walking distance to the TRAX, City amenities and several schools.

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10.5 Mayor Walker opened the public hearing.

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10.6 Abigail Daw, resident, said it was her understanding that TRAX would eventually make its way to Draper. However, when she moved to Draper 25 years ago the housing plan at the time for this area was presented as low density residential. She was pleased when Ivory

Homes developed their presented plans for larger lots, which was consistent with the area. Ms. Daw stated this proposal was inconsistent with the area and she was concerned by the precedent it would set if approved. She said during the last election cycle there was a lot of emphasis on the master plan inviting the public to engage in the process. She said it becomes hard as a citizen to be a part of the master plan if every part of the plan is completely up for debate anytime a developer submits plans for high density housing projects.

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10.7 Bob Clark, resident, said he thinks they are putting high density zoning just so TRAX has a use. He demonstrated with a map that the area in question has low density residential lots. He suggested the Council consider what direction they wished to take with this project. He was in favor of maintaining residential throughout the area.

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10.8 Mayor Walker closed the public hearing.

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10.9 Mr. Bingham indicated this is not an isolated island. He said the subject property is already next to zoning that allows up to 25 units per acre, and they are only asking for 12. He said this would be a great buffer if they extend the zoning further south.

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10.10 Councilmember Summerhays said the subject property is located adjacent to the Town Center zoning and the applicant is proposing to re-zone to Town Center zoning. Councilmember Stenquist responded they are not asking for Town Center zoning; rather, they are asking for RM2 which is different.

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10.11 Councilmember Stenquist explained the reasons why the Town Center zone was put in place initially. First, it was an attempt to create a main street streetscape, which is why they allowed mixed use development that included commercial and high density residential. He said air quality and traffic were also concerns they considered, in addition to the land development. As a City, they need to be smart about how they plan development. They need to concentrate business and residential areas around transit stations, so people have more opportunities to use public transit rather than having to drive cars. He said when looking at a map of this area, a gradual step down of density makes more sense. He said he could understand the arguments on both sides.

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10.12 Councilmember Weeks moved to deny the Willow Creek Townhomes land use and zone change. Councilmember Vawdrey seconded the motion.

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10.13 Councilmember Vawdrey said with this project being next to TRAX and the senior center, it makes sense to have higher density. However, she personally thinks it is too high, so she does not agree with the proposal.

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10.14 Councilmember Summerhays explained he was primarily concerned with the lack of access, and said accommodations for the area needed to be made in this regard.

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10.15 Councilmember Stenquist said ten years ago the area was zoned for a Town Center. No one has built there yet, so rezoning this area is premature until someone takes advantage of the town center zone.

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10.16 Councilmember Rappleye said the infrastructure is not there to support the density at all. He explained the problem exists right now, and to add the density with a single point of access would be a problem to library and senior center patrons. He mentioned the roundabout often got backed up and this proposal would only exacerbate the problem.

[8:47:14 PM](#)

10.17 A roll call vote was taken with Councilmembers Rappleye, Stenquist, Summerhays, Vawdrey, and Weeks voting in favor. The motion passed unanimously.

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** *City Council took a break at 8:47 p.m.*

** *The meeting resumed at 9:00 p.m.*

[9:00:08 PM](#)

11.0 Action Item: Purchase and Sale Agreement with Utah Transit Authority - Highline Development

[9:00:22 PM](#)

11.1 Mr. Dobbins presented the staff report as well as an aerial map of the subject area. He explained the Highline Development was previously approved by the Council. The property, which consists of approximately six acres and extends from Highland Drive to the development in question, will be sold to the City by UTA. The agreement will consist of two components: first, UTA will sell the property to the City for under \$3 million; second, the developer will pay the City for the property. The developer is obligated to fund the City's purchase of UTA's property, otherwise the deal is off.

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11.2 Councilmember Weeks asked if Draper City is circumventing UTA's process of selling land to a private entity. She said normally when UTA sells land to private entities they are required to put the purchase out to bid. However, selling to the City does not require a bid.

