



HERRIMAN CITY PLANNING COMMISSION MEETING MINUTES

Thursday, December 3, 2015

Approved December 17, 2015

[6:04:19 PM](#) **6:00 P.M.** ~ Work Meeting (Open to the Public)

Attendance

Planning Commission Members:

Chris Berbert
Jeremy Burkinshaw
Blayde Hamilton
Adam Jacobson
Clint Smith
Wade Thompson

City Staff:

Bryn McCarty, City Planner
Sandra Llewellyn, Planner I
Heather Upshaw, Senior Planner
Gordon Haight, Assistant City Manager
Blake Thomas, City Engineer
John Brems, City Attorney

City Planner, Bryn McCarty commented that they will be looking for a planning commission member to fill an alternate seat at the beginning of the year. She quickly passed around the RDM project and planning had requested them to bring back a site plan because the three lots along Wide Hollow were to be made into third acre lots. The plat had been presented and she wanted the commission to see it before she signed off on it. She noted that all the lots are .33 acre. Herriman City Council will have a retreat on January 29th and 30th and the planning commission will be invited on Friday night. She will send out more information about the meeting in the near future.

 [6:08:53 PM](#) **Bella Vea Development (Hardrock Homes)**

Tim Soffe explained that the project had been revised and submitted and it should be on the agenda for December 17th. He quickly introduced Richard Sorensen, JJ Sorensen and Adam Sorensen. The property has been divided into three product types: traditional, front load or side load townhomes, a court yard type and a commercial stack lot. The desire is to set this development apart and create a gated community. They've hired a company to do a parking analysis and it should be completed by next week. The parking averages about 2.87. The three tier parking was described; there are uses for patrons and residents. Concern with parking was discussed briefly. A discussion about the dynamics of a gated community and private vs. public roads took place. It was noted that a gated community requires private roads.

The townhome product and parking structure was shown. It was noted that parking would change depending on the development becoming a college rental development or a property owner development. A discussion took place about the placement of trash cans. Planner McCarty suggested that a final approval of phase one and phase two would be given and a preliminary approval for the final phase would be given. She asked that the applicant bring back a plan for the phases of parking. A discussion about the type of product and changes if the community college doesn't come in took place.

 [6:35:31 PM](#) Review of Agenda Items

Item 2.1 Victory Homes – Detached Garage. A quick review of new plan submitted, showing fence and gate as requested at the last meeting.

Item 2.2 Johnson – Proposed 3 Lot Subdivision. City Planner, Bryn McCarty explained that the applicant was told this could not be approved. It was previously submitted and denied by the commission but council approved it. The approval expired because it was never recorded. However, there can be an exception to the proposal because city council can provide that exception. Planner McCarty suggested recommending denial because it does not meet the current flag lot ordinance. Council would have to grant an exception to the ordinance.

Item 2.3 Summit – Building Elevations for Daycare. Applicant presented a color sample board and a plan with a change to the fence line.

Item 2.4 & 2.5 Subdivision and PUD – SLR Property. The property has a development agreement with approved density. They are including a church which will create a loss in density. There is an issue with the power line on 6100 West and that power line needs to be shown. Planner McCarty recommended continuing the item to allow the applicant to show where the power line goes. The applicant will also need to provide details regarding the swell provided on the back of the property. A brief discussion about the constructing of Herriman Parkway took place. Chair Smith asked if this was supposed to be noticed as a public hearing. Planner McCarty explained that it was noticed as a public hearing the agenda was incorrect.

Item 2.6 & 2.7 Proposed Subdivision and PUD for Condos and Single Family Lots – Town Center. Planner McCarty oriented the commission with the location and turned time to the applicant. Matt Watson described the subdivision with single family lots. Jared Nichols with Edge Homes was introduced and provided a color scheme for the development. Mr. Watson continued describing the development setbacks and right-of-ways. He described the center median with on-street parking and bike lane. A discussion took place about the look of 13400 S. Commissioner Hamilton felt frustrated with the setbacks along 13400 S and the on-street parking problems. He didn't want to approve a subdivision allowing the same problems; a brief discussion took place. Mr. Nichols presented color boards and a discussion about fencing ensued. Elevations were reviewed and discussed.

A brief discussion about item 2.2 and a recommendation to council took place.

