



Development Review Committee

1020 East Pioneer Road
Draper, Utah 84020

STAFF REPORT

June 6, 2024

To: Jennifer Jastremsky, Zoning Administrator

6-6-24

Approved

Date

From: Development Review Committee

Prepared By: Maryann Pickering, AICP, Planner III
Planning Division
Community Development Department
(801) 576-6391 or maryann.pickering@draperutah.gov

Re: All States Landscaping — Site Plan Amendment

Application No: SPR-181-2021
Applicant: Taylor Stanich of Gilson Engineering
Project Location: Approximately 611 W. 12300 South
Current Zoning: CC (Community Commercial)
Acreage: Approximately 1.77 acres (approximately 77,101 square feet)
Request: Request for amend the site plan for an existing landscaping business.

SUMMARY AND BACKGROUND

This application is a request for approval of a site plan for approximately 1.77 acres. The property is located on the south side of 12300 South (Exhibits B and C). The property is currently zoned CC. The applicant is requesting approval to modify a previously approved site plan for the property.



BACKGROUND

The first site plan for the site was approved by the Planning Commission in April, 2002 for the development of the site as a landscaping business. In July, 2005 an amended site plan was approved to add a storage shed on the property. At that time, it was found that several of the conditions from the 2002 had not been met so they were included with the 2005 approval.

In 2020, there were complaints that employees of the landscaping business were utilizing Galena Hills Park on a daily basis. This complaint is what initiated a review of the business and found that other unauthorized expansions or modifications to the site had occurred. In addition, compliance with some of the conditions of approval from 2002 were still outstanding. Staff worked with the applicants to determine how to come into compliance and this application has been submitted as part of helping to bring the property into compliance.

ANALYSIS

Table 1	General Plan and Zoning Designations	Exhibit
Existing Land Use	Neighborhood Commercial	Exhibit D
Current Zoning	CC	Exhibit E
Current Use	Commercial Landscaping Business	
Adjacent Zoning		
East	CC	
West	CC	
North	CC (across 12300 South)	
South	RA2 (Residential Agricultural, 20,000 square foot minimum)	

The Neighborhood Commercial land use designation is characterized as follows:



Neighborhood Commercial

LAND USE DESCRIPTION	
CHARACTERISTICS	<ul style="list-style-type: none"> • Small-scale commercial land uses that serve local residents in adjacent neighborhoods • Minimal impact in predominantly residential areas • Well-landscaped street frontages • Limited traffic access points and pedestrian access from surrounding residential areas • Don't overcrowd commercial lots; i.e., require adequate setback and landscape buffers • Screened parking and adequate ingress and egress to parking areas • Adequate drainage • Low noise standards
LAND USE MIX	<ul style="list-style-type: none"> • Small-scale commercial • Planned retail • Office
COMPATIBLE ZONING	<ul style="list-style-type: none"> • Neighborhood Commercial (CN) • Institutional Care (IC) • Commercial Services (CS)
LOCATION	<ul style="list-style-type: none"> • Adjacent to neighborhood • Along local roads

According to DCMC Section 9-8-020(C) the purpose of the CC zone *“provide areas where commercial uses may be established which are generally oriented toward local residents rather than out of town patrons.”*

Site Plan Layout. As noted, the site has been changed over the years and this application has been submitted to bring the site back into compliance. The site plan that is part of this application shows the original approved layout of the site. The main access is from 12300 South with a secondary, and primarily employee entrance, off of Vista Station Boulevard or 550 West. Customer parking is located near the office building where the offices for the landscaping business are located. There is a rolling gate that separates the outside use of the business from the customer area. Customers are permitted to access the back area if needed to pick out materials, but the intent is that only company vehicles are permitted in this area. Employee parking is accessed from the entrance off of Vista Station Boulevard. Miscellaneous equipment parking is located in the rear of the property and is screened from view.

The business owners do own the home located to the east and did start using the property for expansion of the landscape business without necessary approvals. As a site plan was not approved to use this site for the landscaping business, the owners were given two options. First, convert the residential building and the property to a commercial use

through site plan and building permit approval. The second option was to remove all of the business activities and restore the property to a purely residential use. The owners have chosen to do the latter and will be converting the site back to residential as part of this application. A condition of approval for this application has been included to ensure that the site is restored back to residential use.

In 2002, the initial site plan approval (Exhibit F) was granted and the property included in that approval was determined to comply with the standards at that time or compliance was required as part of the conditions of approval for that application. Several of the conditions were related to road dedications and improvements to the surrounding rights-of-way and compliance with zoning standards. The applicants were given one year to satisfy the conditions of approval. Some conditions were not satisfied so an application to amend the prior site plan approval was submitted in 2005.

The 2005 site plan application (Exhibit G) was made to address the items or conditions of approval that had not been completed from the 2002 approval. The main issues from this report were construction of the wall to the south, screening of materials and striping of parking areas. These items were addressed along with other conditions of approval from that plan. This is the site plan that the applicant intends to restore the site back to.

Table 2 Site Plan Design Requirements

Standard	DCMC Requirements	Proposal	Notes
Setbacks			
Front	None	Approximately 155 feet	Must comply with Chapter 23
Rear	n/a	Approximately 33 feet	
Sides	n/a	Approximately 55 feet (west side) and approximately 161 feet (east side)	

Landscaping and Lot Coverage. Since this is a landscaping business, there are different areas on the site with displays of shrubs, trees and rock to provide examples of plant materials to potential clients.

Parking. The most recent site plan approval for the site required a minimum of 27 parking stalls for the site. The applicant is showing the same amount of parking for the site plan amendment. Therefore, there are no changes to the parking areas.

Architecture. There are no changes to any of the buildings that are part of original site plan approval. The office and commercial business will not be altered. The residential use of

dwelling that was utilized for commercial use without approval will be restored to residential use.

Lighting. No changes are proposed to the existing lighting on site with this application.

