



PLANNING COMMISSION MINUTES

Thursday, October 6, 2016
Approved November 3, 2016

The following are the minutes of the Planning Commission Meeting held on **Thursday, October 6, 2016 at 6:00 p.m.** in the Herriman City Community Center, 13011 South Pioneer Street (6000 West), Herriman, Utah. Adequate notice of this meeting, as required by law, was posted in the Community Center, on the City's website, and delivered to members of the Commission and media.

Presiding: Chair Clint Smith

Commission Members Present: Chris Berbert, Andrea Bradford, Jessica Morton, Curt Noble, Robyn Shakespear, Wade Thompson

Council Members Present: Mayor Carmen Freeman, Coralee Wessman-Moser

City Staff Present: City Planner Bryn McCarty, Planner I Sandra Llewellyn, City Engineer Blake Thomas, City Attorney John Brems

6:00 PM - Work Meeting: *(Front Conference Room)*

6:06:14 PM City Planner briefly discussed the upcoming meeting schedule

1. 6:07:59 PM Home Occupation Discussion

City Planner Bryn McCarty mentioned that they have hired an attorney to help review the city ordinances. Most of the work done will be for organization and clean up and to make sure that the city ordinance matches state statute. The attorney suggested that the home occupation should not be a conditional use but by permit. The ordinance should clearly outline the standards and if the applicant meets those standards then the business would be approved. She questioned whether or not to approve the home occupation for each person or each property. If it were approved per person, the home occupation would go away when the person moved. However, if it were approved per property, then the home occupation would stay with the property. Planner McCarty recommended creating an ordinance instead of a conditional use and noted that every other city allows one employee and most cities allow use of the property for the business. She requested input from the commission regarding whether or not to create an ordinance for home occupation instead of a conditional use. Commissioners made suggestions for additional requirements regarding daycares (hours, fencing, customers, traffic, landscaping, parking etc.). She asked commission if they were okay to move in the direction of home

occupation being a permitted use. Commissioners felt that it made sense for most businesses but felt that there would be some business types that still needed to be reviewed. Planner McCarty suggested including the ability for staff to require that it be reviewed by the commission. A suggestion was made if the business license expired, the applicant would then have to redo the process. Commissioners felt allowing an employee for home occupation would be fine. Planner McCarty asked about allowing business outside the home in a garage/shop and thought that it would probably be a lot size issue not a zoning issue. Commissioners felt that would be appropriate. She recommended that the commission continue the text change to allow further changes to be made based on the discussion. A brief discussion regarding banning daycares in townhomes took place.

[6:32:30 PM](#) City Planner Bryn McCarty passed a letter to the commission which was received about an hour before the meeting. The letter was regarding item 2.6 Rosecrest Communities proposed subdivision to add 28 townhome units (Pod 8).

2. [6:34:20 PM](#) Review of Agenda Items

Item 2.1 – Lords – Exception to the elevations for an accessory building. The issue was not the size of the building but the requirement to match the home. The resident does not want the garage to match the home style because it is a log home. The proposed accessory building would be metal and would match the color of the home. The applicant does have a similar building already on the property. Commissioners were impressed that the owner took the time to go around to his neighbors to ask about how they felt about the proposed building.

Item 2.2 – Herriman Corners – proposed subdivision of 4 condo units.

Item 2.3 & 2.4 – Edge Homes – proposed subdivision & final PUD of 145 single family lots. The applicant brought back information to present to the commission.

Item 3.1 – Herriman City – text change to Land Use Ordinance to create a Technology and Manufacturing Zone. City Planner Bryn McCarty reminded the commission that the entire ordinance was new, however, the noted changes were from what was presented at the last meeting. She reported a slight name change to Technology Manufacturing Zone. A discussion about the design criteria took place and a concern regarding tilt up buildings. Planner McCarty explained that all retail was required to meet 60% brick or stone. Metal buildings are prohibited. Tilt up buildings could not have brick because of the expensive for a building that large. The landscaping requirements would help with a buffer and cover for those types of buildings. A brief discussion about the landscaping requirements ensued. It was also pointed out that the applicant creating tilt up buildings would want the building to look good and be attractive. The conditional use categories were briefly discussed and a concern of how to decide which category an applicant would fit in to was voiced. Retail versus warehouse was used as an example. Planner McCarty explained that she would decide which category an applicant would fit into. She suggested having retail and non-retail and place a square footage requirement to help determine the category. The suggestion of 40,000 square feet was discussed. She pointed out the following language in the ordinance that states, anything over 40,000 square feet can have an exception if they have approved design guidelines and the council approves those guidelines. All felt like that would take care of the concern.