Meeting adjourned at [7:06:27 PM](#)



[7:09:11 PM](#) 7:00 P.M. ~ Regular Planning Commission Meeting

Attendance

Planning Commission Members:

- Chris Berbert
- Jeremy Burkinshaw

Blayde Hamilton
Adam Jacobson
Clint Smith
Wade Thompson

City Staff: Bryn McCarty, City Planner
Sandra Llewellyn, Planner I
Heather Upshaw, Senior Planner
Cindy Quick, Deputy Recorder
Brett geo. Wood, City Manager
Gordon Haight, Assistant City Manager
Blake Thomas, City Engineer
John Brems, City Attorney

Guests: Please see the attendance sign in sheet.

1. GENERAL BUSINESS:

Chair, Clint Smith welcomed those in attendance.

- 1.1 [7:09:37 PM](#) Reverence / Thought: [Halen Hubbard](#)
- 1.2 [7:10:23 PM](#) Pledge of Allegiance: [Dallin Andreason](#)
- 1.3 [7:10:33 PM](#) Roll call: [Full Quorum, Jessica Morton and Robyn Shakespear absent](#)
- 1.4 [7:10:43 PM](#) Approval of Minutes for: **November 19, 2015**

Commissioner Blayde Hamilton **MOVED** to approve the minutes for November 19, 2015.

Commissioner Chris Berbert **SECONDED** the motion.

The voting was unanimous.

Vote passed.

Motion carried.

Chair, Clint Smith reviewed the public comment policy and procedure.

2. Administrative Items:

Administrative items are reviewed based on standards outlined in the ordinance. Public comment is taken on relevant and credible evidence regarding the applications compliance with the ordinance.

- 2.1 [7:12:28 PM](#) **37C15** – Victory Homes – 14862 S Aurora Vista Cir – Proposed Detached Garage Zone: R-1-15 – Acres: .88 (Item Continued from November 5, 2015)

City Planner, Bryn McCarty oriented the commission with an aerial map and site plan. The request from planning commission was to fence and screen the garage which is shown on the plan. Elevations of the garage were shown and the elevations match the home.

Bernie Floyd (applicant), 14862 S. Aurora Vista Cir., addressed the commission and divulged that he has not been able to attend because of ill parents. He understood the biggest concern was that a home owner

objected the plan. He felt it was important to visit with his neighbors and found the neighbor who had objections to the garage. After discussions with his neighbors no longer have any objections. He has a letter with their signatures and they've signed stating that they have, they no longer have objections. One neighbor even added a personal letter explaining that she has no problems. He hoped the plan was favorable at this time. He mentioned showing the neighbors what the commission had suggested he do with the fence and gate. Three out of the five neighbors would want the garage to be shown and the fence to come to the side of the garage. Commissioner Adam Jacobson wondered about a dumpster shown and whether it would be temporary. The response was that it is only for building the garage. Commissioner Chris Berbert asked about the size of the gate and fence. The applicant explained that there would be two gates, eight feet each and there is a section of fenced area between the two driveways. Mr. Floyd would like a rolling fence and asked whether or not the commission would be making a decision tonight. The commission felt satisfied with the plan presented.

Commissioner Blayde Hamilton **MOVED** to approve the item as presented and with staff recommendations.

Commissioner Jeremy Burkinshaw **SECONDED** the motion.

Chair Smith asked for a vote. The vote was as follows:

Commissioner Blayde Hamilton	Yes
Commissioner Jeremy Burkinshaw	Yes
Commissioner Chris Berbert	Yes
Commissioner Adam Jacobson	Yes
Commissioner Wade Thompson	Yes

Vote passed.

Motion carried.

2.2 [7:20:34 PM](#) **31S15** – Johnson – 5724 W 12900 S – Proposed 3 Lot Subdivision – Zone: A-.5 – Acres: 2.23 – Units: 3

City Planner, Bryn McCarty oriented the commission with an aerial map, a site plan and other images prepared. The plan shows three lots coming off of a flag lot. The proposal was denied by the commission several years ago and city council approved it in an appeal. It was never recorded so it expired and now they've had to start all over again. The flag lot ordinance was recently changed stating that only one lot can be off of a flag lot. The layout proposed does not meet the current ordinance. However, there is an exception stating that where topographical exceptions exist, recommendations can be made to the council to grant an exception allowing the subdivision or recommend denial. This is on for a public hearing.