Fencing. A solid masonry fence exists at the rear or southern boundary of the site. This fence was required as part of a previous site plan approval and was installed. A vinyl fence has been installed along the northern access from Vista Station Boulevard adjacent to the employee parking. This fence does separate the employee parking from the restaurant business to the north and assists in screening the employee parking, though the employee parking is not required to be screened. The existing chain link fence along the east and west property lines has been in existence for years and is not proposed to be altered with this approval.

Criteria for Approval. 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.

Fire Division Review. 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. All businesses on the site are required to obtain approval of a Draper City business license.
3. The residential property shall have all business activities and equipment removed from the property prior to the expiration of the SPR-181-2021 site plan amendment approval.
4. All conditions from both the 2002 and 2005 approval shall be completed and adhered to along with the additional conditions included with this approval prior to the expiration of the SPR-181-2021 site plan amendment approval.
5. The site shall be restored to the 2005 site plan layout prior to the expiration of the SPR-181-2021 site plan amendment approval.

The findings for approval as are follows:

1. The proposed site plan represents development of the entire site at one time.
2. The site plan conforms to applicable standards set forth in the DCMC, 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 the DCMC, including traffic, storm water drainage, and utilities concerns.

The findings for denial as are follows:

1. The site plan does not conform to applicable standards set forth in the DCMC.
2. The proposed development plans do not meet the intent, goals, and objectives of the general plan or the purpose of the zone district in which the site is located.
3. The proposed development plans do not comply with one or more of the engineering standards found in Titles 7, 8, 11, 12, 16, and 18 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 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.

No additional comments provided.

Building Division Review.

No additional comments provided.

Engineering and Public Works Divisions Review.

No additional comments provided.

Fire Division Review.

No additional comments provided.

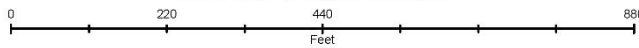
Legal Division Review.

No additional comments provided.

**EXHIBIT B
VICINITY MAP**



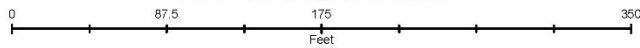
**All States Landscaping
611 W. 12300 South**