Item 3.2 – Herriman City – text change to Home Occupation Ordinance – Planner McCarty recommended continuing the item to make the additional changes from the work meeting discussion.

Item 3.3 – Herriman City – text change to Sign Ordinance – the desire was to only allow larger signs in certain areas. Commercial projects larger than 40 acres require design guidelines and a development agreement which the council approves.

Item 3.4 through 3.7 – Scenic Development – proposed rezone from A-1 to C-2. Four adjacent properties near Mountain View and Academy Parkway.

Meeting Adjourned [7:00:05 PM](#)



7:00 PM - Regular Planning Commission Meeting:

Presiding: Chair Clint Smith

Commission Members Present: Chris Berbert, Andrea Bradford, Jessica Morton, Curt Noble, Robyn Shakespear, Wade Thompson

Council Members Present: Mayor Carmen Freeman, Coralee Wessman-Moser

City Staff Present: City Planner Bryn McCarty, Planner I Sandra Llewellyn, Deputy Recorder Cindy Quick, City Engineer Blake Thomas, City Attorney John Brems

1. General Business:

[7:05:12 PM](#) Welcome

Chair Clint Smith welcomed those in attendance.

1.1 [7:05:25 PM](#) Invocation and Pledge

Brad Murdock offered the invocation and Matthew Clark led us in the pledge.

1.2 [7:09:36 PM](#) Roll call:

Full Quorum, Jeramy Burkinshaw and Adam Jacobson absent

1.3 [7:06:46 PM](#) Approval of Minutes for: September 1, 2016 and September 15, 2016

Commissioner Robyn Shakespear MOVED to approve the minutes for September 1 and 15, 2016.

Commissioner Wade Thompson SECONDED the motion.

The voting was unanimous.

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.

[7:07:15 PM](#) Chair Clint Smith reviewed the public comment policy and procedure.

2.1 [7:08:27 PM](#) 52C16 – Lords – 6163 W Butterfield Parkway – Request for an exception to the elevations for an accessory building - Zone: A-.25 – Acres: 1

City Planner Bryn McCarty explained that the accessory building ordinance had been amended a couple months ago and the proposal would be the first one under that new ordinance. The property was zoned A.25 but is an acre. The ordinance requires that the accessory building materials match those of the home. The home is a log home and the applicant does not want the accessory building to be a log building. Elevations of the proposed structure were shown. He applicant proposed a metal accessory building. One neighbor called in with questions but when those questions were answered the neighbor seem to be no longer concerned. Pictures of the property and the site layout were shown.

Jason Lords (applicant), 6163 W Butterfield Parkway, explained that the proposed accessory building would be sitting next to another metal building so it would not stick out on the property. He responded to Chair Smith that the colors on the drawing were the colors he planned to use and the building would sit in the far rear corner of the property.

Commissioner Jessica Morton reported having no issues. Commissioner Chris Berbert appreciated that he spoke with the neighbors and had them sign a petition that they were okay with the proposal. It made the process much easier for the commission. Chair Clint Smith reported making that same comment during the work meeting he complimented that effort as well.

Commissioner Jessica Morton MOVED to approve the item.

Commissioner Robyn Shakespear SECONDED the motion.

The vote was recorded as follows:

Commissioner Chris Berbert Yes

Commissioner Andrea Bradford Yes

Commissioner Jessica Morton Yes

Commissioner Curt Noble Yes

Commissioner Robyn Shakespear Yes

Commissioner Wade Thompson Yes

The motion passed unanimously.

2.2 [7:13:31 PM](#) 12S15-01 – Herriman Corners – 13365 S 5600 W – Proposed Subdivision of 4 condo units – Zone: C-2 (Public Hearing)

City Planner Bryn McCarty oriented the commission with an aerial map, site plan and other images prepared to show location of the condos. There are four units in the building and the proposal would separate the four units so that they could all be owned individually.

Brad Murdock (applicant), 863 Country Lane, Farmington, noted that lot six may have to be bound by a separate specific CC&R or the subdivision CC&R could be used which he hoped would be adequate. Planner

McCarty stated that it basically would state who would maintain the common space, parking lot, landscaping etc. Mr. Murdock felt that could be done quickly with an attorney. Planner McCarty noted that the proposal could still be approved because the CC&R's will come back to the commission with the HOA. It would most likely not change the plat at all. Chair Clint Smith did suggest to bring the CC&R's back separately as outlined in the requirements.