Chair Clint Smith noted that it was properly noticed as a public hearing but was not noted on the agenda.

Marie Pestana (applicant), 754 E 2150 S Bountiful, UT, was born and raised in Herriman. She explained that this property was meant for her and her siblings to build a home next to her parents. She did not get it recorded due to finances. Now they are able to take care of those costs.

Chair Smith asked if the applicant was clear about the current ordinance. Her response was that she was and they had approached the Walkers about getting access but they declined. They were told that when 5600 West went in the trucking company would be putting a road through. The flag lot road was only going to be a temporary access and there was still a strong possibility for additional access. Police and fire passed off on the plan and had no problems. They were happy to pay all costs associated with building the homes which will be traditional style. The lots are bigger than what was zoned for in the area.

[7:26:56 PM](#) Chair Smith opened the public hearing and called for any citizen who would like to speak on this item to come to the podium, fill out a comment form and state their name and address for the record.

Citizen Comments:

Doyle Timothy, 5708 W 12900 S, was concerned with the access road and whether or not it will be private, city maintained or paved. He lives east of the road and will be impacted by the traffic. He reported a drainage problem with the road and would like it taken care of.

Dewayne Smith, 5686 W 12900 S, he mentioned being excited about having neighbors but was concerned about the road being too narrow because curb and gutter is needed. He felt worried about fires and the safety and welfare for those in the area. He would like to see the CC&R's in regard to fencing, fire hydrants and lighting. He felt there needs to be more definitive information regarding the size of houses and fencing.

7:31:30 PM Chair Smith closed the public hearing.

Mrs. Pestana addressed the issues raised. All conditions needed to be met by prior approvals. The road will be paved, fire has given approval and all engineering has been done except for paying the sewer bond. The homes will be high quality, traditional, masonry homes and safety is a main factor.

Planning commission felt that the current ordinance should be followed and didn't feel like it met the burden of exception. Chair Smith understood the desire to utilize the property but felt that they should not go against current ordinance.

Commissioner Chris Berbert **MOVED** to deny because of flag lot ordinance stating no more than one flag lot may be served by the staff portion and recommendation to city council.

Commissioner Adam Jacobson **SECONDED** the motion.

Chair Smith asked for a vote. The vote was as follows:

Commissioner Blayde Hamilton	Yes
Commissioner Jeremy Burkinshaw	Yes
Commissioner Chris Berbert	Yes
Commissioner Adam Jacobson	Yes
Commissioner Wade Thompson	Yes

Vote passed.

Motion carried.

2.3 7:34:28 PM **36C15** – Summit – 6044 W 13100 S – Approval of Building Elevations for a Daycare Zone: A-1 – Acres: 1.5

City Planner, Bryn McCarty oriented the commission with an aerial map, site plan and elevations. It was mentioned that a color board was presented in the work meeting.

Rachel McEnzie, architect representing the owner Charles Shaw, presented a (red) color sample for the doors and windows.

Chair Clint Smith turned the time over to the commission for further discussion. Planner McCarty noted that the plan shows a fence along the adjacent lot and suggested that they address the fence in the motion.

Commissioner Wade Thompson **MOVED** to approve the item with address as 13400 South, an exception of the fence going to Pioneer Street and with staff recommendations.

Commissioner Jeremy Burkinshaw **SECONDED** the motion.

Chair Smith asked for a vote. The vote was as follows:

Commissioner Blayde Hamilton	Yes
Commissioner Jeremy Burkinshaw	Yes
Commissioner Chris Berbert	Yes
Commissioner Adam Jacobson	Yes
Commissioner Wade Thompson	Yes

Vote passed.

Motion carried.

2.4 [7:38:13 PM 32S15](#) – Edge Homes – 6400 W Herriman Parkway – Proposed Single Family Subdivision - Zone: R-2-10 – Acres: 38.23 – Units: 104

Chair Clint Smith reported that item 2.4 and item 2.5 will be discussed together.