**EXHIBIT C
AERIAL MAP**



**All States Landscaping
611 W. 12300 South**



**EXHIBIT D
LAND USE MAP**

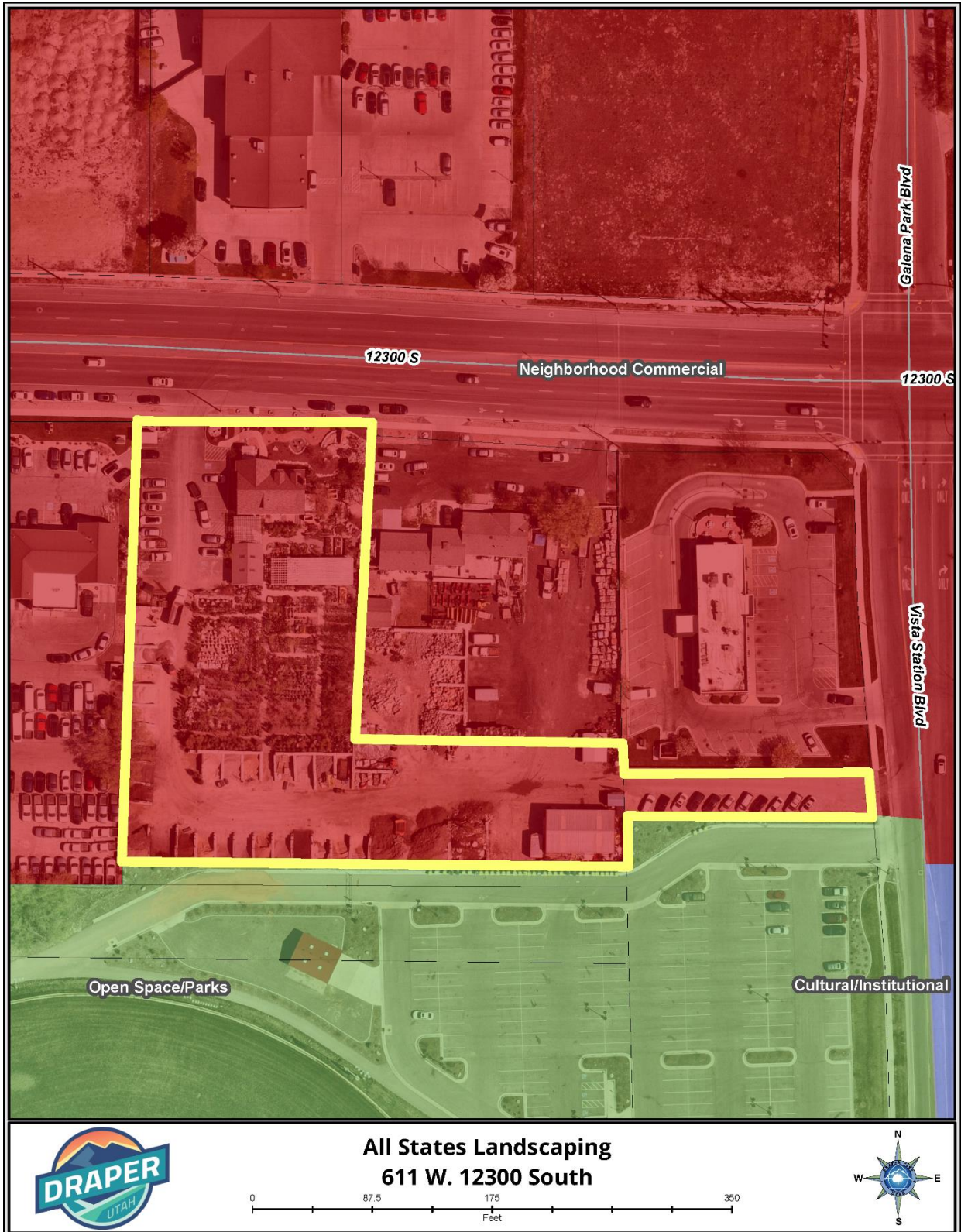
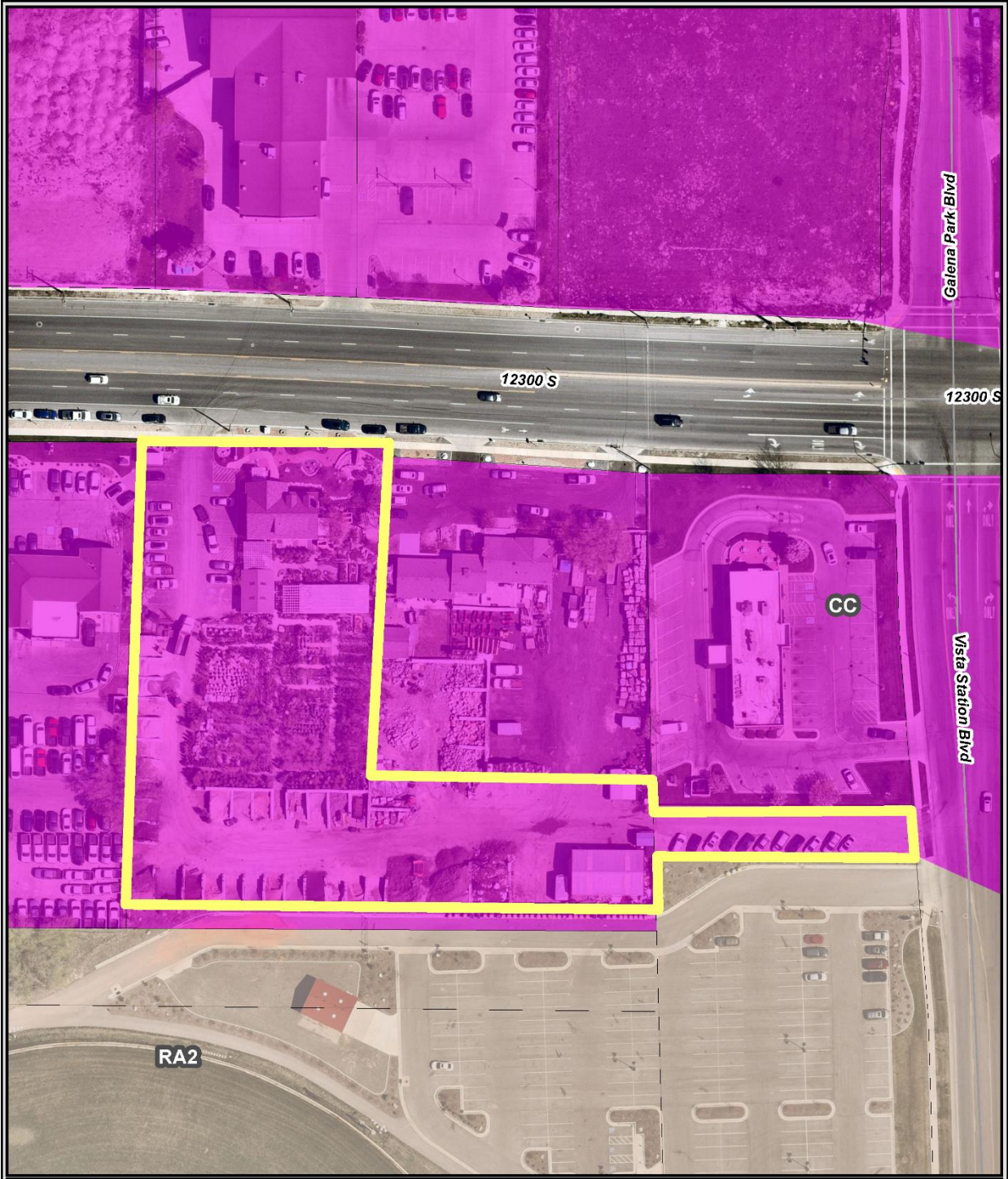
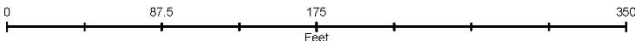