Mr. Dobbins said he cannot speak for UTA. Councilmember Weeks mentioned when the Suncrest property was sold, the City was required to obtain bids; they could not simply sell the property to the Suncrest Board. Mr. Dobbins explained the City is not selling back property; rather, they will continue to own it and the developer will pay for it. He explained the developer gives Draper the money, which then goes to UTA. In the end, it will become City property.

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11.3 Councilmember Stenquist moved to approve the purchase and sale agreement with Utah Transit Authority. Councilmember Vawdrey seconded the motion.

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11.4 Councilmember Stenquist said he thinks this is straightforward; normally a developer will buy a piece of property and then dedicate the land to the City for roads.

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11.5 A roll call vote was taken with Councilmembers Rappleye, Stenquist, Summerhays, Vawdrey, and Weeks voting in favor. The motion passed unanimously.

[9:05:35 PM](#)

12.0 Action Item: Reimbursement Agreement with Gardner Staker Highland Development LC - Highline Development

[9:05:53 PM](#)

12.1 Mr. Dobbins explained the costs outlined in the agreement are the exact same and they are all paid by the developer. He pointed out additional language in the agreement to the Council which stated "...Draper will use funds to purchase property from UTA. Draper shall reimburse to the developer the funds if Draper does not purchase the property. The purchase is at Drapers discretion." Mr. Dobbins explained this means the City does not have to buy the property; if they decide they want to back out of the sale for any reason, the City will reimburse the developer. If a developer gives notice by December 31st of 2018 that they do not desire to purchase the property, then the agreement terminates. Mr. Dobbins then explained one benefit to the agreement was it would allow the City to control what happens with the property. He said the road has been designed and reviewed by engineering staff; however, there would still be several matters with which the City would need to coordinate with UTA.

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12.2 Councilmember Vawdrey moved to approve the reimbursement agreement with Gardner Staker Highland Development LCL, and added a deadline of December 31, 2018. Councilmember Rappleye seconded the motion.

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12.3 A roll call vote was taken with Councilmembers Rappleye, Stenquist, Summerhays, Vawdrey, and Weeks voting in favor. The motion passed unanimously.

[9:09:24 PM](#)

13.0 Public Hearing: Diamond Ridge Townhomes Preliminary Plat Requests. Nate Shipp of DAI is requesting approval of two preliminary plat applications for a 58-unit townhome complex in the RM2 (Multiple Family Residential District) located at approximately 12180 South 1000 East.

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13.1 Maryann Pickering, Planner, explained this is a request for two preliminary plats. The subject property is currently designated as residential high density and neighborhood commercial. It is currently zoned RM2. This application is for a 58 unit townhome complex. The City Council recently approved a development agreement for this site, and the layout in the development agreement is the same as seen tonight in the preliminary plats. The Planning Commission also recently approved the site plan for the development of the site and the buildings. All that is needed now is the approval of the plats. There are two phases: the first phase is to the north and it is the smaller of the two phases. Phase II is the main part of the development where most of the units will be constructed. The project has met all the requirements from staff, and the next step is the final plat approval process. The Planning Commission forwarded a positive recommendation on October 26th, with conditions noted in the staff report.

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13.2 Nate Shipp, applicant, stated this proposal is exactly what was approved in the development agreement.

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13.3 Mayor Walker opened the public hearing.

[9:12:03 PM](#)

13.4 Jason Smith, resident, explained he owns property bordering the plat for Phase II. He said he is in favor of the zone change that took place in August. He believes this makes sense as a buffer from the higher to lower density, as discussed previously in the meeting. He added a request to flip the trail from the southern portion of the property to the northern portion instead. He said this would give more spacing from the rear property lines and the new town homes being built. He said he understands he might be too late to make this request.

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13.5 Mayor Walker closed the public hearing.