City Planner, Bryn McCarty oriented the commission with an aerial map and site plans. Preliminary PUD approval was given last year. The density approved was very specific and the plan matches those requirements; 3 units per acre. An LDS chapel and detention was shown on the plan. There is a power corridor going along 6600 W, staff would like to see that easement and how it affects the lots next to it. They would like to see a swell to protect the homes from water coming from surrounding fields. Staff recommended having the public hearing and continuing the item to allow the applicant to work through engineering issues.

Brandon Watson (applicant), 11094 S. Broadwick Rd, South Jordan, was representing Edge Homes and expressed excitement to build single family homes in the SLR piece. They have met the density required. In reference to the power corridor on the south, the applicant reported being okay with the engineering request. They can put in a swell and access road along that corridor. It could be used as a trail system or dedication for open space. A plan created by Rocky Mountain Power to show the easement in relation with the lots was passed out to the commission. Mr. Watson outlined a 10 foot buffer where the power poles will be located. There was a 25 foot landscape buffer dedicated around the power poles. There was about 10 feet that may trickle into some of the lots; if it becomes an issue they will address it for those lots. Commissioner Adam Jacobson asked about the details for the landscape buffer. The response was that there were no plans yet but they will work with Rocky Mountain Power to provide appropriate trees so that they don't become a maintenance issue.

[7:45:12 PM](#) Chair Smith opened the public hearing and called for any citizen who would like to speak on this item to come to the podium, fill out a comment form and state their name and address for the record.

Citizen Comments:

Robin Glassey, 12513 Heritage Hill Court, lives on the street next to the development. She mentioned that she really enjoys her beautiful view and is concerned that she won't have it much longer. She reported that the developer agreed to have a buffer between her neighborhood and the proposed neighborhood. She felt the proposed plan doesn't appear to have much of a buffer. She was concerned about the sizes of the homes in the development, as well. It was her understanding that the home sizes in the neighborhood would be comparable to the homes in her own neighborhood.

Aaron Fish, 12546 Sunlight Hill Ct, was concerned with the access roads. He would like to know how the access road on the east, lines up with his subdivision. He felt concerned about the road being a through street. He would like the access road moved to the north or south side. He was also concerned with the power corridor easement and how it affects the lot sizes. If an access road is provided on the south side of the subdivision he'd like there to be another road that exits on the same side.

Jared Henderson, 12568 S Heritage Hill, was concerned about Heritage Hill Drive. He understood that the road would only be an emergency access. He thought the city preference would be to have open access. He wondered how the two roads would line up and if it will create a shortcut through the subdivision. He would like to see the elevations come back. He was concerned with the power corridor and whether there were restrictions on the masonry fence, as well as, the size of the lots.

[7:53:25 PM](#) Chair Smith closed the public hearing.

City Planner, Bryn McCarty explained that the design guidelines approved are very specific, as far as the elevations and the size of the lots. The builder could show the elevations but they have to meet the design guidelines. City Engineer, Blake Thomas explained that there needs to be more research for the power corridor; there are restrictions. The access road shown on the plan does not show how it lines up. Engineering requirements do require them to line up or be off by several hundred feet. The development agreement does require it to be closed off for emergency access only. He anticipated that a 40 mph parkway would be preferable rather than traveling through a subdivision street. The drainage on the south side will be taken care of by the applicant.

Chair Clint Smith asked whether or not the detention would always remain a detention. The response was that it will remain there unless someone else made a pond in another area to do away with the detention for this development. Commissioner Adam Jacobson asked who owns the land between parcel C and Heritage. The response was the Last Hold Out LLC. Engineer Thomas reported that there is an 80 ft right-of-way per the development agreement with SLR.

Jared Henderson asked the commission to have the drainage noted.

Chair Smith turned to the planning commission for further discussion. He noted that engineering and staff have some issues that need to be vetted out.

Commissioner Adam Jacobson **MOVED** to continue the item without date.

Commissioner Wade Thompson **SECONDED** the motion.

Chair Smith asked for a vote. The vote was as follows:

Commissioner Blayde Hamilton	Yes
Commissioner Jeremy Burkinshaw	Yes
Commissioner Chris Berbert	Yes
Commissioner Adam Jacobson	Yes
Commissioner Wade Thompson	Yes

Vote passed.

Motion carried.

2.5 [7:58:55 PM](#) **42C15** – Edge Homes – 6400 W Herriman Parkway – Final PUD
Approval Zone: R-2-10 – Acres: 38.23 – Units: 104

Commissioner Adam Jacobson **MOVED** to continue the item without date.