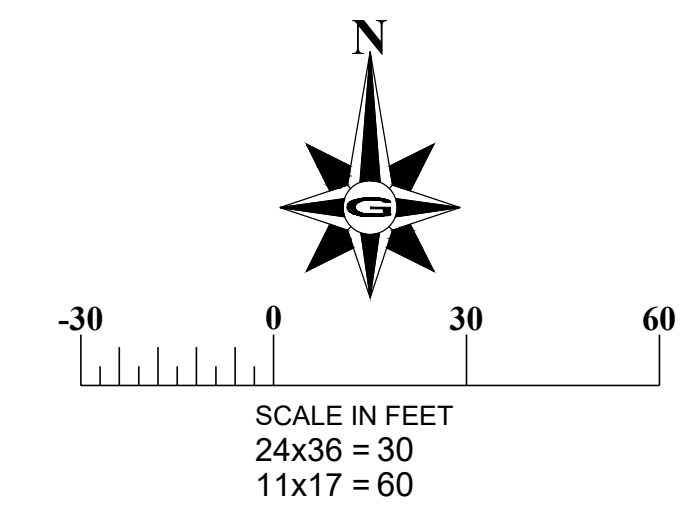
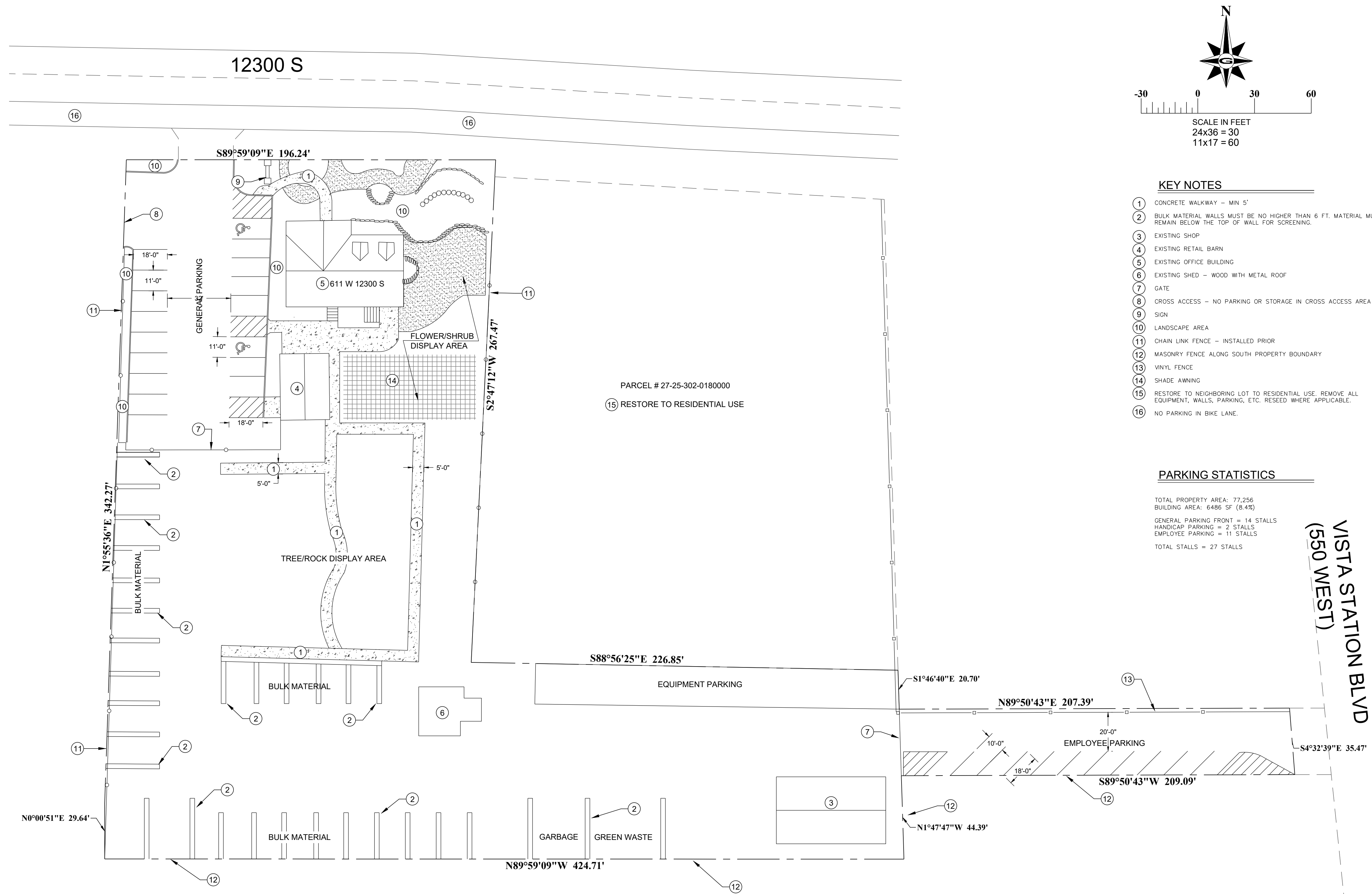
EXHIBIT E
ZONING MAP



All States Landscaping
611 W. 12300 South



**EXHIBIT F
PROPOSED SITE PLAN**



KEY NOTES

- 1 CONCRETE WALKWAY - MIN 5'
- 2 BULK MATERIAL WALLS MUST BE NO HIGHER THAN 6 FT. MATERIAL MUST REMAIN BELOW THE TOP OF WALL FOR SCREENING.
- 3 EXISTING SHOP
- 4 EXISTING RETAIL BARN
- 5 EXISTING OFFICE BUILDING
- 6 EXISTING SHED - WOOD WITH METAL ROOF
- 7 GATE
- 8 CROSS ACCESS - NO PARKING OR STORAGE IN CROSS ACCESS AREA
- 9 SIGN
- 10 LANDSCAPE AREA
- 11 CHAIN LINK FENCE - INSTALLED PRIOR
- 12 MASONRY FENCE ALONG SOUTH PROPERTY BOUNDARY
- 13 VINYL FENCE
- 14 SHADE AWNING
- 15 RESTORE TO NEIGHBORING LOT TO RESIDENTIAL USE. REMOVE ALL EQUIPMENT, WALLS, PARKING, ETC. RESEED WHERE APPLICABLE.
- 16 NO PARKING IN BIKE LANE.

PARKING STATISTICS

TOTAL PROPERTY AREA: 77,256
 BUILDING AREA: 6486 SF (8.4%)
 GENERAL PARKING FRONT = 14 STALLS
 HANDICAP PARKING = 2 STALLS
 EMPLOYEE PARKING = 11 STALLS
 TOTAL STALLS = 27 STALLS

LEGEND

- RIGHT OF WAY/PROPERTY LINE
- VINYL FENCE
- CHAIN LINK FENCE
- CONCRETE
- PERVIOUS GRAVEL TRAIL

NOTE: BOUNDARY LINES BASED ON BOUNDARY SURVEY PERFORMED BY ENSION ENGINEERING 12-24-2014

DISCLAIMER NOTE

UTILITY LOCATIONS SHOWN HEREON ARE APPROXIMATE ONLY. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXACT HORIZONTAL AND VERTICAL LOCATION OF ALL EXISTING UNDERGROUND AND OVERHEAD UTILITIES PRIOR TO COMMENCING CONSTRUCTION. NO REPRESENTATION IS MADE THAT ALL EXISTING UTILITIES ARE SHOWN HEREON. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR UTILITIES NOT SHOWN OR UTILITIES NOT SHOWN IN THEIR PROPER LOCATION.

