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**Development Review Committee**  
1020 East Pioneer Road  
Draper, UT 84020

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**STAFF REPORT**  
October 3, 2019

**To:** Jennifer Jastremsky, Zoning Administrator

  
Approved

10/3/19  
Date

**From:** Development Review Committee

**Prepared By:** Dan Boles, AICP  
Planning Division  
Community Development Department  
801-576-6335, [dan.boles@draper.ut.us](mailto:dan.boles@draper.ut.us)

**Re:** Health Equity Carports – Site Plan Amendment Request

Application No.: SPR-823-2019  
Applicant: Mark Murdock, representing Gardner Company  
Project Location: 38 East Scenic Pointe Drive  
Current Zoning: CR (Regional Commercial) Zone  
Acreage: Approximately 5.10 Acres (Approximately 222,156 ft<sup>2</sup>)  
Request: Request for approval of a site plan amendment to allow construction of carports in the CR (Regional Commercial) zone.

**SUMMARY & BACKGROUND**

This application is a request for approval of a site plan amendment for approximately 5.10 acres. The property is located in the Pointe development. It is located at 38 East Scenic Pointe Drive. The property is currently zoned CR (Regional Commercial). The applicant is requesting that a site plan amendment be approved to allow carports to be constructed over some of the existing parking stalls. The carports will also be equipped with solar panels on the top to provide solar energy to the buildings.

The overall development currently has one retail building and three office buildings with one more office building under construction. The site was subdivided originally in 2009. The building under consideration at this time was granted approval in 2015.

**ANALYSIS**

*General Plan and Zoning.* The Land Use Map of the General Plan calls for the Community Commercial land use designation for the subject property. The purpose of the Community Commercial district is to “*permit the full scope of commercial land uses that are destination-oriented. The areas may include large-scale, master-planned commercial centers, big-box stores and offices. These areas are*



*strategically placed along high-traffic corridors with convenient points of traffic access to and from residential areas. This category includes the full scope of commercial land uses that require and utilize exposure to the freeway.”*

The property has additionally been assigned the CR zoning classification, supporting a mix of commercial uses including office. The purpose of the CR zone is to “*provide areas where a combination of destination oriented business, retail commercial, entertainment, and related uses may be established, maintained and protected to serve both residents and nonresidents of the city.*” The Regional Commercial zone is identified in the General Plan as a preferred zone in the Community Commercial land use designation.

To the south of the subject property is RM zoning which contains existing apartments, otherwise, the property is surrounded by CR zoning on all other sides.

Site Plan Amendment Request. The applicant has submitted a site plan showing where the carports will be placed. The addition of the carports will not affect the existing parking layout at all. The plan is to work with the existing parking and cover a portion of the existing stalls. Of the 374 parking stalls on the site, 154 stalls or 41% of the stalls will be covered. Stalls on the perimeter of the site and directly adjacent to the building will remain uncovered. The carports will also be equipped with solar panels.

The carports will be on an angle, meaning they will be 14’7” at the high point and 8’ on the low point. The applicant has indicated that the end of the carport will align with the end of the parking stalls so any overhang into the drive aisles will be on the high side leaving a free, unfettered 24’ drive aisle. This is important because the site is required to maintain 24’ wide drive aisles for Fire Department access. The Fire Department has indicated that 13’6” is the minimum height for clearance for fire apparatus. A condition that the clearance for drive aisles has been included in exhibit ‘A’ of this staff report.

The applicant is also proposing that solar panels be placed on the rooftops of all four buildings. The panels will lay flat and not be visible from the ground.

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

- g. the site or any change in impact on surrounding infrastructure; and  
The proposed site alteration does not negatively impact neighboring property owners.

## **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 reviews 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.

## **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 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 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 August 27, 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. The carports must be flush with the ends of the parking stalls and may not extend into the drive aisle.
5. That the drive aisles maintain the required 24' to the sky without any obstruction.

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.

  
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Draper City Public Works Department

  
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Draper City Building Division

  
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Draper City Fire Department

  
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Draper City Planning Division

  
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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. The carports must be flush with the ends of the parking stalls and may not extend into the drive aisle.
2. That the drive aisles maintain the required 24' to the sky without any obstruction.

Engineering Review Comments

1. The Engineering Department had no further comments.

Building Department.