Commissioner Chris Berbert **SECONDED** the motion.

Chair Smith asked for a vote. The vote was as follows:

Commissioner Blayde Hamilton	Yes
Commissioner Jeremy Burkinshaw	Yes
Commissioner Chris Berbert	Yes
Commissioner Adam Jacobson	Yes
Commissioner Wade Thompson	Yes

Vote passed.
Motion carried.

2.6 [7:59:29 PM](#) **34S15** – Edge Homes – 5000 W Herriman Rose Blvd – Proposed Subdivision of Condos and Single Family Lots – Zone: MU-2 – Acres: 7.68 – Units: 118

Chair Clint Smith reported that item 2.6 and 2.7 will be discussed together.

City Planner, Bryn McCarty oriented the commission with site plans, aerial maps and proposed elevations. There will be 110 condo units and 8 single family lots in the town center; all will have garages and driveways. Floor plans, amenities and the proposed elevations for the single family homes were shown. The condos will be for sale and private streets in the development are HOA maintained.

Chair Smith commented that this is part of the town center development and asked Planner McCarty to review the density numbers. The response was that a minimum density has to be met. Currently 1,300 units have been built and 700 units still need to be built to hit the minimum number.

Matt Watson (applicant), 6703 Gina Rd, was representing the property owner and Edge Homes. He reported that there will be 110 condo units for sale and they will be three story buildings. There will be a total of 61 off-street parking stalls with a total of 2.5 parking spaces per unit. There will be two different color schemes. They will bring back colors if they choose to do any other color schemes. He presented pictures of a similar product that will be built in the development. Commissioner Adam Jacobson asked about parking for the middle condo units. Mr. Watson described where the visitor parking would be and described the path to get to the building. There is a breeze way in the middle of the units. Commissioner Wade Thompson asked about the location of the garbage cans. Jared Nichols, Edge Homes, 1019 E 5275 S, responded that the garbage cans would need to be put inside the garage. Mr. Watson added that the garbage cans are kept inside garages at another development and the applicant may choose to do the same with this development.

Commissioner Jeremy Burkinshaw asked if on-street parking was allowed. The response was that public roads have on-street parking. The road on the north allows for parking on both sides of the street. Fort Herriman Parkway has on-street parking. Herriman Rose Blvd. will not have on-street parking. He reported that there will be commercial on the south side of the development. Commissioner Chris Berbert asked about the size of the tot lot. Brandon Watson explained that the structure would be 35' x 40' and they will be installing the structure in a rectangle instead of a circle as shown on the plan.

Commissioner Wade Thompson asked about the single family homes and whether or not the driveways face the road. The response was yes, the driveways will face the road.

[8:14:09 PM](#) Chair Smith opened the public hearing and called for any citizen who would like to speak on this item to come to the podium, fill out a comment form and state their name and address for the record.

Citizen Comments:

William Anderson, 13207 Weatherford Ln, was concerned about the site and the streets. He described the development to the west of the site to illustrate a parking issue and concern. The roads in the development are small and each unit has a garage, however, cars still park out on the main road. He was concerned with the requirement of including a garbage can in the garage. He was concerned that Herriman Rose Parkway will be filled with parked cars. He also had concerns about the tot lot being sufficient for the amount of units in the development. He recommended larger streets and more parking stalls.

[8:18:42 PM](#) Closed public hearing.

Chair Clint Smith turned the time to planning commission for further discussion. Commissioner Chris Berbert reiterated the amount of parking stalls and garages in the development. There will be 110 garages and 110 parking stalls with additional parking stalls for guests.

Matt Watson explained that single family units have two car garages. The condos have 61 stalls, 110 garages and 110 stalls for a total of 281 which averages to 2.5 stalls per unit. Commissioner Adam Jacobson asked about not allowing parking along the residential street. Mr. Watson reiterated that the homes do have driveways and understood the challenge of on-street parking but explained that if the city makes that street a no parking street then residents cannot park in front of their home either.

Planner McCarty pointed out that the development meets the parking ordinance and noted that there will be a Trax station close to the development. Commissioner Chris Berbert was concerned with the size of the tot lot but felt that the 30' x 40' size would be better and wanted to make sure it is larger than the 20' size shown on the plan. Chair Smith would like to see more variation in the color of the condos. Mr. Watson reported that they would bring back another color scheme.