CALL BEFORE YOU DIG
 IT'S FREE & IT'S THE LAW.
 1-800-662-4111
 208-2100
DR. JAMES HENNING
 605 WEST 700 SOUTH, SUITE 101
 SALT LAKE CITY, UTAH 84102

ENSON ENGINEERING
 Consulting Engineering & Surveying
 1000 SOUTH 400 EAST, SUITE 100
 DRAPER, UTAH 84020
 PHONE: (801) 571-2414 FAX: (801) 571-2448

UTAH PROFESSIONAL ENGINEERING
 LICENSE No. 362118
 Bradley S. Gilson
 STATE OF UTAH

DATE	REVISIONS
MARCH 2022	

DATE: MARCH 2022
 DRAWING NAME: C.101 SITE PLAN
 DESIGNED/DRAWN BY: TS
 CHECKED: APPROVED: _____

1" SCALE MEASURES 1" ON FULL SIZE SHEET
 ADJUST FOR HALF SIZE SHEETS

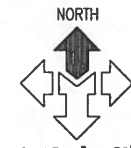
SITE PLAN
 ALL STATES LANDSCAPING - DOYLE PROPERTY
 611 W 12300 S
 DRAPER, UTAH 84020

REVISION: -

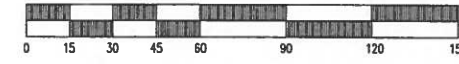
PROJ. # **DOY.011**

C.101

EXHIBIT G
2002 APPROVED SITE PLAN

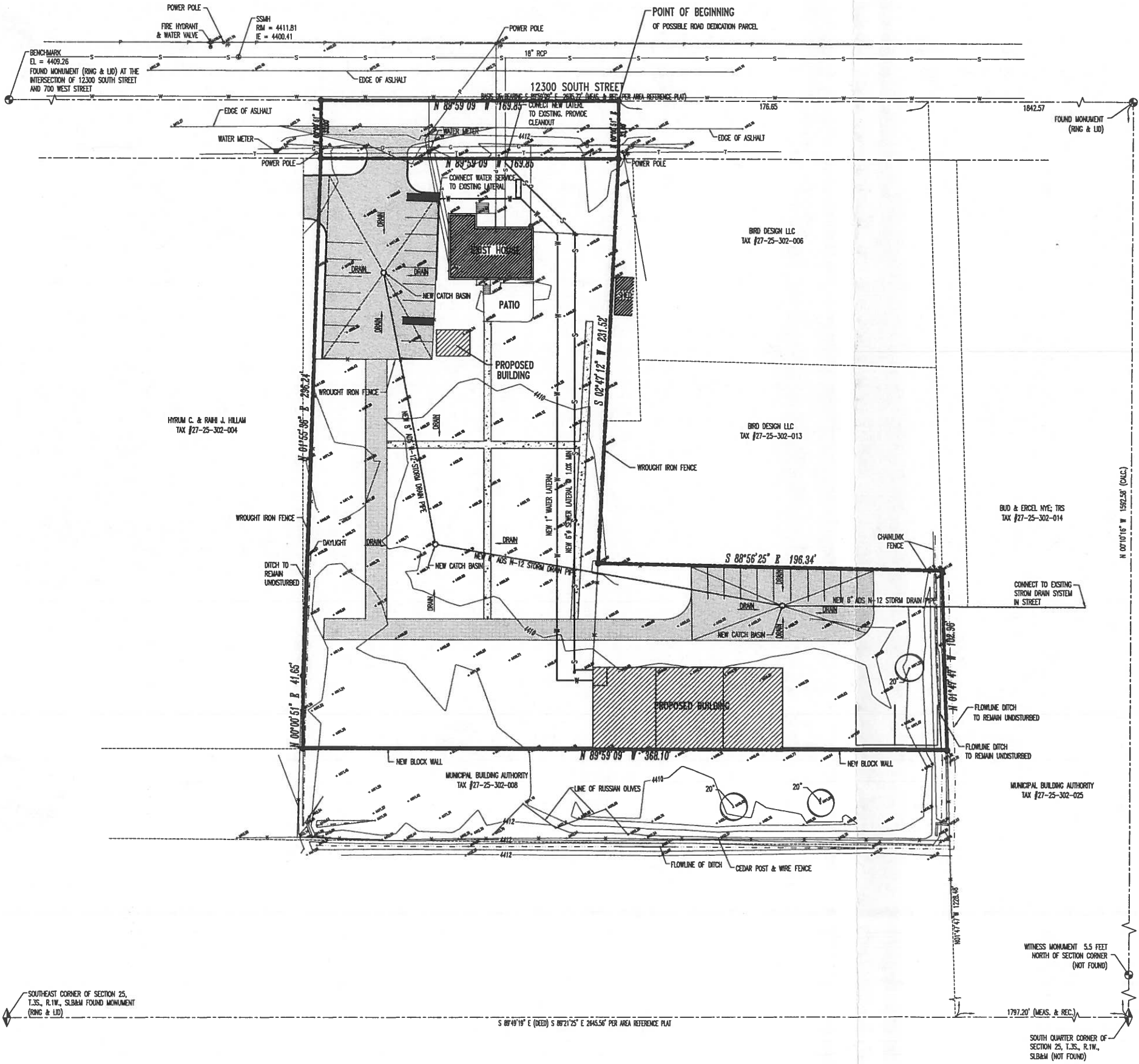


SCALE: 1" = 30'

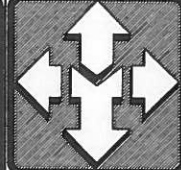
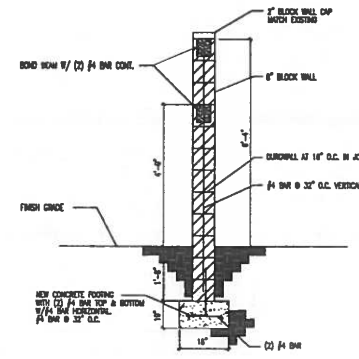
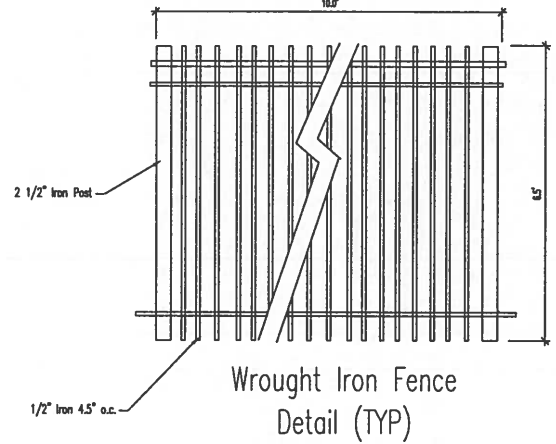