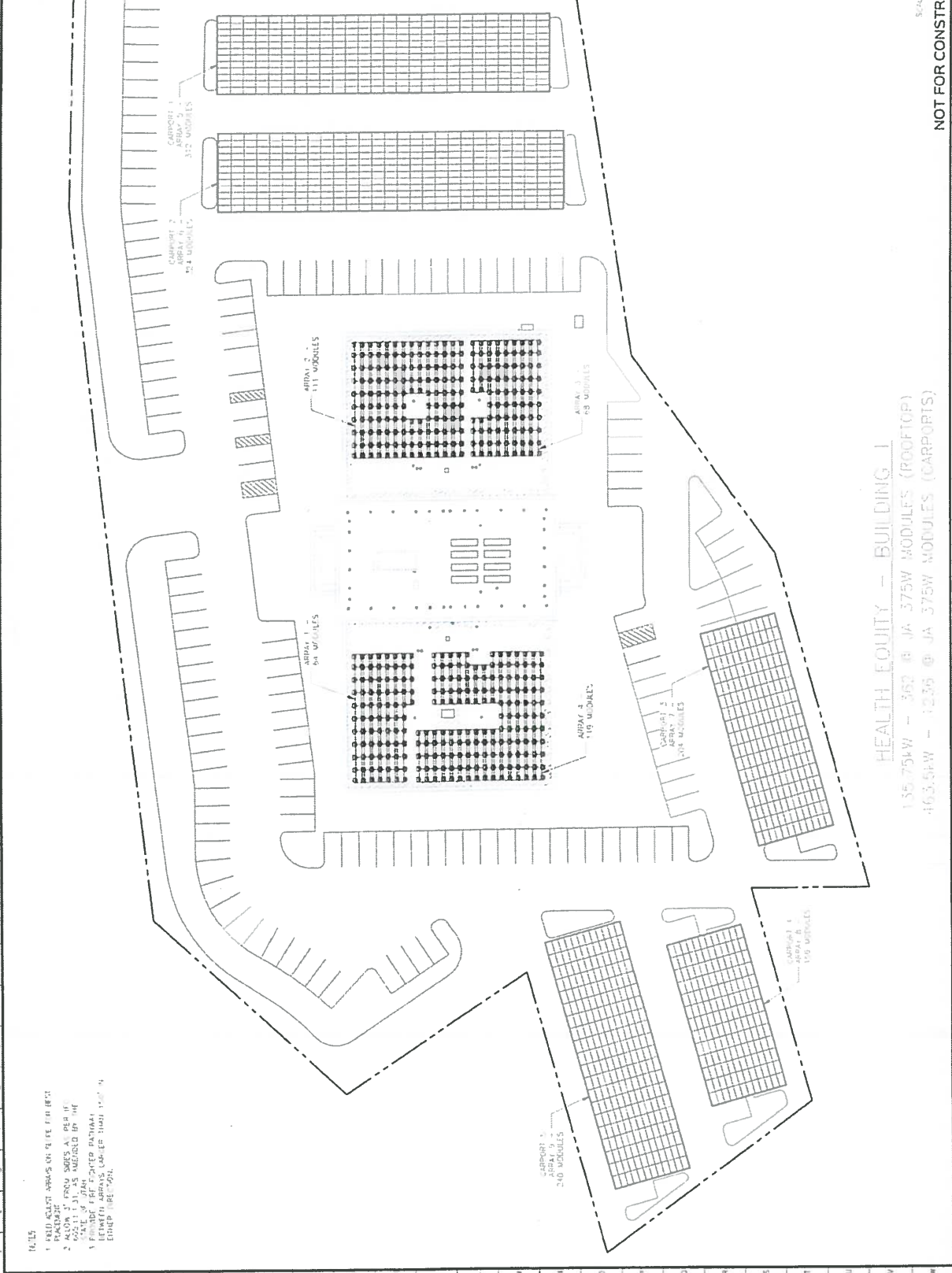
1. Building permits will be required for the car ports/solar panels and a thorough review will be performed at that time.

Fire Department Comments

1. The Fire Department had no further comments.

**EXHIBIT B**

**PROPOSED AMENDED SITE PLAN**



- 1. 1500' ROAD WIDTHS ON THE PERIMETER
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- 3. 1500' ROAD WIDTHS ON THE PERIMETER
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- 31. 1500' ROAD WIDTHS ON THE PERIMETER
- 32. 1500' ROAD WIDTHS ON THE PERIMETER
- 33. 1500' ROAD WIDTHS ON THE PERIMETER
- 34. 1500' ROAD WIDTHS ON THE PERIMETER

HEALTH EQUITY - BUILDING I  
 1.55.75kW - 360 @ JA 375W MODULES (ROOFTOP)  
 463.5kW - 1,236 @ JA 375W MODULES (CARPORTS)

SCALE: 1/8" = 1'-0"

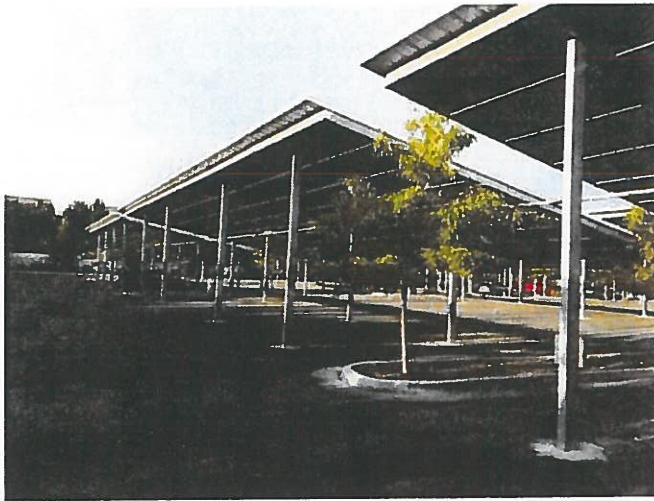
NOT FOR CONSTRUCTION

HEALTH EQUITY  
 15 WEST SCENIC POINTE DRIVE, DRYAPER, UT 84020  
 PRELIM

PROVIDED FOR THE USE OF THE CLIENT. ANY REPRODUCTION OR DISTRIBUTION OF ANY PART OF THE DESIGN OR ANY UNLAWFUL USE IS PROHIBITED.



**EXHIBIT C**  
**PROPOSED ELEVATIONS**



The low end of the carports are at a minimum of 8' and the high end of the double stall carports are at 13' 10". The low end of the carports line up with the end of the stalls which allow for more clearance in the drive aisles. The carport support posts for the Vista sites are constructed along the parking stripes in the middle which keeps them away and set back from the drive aisle as well.