Commissioner Chris Berbert **MOVED** to approve the item with staff recommendations.

Commissioner Blayde Hamilton **SECONDED** the motion.

Chair Smith asked for a vote. The vote was as follows:

Commissioner Blayde Hamilton	Yes
Commissioner Jeramy Burkinshaw	Yes
Commissioner Chris Berbert	Yes
Commissioner Adam Jacobson	Yes
Commissioner Wade Thompson	Yes

Vote passed.

Motion carried.

2.7 [8:28:54 PM](#) **44C15** – Edge Homes – 5000 W Herriman Rose Blvd – Final PUD
Approval for 110 Condos and 8 Single Family Lots – Zone: MU-2 – Acres: 7.68 – Units:
118

City Planner, Bryn McCarty explained that building elevations are submitted if the commission would like to change the elevations add a fourth requirement and reminded them about the discussion regarding the size of the tot lot.

Commissioner Adam Jacobson mentioned concern regarding the requirement of putting the garbage in garage. He asked what the size of the garage would be. Matt Watson advised the commission that there is also a pool amenity at this development. The garage size was 22 ½ feet long by 10 feet wide. Commissioner Blayde Hamilton reminded the commission about the proximity of Trax to the location of the development and a discussion ensued. Steve Maddox reported that he will build an appropriately sized tot lot.

Commissioner Chris Berbert **MOVED** to approve the item with staff recommendations adding number 8 to make tot lot minimum size 35' x 40' with an equivalent to the image that was provided. Change number 4 to bring the elevations and color pallet back for approval.

Commissioner Blayde Hamilton **SECONDED** the motion.

Chair Smith asked for a vote. The vote was as follows:

Commissioner Blayde Hamilton	Yes
Commissioner Jeramy Burkinshaw	No
Commissioner Chris Berbert	Yes
Commissioner Adam Jacobson	No
Commissioner Wade Thompson	No

Vote failed.
Motion did not carry.

Chair Smith explained that there will need to be a modification for approval or an amendment to the previous motion. The concerns of the commissioners that voted no were parking issues. Chair Smith asserted that the applicant meets the parking ordinance. The consensus of the commission was to provide requirements for garbage and the size of the garage show how residents would be able to fit a car and garbage can inside. Commissioner Jeremy Burkinshaw noted that there is a discrepancy in the width of the garages and although it does meet the parking ordinance the development may cause an issue with on-street parking. Mr. Watson noted that the dimension of the garage exceeds the current ordinance.

Commissioner Jacobson voiced concern that the site plan does not show garbage cans and he was worried that the can will be taking up a space. He asked that the plan show the size of the parking space and requirements for refuse/garbage.

Commissioner Adam Jacobson **MOVED** to continue the item with the above mentioned requirement and with staff recommendations adding number 8 to make tot lot minimum size 35' x 40' with an equivalent to the image that was provided. Change number 4 to bring the elevations and color pallet back for approval.

Commissioner Jeremy Burkinshaw **SECONDED** the motion.

Chair Smith asked for a vote. The vote was as follows:

Commissioner Blayde Hamilton	No
Commissioner Jeremy Burkinshaw	Yes
Commissioner Chris Berbert	No
Commissioner Adam Jacobson	Yes
Commissioner Wade Thompson	Yes

Vote passed.
Motion carried.

3. 8:52:36 PM **New Items of Subsequent Consideration:**

None

4. 8:52:45 PM **Future Meetings:**

4.1 City Council Meeting – Wednesday, **December 9, 2015** @ 7:00 PM

4.2 Planning Commission Meeting - Thursday, **December 17, 2015** @ 7:00 PM

5. **ADJOURNMENT:**

Chair Clint Smith called for a motion to adjourn.

Commissioner Adam Jacobson **MOVED** to adjourn the meeting and Commissioner Chris Berbert **SECONDED** the motion. The voting was unanimous.

The meeting adjourned at 8:53:12 PM.

I, Cindy Quick, Deputy Recorder of Herriman City hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on December 3, 2015. This document constitutes the official minutes for the Herriman City Planning Commission Meeting.



Cindy Quick, CMC
Deputy Recorder