LEGEND

- ⊗ WATER VALVE
- ⊕ FIRE HYDRANT
- * LIGHT POLE
- P- OVERHEAD AND/OR UNDERGROUND POWER LINE
- T- OVERHEAD AND/OR UNDERGROUND TELEPHONE LINE
- CATV- CABLE TV LINE
- X- EXIST. FENCE
- W- WATER LINE
- IRR- IRRIGATION WATER LINE
- S- SEWER LINE
- SD- STORM DRAIN LINE
- NSD- NEW STORM DRAIN LINE
- G- GAS LINE
- PROPERTY LINE
- EXISTING MNR CONTOUR LINE
- 4210 — EXISTING MNR CONTOUR LINE
- ⊙ FINISH CONTOUR LINE
- ⊕ FOUND BRASS CAP MONUMENT
- ▭ NEW ASPHALT & ROAD BASE
- ▨ NEW BUILDING
- ▩ EXISTING BUILDING
- ⬜ NEW CONCRETE



AREA CALCULATIONS:
 Total Property Area: 77,256 SF = 1.77 Acres
 Building Area 6,486 SF = 8.4%
 Landscaping 9,175 SF = 11.9%
 Parking Lot 28 spaces 7686 SF



McNEIL ENGINEERING AND LAND SURVEYING
 PROFESSIONAL CIVIL ENGINEERING & LAND SURVEYING SERVICES
 6865 SOUTH 900 EAST MIDVALE, UTAH 84047
 TEL: (801) 255-7700 FAX: (801) 255-9071
 E-MAIL: info@mcneileng.com WEB SITE: www.mcneileng.com

STAMP/SEAL

ALL STATES LAWNCARE & LANDSCAPE

6111 WEST 12300 SOUTH
 DRAPER CITY, UTAH
 PART OF THE SW 1/4 OF SECTION 25, T.3S., R.1W., S.84M

REVISIONS

REV	DATE	DESCRIPTION

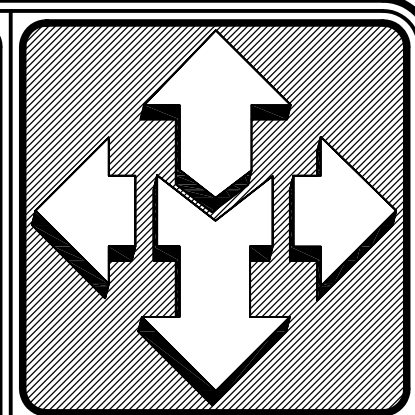
PROJECT NO: 220157
 CAD DWG. FILE: 220157GRD
 DRAWN BY: JSUTD
 CHECKED BY: SFM
 DATE: 4/14/2

SHEET TITLE: CONCEPTUAL SITE PLAN

C1.1
SHEET 1 OF 1

FINAL

EXHIBIT H
2005 APPROVED SITE PLAN



McNEIL ENGINEERING AND LAND SURVEYING
PROFESSIONAL CIVIL ENGINEERING & LAND SURVEYING SERVICES
6885 SOUTH 900 EAST MIDVALE, UTAH 84047
TEL: (801) 255-7100 FAX: (801) 255-9071
EMAIL: info@mcneileng.com WEB SITE: www.mcneileng.com

STAMP / SEAL

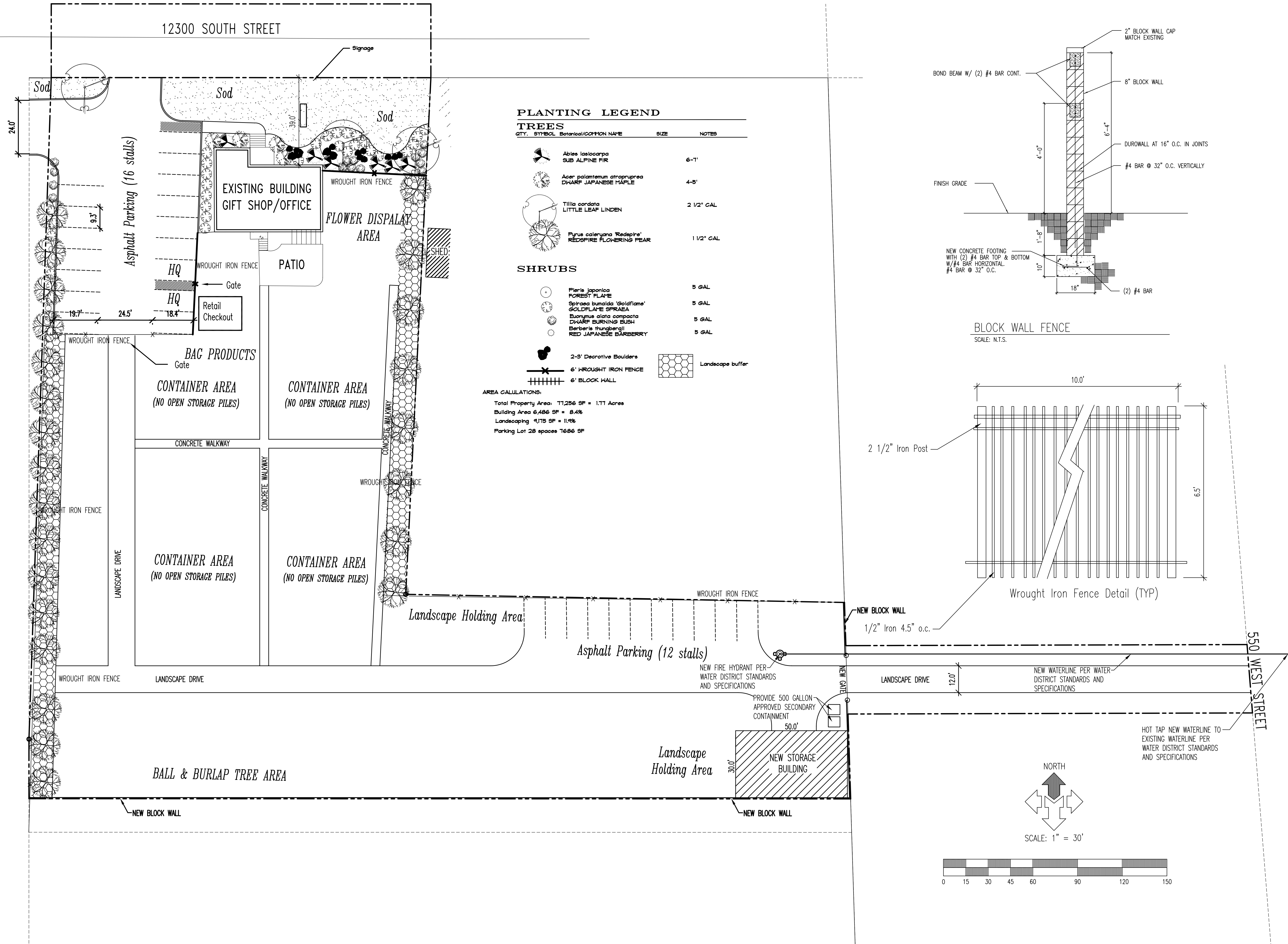
ALLSTATES LAWNCARE & LANDSCAPE
6111 WEST 12300 SOUTH
DRAPER CITY, UTAH
PART OF THE SW 1/4 OF SECTION 25, T.35S., R.1W., S188M