[7:17:07 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:

None

[7:17:19 PM](#) Chair Smith closed the public hearing.

Commissioner Chris Berbert did not have a chance to review the CC&R's but other than that he saw no problems. Chair Clint Smith had no problem with the concept of the push to allow ownership.

Commissioner Chris Berbert MOVED to approve the item with staff requirements and stating, with two and three, where it says establish an HOA for the maintenance of the areas and CC&R's to come back for review and final approval, that it will be required before the plat is recorded.

Commissioner Jessica Morton SECONDED the motion.

The vote was recorded as follows:

Commissioner Chris Berbert Yes

Commissioner Andrea Bradford Yes

Commissioner Jessica Morton Yes

Commissioner Curt Noble Yes

Commissioner Robyn Shakespear Yes

Commissioner Wade Thompson Yes

The motion passed unanimously.

2.3 [7:20:15 PM](#) 16S16 – Edge Homes – 4500 W Juniper Crest Rd – Proposed Subdivision of 145 Single Family Lots (Pod 33) – Zone: R-2-15 – Acres: 17.51 (Public Hearing held on June 16, 2016)

Chair Smith noted that item 2.3 & 2.4 will be discussed together.

City Planner Bryn McCarty oriented the commission with an aerial map, site plan and other images prepared. The proposal was for Pod 33 in Rosecrest and final PUD approval. The layout was shown and must meet the design guidelines for Rosecrest. All lots will be single family.

Jaran Nicholls (applicant), Edge Homes, 42 W 800 N, Orem, took time to describe the look and feel of the subdivision and noted it would be similar to Mountain Heights. He showed the natural open space, hiking, biking and jogging trails. The layout of the subdivision was shown. He noted the secondary access. Images of

Mountain Heights were shown to illustrate the look of the proposed subdivision. Pictures of the inside and out of the homes were shown. The picnic area with pavilion and trail connection was shown along with the summary of overall numbers of units for the project. Chair Clint Smith reported being pleasantly surprised at how fast the development filled out and how successful it was, he felt that was a testament to the product. He asked for confirmation that the secondary access will not be gated and the response was affirmative.

Chair Smith turned time to the commission for further discussion. Commissioner Chris Berbert questioned the land use map and wondered why they have proposed 8.3 units per acre when it shows medium density which is 4.6 - 8 units per acre. Chair Clint Smith explained that this would fall under the development agreement. Rosecrest has an approved plan that shows 8-14 units per acre. Commissioner Berbert felt that the master plan should be in line with the development agreement. Chair Smith explained that the council has the ability to take the development agreement into consideration for the overall units in the whole area. City Planner McCarty suggested that when the city makes changes to the development agreement the general plan should be updated to match.

Mr. Nicholls read requirement number five which stated that building permits will be limited to 30 lots until all public infrastructure for pod 32 is completed. He felt that it made it sound like all roads will be in place but the intent was that the one road connection would be in place. He felt that it should be a substantial completion for that connection. Commissioner Chris Berbert explained that number four says emergency access so it might cover it. City Planner felt that it should say secondary access not emergency access. Chair Smith felt then that number five could be taken out and change the verbiage of number four with a total of eleven requirements for the subdivision.

Commissioner Jessica Morton MOVED to approve the item with items outlined by staff with taking out number five so there is only eleven items and number four changing the emergency access to secondary access.

Commissioner Curt Noble SECONDED the motion.

The vote was recorded as follows:

<i>Commissioner Chris Berbert</i>	<i>No</i>
<i>Commissioner Andrea Bradford</i>	<i>Yes</i>
<i>Commissioner Jessica Morton</i>	<i>Yes</i>
<i>Commissioner Curt Noble</i>	<i>Yes</i>
<i>Commissioner Robyn Shakespear</i>	<i>Yes</i>
<i>Commissioner Wade Thompson</i>	<i>Yes</i>

The motion passed unanimously.

2.4 [7:33:14 PM](#) [56C07-14](#) – Edge Homes – 4500 W Juniper Crest Rd – Final Planned Unit Development Approval for 145 Single Family Lots (Pod 33) – Zone: R-2-15 – Acres: 17.51

Commissioner Jessica Morton MOVED to approve the item with the requirements outlined by staff.