[9:15:20 PM](#)

13.6 Councilmember Stenquist said he thinks moving the trail is interesting suggestion, and he asked Mr. Shipp to address the matter. Mr. Shipp indicated it is too late in the game to make such a change. Councilmember Stenquist explained this plat was approved in the development agreement, so it would require an amendment to the development agreement in order for relocation of the trail to take place.

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13.7 Councilmember Stenquist moved to approve the Diamond Ridge Preliminary Plat Request. Councilmember Rappleye seconded the motion.

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13.8 A roll call vote was taken with Councilmembers Rappleye, Stenquist, Summerhays, and Vawdrey voting in favor. Councilmember Weeks voted no. The motion carried with a majority vote of 4 to 1.

[9:17:14 PM](#)

14.0 Public Hearing: Ordinance #1294, Danceology Studio Text Amendment, Request by Tracy Curvelo of Danceology Studio to Amend Table 9-11-1 of the Draper City Municipal Code (DCMC) to Allow ‘Personal Instruction Service’ as a Permitted Use in the Destination Commercial (DC) Zone

[9:17:43 PM](#)

14.1 Ms. Pickering said dance studios are defined as Personal Instruction Service and it is not currently allowed in the DC zone. This proposed change would allow Dance Studios in the DC Zone. She noted the area in question is located near IKEA on the west side of I-15. There is a gymnastic studio currently in the area that is not in compliance, and this proposed change would bring them into compliance with City ordinance. The Planning Commission has unanimously recommended the change.

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14.2 Tracy Curvelo, applicant, was available to answer any questions. There were none.

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14.3 Mayor Walker opened the public hearing. No one came forward to speak, so Mayor Walker closed the public hearing.

[9:19:29 PM](#)

14.4 Councilmember Weeks moved to approve Ordinance #1294, Danceology Studio text amendment. Councilmember Vawdrey seconded the motion.

[9:19:48 PM](#)

14.5 A roll call vote was taken with Councilmembers Rappleye, Stenquist, Summerhays, Vawdrey, and Weeks voting in favor. The motion passed unanimously.

[9:19:58 PM](#)

15.0 Public Hearing: Adopting a Culinary Water/Storm Water IFFP and IFA

15.1 Mayor Walker indicated this item will be continued to December 5, 2017.

[9:20:30 PM](#)

16.0 Public Hearing: Ordinance #1285, Vacating a Portion of 12200 South between 910 and 955 East

[9:20:42 PM](#)

16.1 Russ Fox, Assistant City Manager, explained this is in relation to the Diamond Ridge development. The area in question was supposed to be vacated in the mid-1990s but never was. A few pieces of these properties belong to Mr. Shipp as well as Rocky Mountain Power. The right-of-way has already been given to them but it never officially vacated.

[9:22:01 PM](#)

16.2 In response to a question from Councilmember Summerhays, Mr. Fox explained any time a piece of property is vacated it goes to the adjacent property owner.

[9:22:30 PM](#)

16.3 Mayor Walker opened the public hearing. No one came forward to speak, so Mayor Walker closed the public hearing.

[9:22:43 PM](#)

16.4 Councilmember Weeks moved to approve Ordinance #1285, vacating a portion of 12200 South. Councilmember Vawdrey seconded the motion.

[9:23:08 PM](#)

16.5 A roll call vote was taken with Councilmembers Rappleye, Stenquist, Summerhays, Vawdrey, and Weeks voting in favor. The motion passed unanimously.

17.0 Council/Manager Reports

17.1 Council and Manager Reports took place during the study meeting.

[9:23:30 PM](#)

18.0 Adjournment

[9:23:23 PM](#)

18.1 Councilmember Rappleye moved to adjourn the meeting. Councilmember Summerhays seconded the motion.

[9:23:30 PM](#)

18.2 A vote was taken with Councilmembers Rappleye, Stenquist, Summerhays, Vawdrey, and Weeks voting in favor. The motion passed unanimously.

18.3 The meeting adjourned at 9:24 p.m.