REVISIONS		
REV.	DATE	DESCRIPTION

PROJECT NO: 220157
CAD DWG. FILE: 220157CP2
DRAWN BY: JSMDH
CHECKED BY: SFM
DATE: 6/02/2005

SHEET TITLE:
CONCEPTUAL SITE PLAN #2

1
SHEET: 1 OF 1



PLANTING LEGEND

TREES

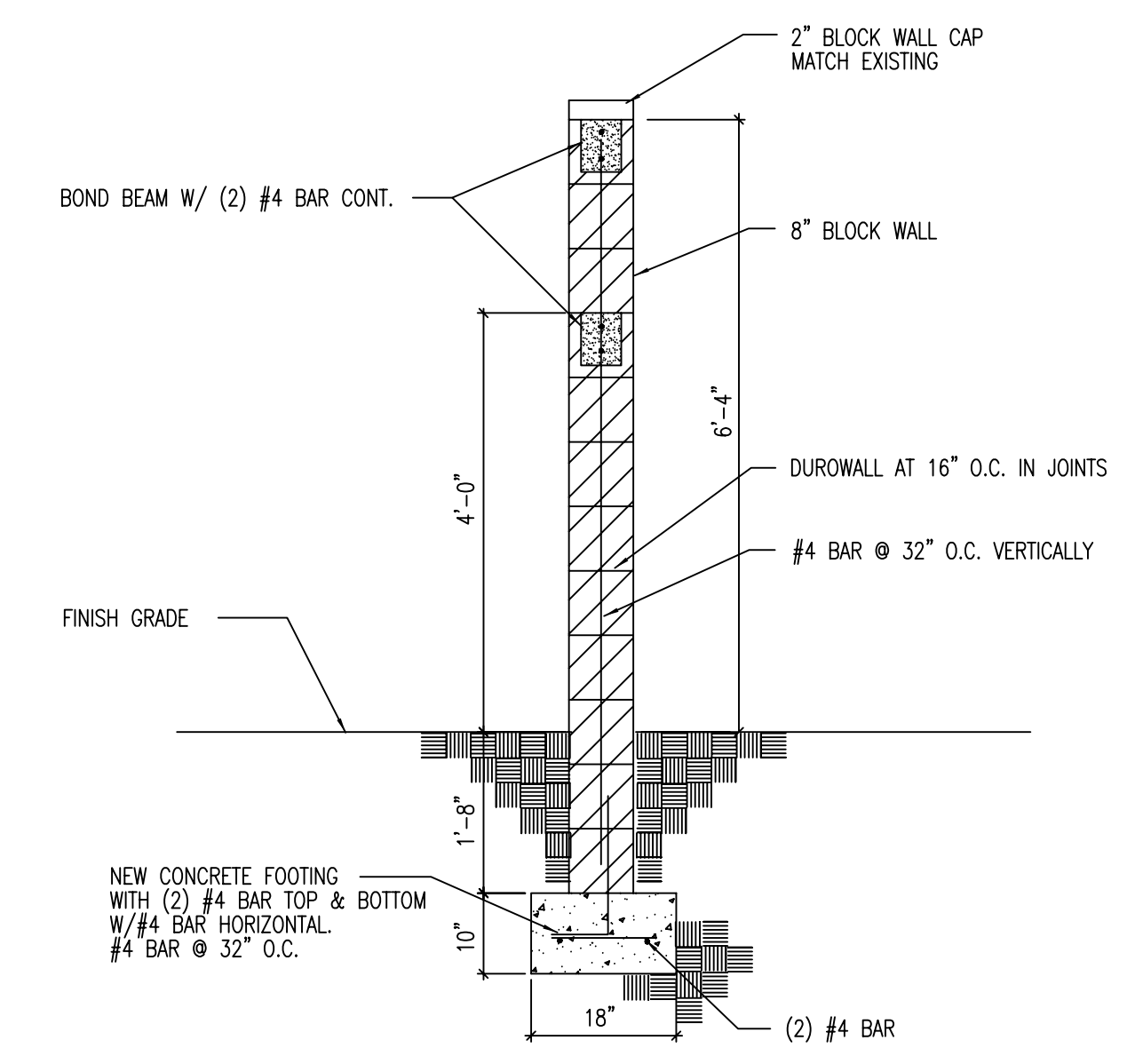
QTY.	SYMBOL	Botanical/COMMON NAME	SIZE	NOTES
		Abies lasiocarpa SUB ALPINE FIR	6'-1"	
		Acer palmatum atropurpurea DWARF JAPANESE MAPLE	4'-5"	
		Tilia cordata LITTLE LEAF LINDEN	2 1/2" GAL	
		Pyrus calleryana 'Redspire' REDSPIRE FLOWERING PEAR	1 1/2" GAL	

SHRUBS

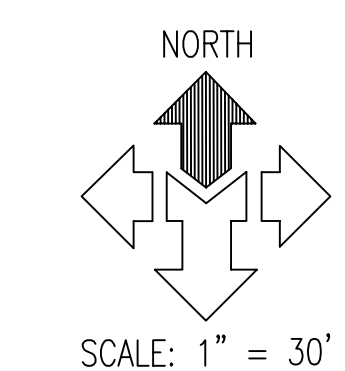
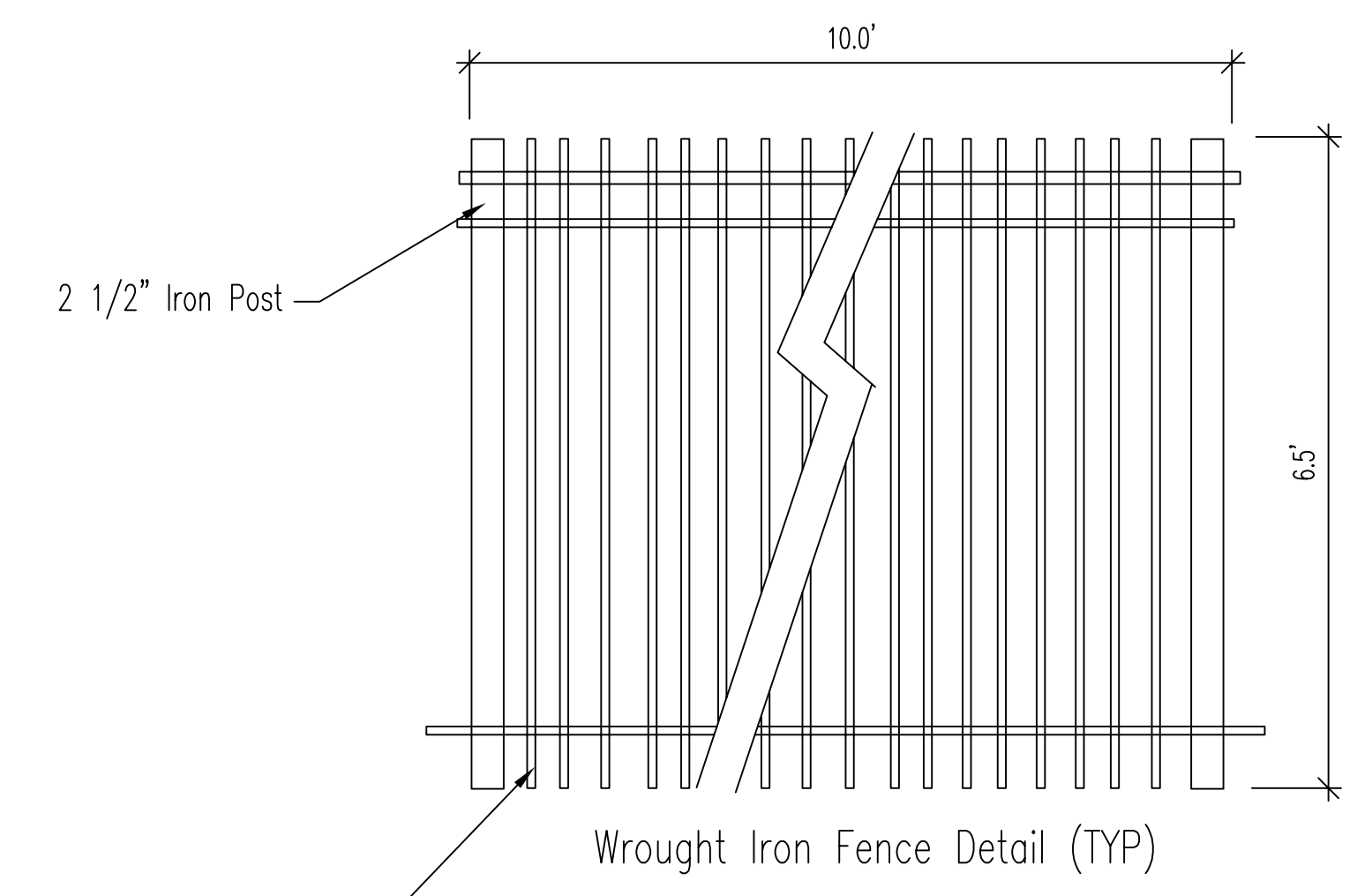
		Floribunda japonica FOREST FLAME	5 GAL	
		Spiraea bushida 'Goldflame' GOLDFLAME SPIRAEA	5 GAL	
		Euonymus alata compacta DWARF BURNING BUSH	5 GAL	
		Berberis thunbergii RED JAPANESE BARBERRY	5 GAL	

- 2-3' Decorative Boulders
- 6' WROUGHT IRON FENCE
- 6' BLOCK WALL
- Landscape buffer

AREA CALCULATIONS:
 Total Property Area: 11256 SF = 1.11 Acres
 Building Area 6,486 SF = 8.4%
 Landscaping 4,175 SF = 11.9%
 Parking Lot 28 spaces 1686 SF



BLOCK WALL FENCE
SCALE: N.T.S.



SCALE: 1" = 30'