Commissioner Curt Noble SECONDED the motion.

The vote was recorded as follows:

<i>Commissioner Chris Berbert</i>	<i>No</i>
<i>Commissioner Andrea Bradford</i>	<i>Yes</i>

Commissioner Jessica Morton *Yes*
Commissioner Curt Noble *Yes*
Commissioner Robyn Shakespear *Yes*
Commissioner Wade Thompson *Yes*

The motion passed unanimously.

2.5 [7:33:53 PM](#) [19S16-01](#) – Rosecrest Communities, LLC – 14473 S Autumn Crest Blvd – Proposed Subdivision Amendment to add 28 townhome units (Pod 8) – Zone: MU-2 – Acres: 7.92 – Units: 125 (Public Hearing held on August 18, 2016)

Chair Smith noted that item 2.5 and 2.6 will be discussed together.

City Planner Bryn McCarty oriented the commission with an aerial map, site plan and other images prepared. She explained that part of pod 8 had been approved leaving out the corner lot to be sold to the community college. They did want to move forward with the sale of the corner lot, all had indicated the sale was moving forward. However, moments ago information was provided that the sale would not be happening. The applicant would like to request approval of townhomes on the property.

Matt Watson (applicant), Rosecrest Communities, 10421 S. Jordan Gateway Blvd., all parties got together for the road alignment of pod 8. Salt Lake Community College was wanting and willing to purchase the property. The legal description was written two days ago. After the Board of Regents met they had concerns. The Community College tried to work through those concerns but the Board of Regents decided not to purchase the property. The builder buying from Rosecrest would like to continue with the product they've done on the north side. Setbacks will be the same as the previous portion. The elevation board and material board was shown. Mr. Watson provided an update for overall number of units remaining.

Commissioner Wade Thompson wondered about the CC&R's and whether they were owner occupied or for rent? Mr. Watson explained that any owner could rent the property and would fall under city ordinance which does not allow renting out to multiple families. Chair Smith reiterated that there would be one lease agreement and tenants have to be related.

Chair Smith turned to the commission for further discussion and possible action. Chair Smith asked for confirmation that the units are single car garages and single car driveways, the response was affirmative. Mr. Watson responded that there would not be basements. They are rear loaded and front elevations face the street with the garages in the back. Chair Smith voiced disappointment that the community college will not be purchasing the property. He doesn't love the layout and the way that the streets connect. However, he did realize that it would be part of the same pod and understood how it would relate to the development agreement. He reported receiving the letter from the Board of Regents in the work meeting which talked about their concerns. He asked that the applicant have further discussions with the Board of Regents to try and make it work out. Commissioners were concerned with traffic and layout. Chair Smith noted understanding the rights of the property owner.

Chair Smith asked commission if there were concerns other than the layout. The response was that the layout was the major concern and they voiced concern with single car garages and no basements as well as parking. It

was noted that the application would exceed the current parking ordinance. City Engineer Blake Thomas reported that Autumn Crest had no parking along the west side and 4000 West doesn't have a shoulder so there would not be on street parking. Commissioner Robyn Shakespear asked about fencing. Chair Smith asked about four units that do not have driveways. Mr. Watson confirmed that the inside four units do not have driveways, however, the parking lots are noted next to the units. It was pointed out that there was no fencing requirement and a concern was voiced that it may allow parking for SLCC students. Mr. Watson felt that there would be fencing and landscape provided around the perimeter of the community college campus. Chair Smith suggested possibly approving fewer units.

Commissioner Jessica Morton MOVED to approve the item with 25 townhomes instead of the 28 and the recommendations outlined by staff. Number eleven would be 122.

Commissioner Wade Thompson SECONDED the motion.

The vote was recorded as follows:

<i>Commissioner Chris Berbert</i>	<i>Yes (with reservations)</i>
<i>Commissioner Andrea Bradford</i>	<i>Yes</i>
<i>Commissioner Jessica Morton</i>	<i>Yes</i>
<i>Commissioner Curt Noble</i>	<i>Yes</i>
<i>Commissioner Robyn Shakespear</i>	<i>Yes (with reservations)</i>
<i>Commissioner Wade Thompson</i>	<i>Yes (with reservations)</i>

The motion passed unanimously.

2.6 [8:03:42 PM](#) [56C07-16](#) – Rosecrest Communities, LLC – 14473 S Autumn Crest Blvd – Proposed Amendment to the PUD to add 28 townhome units (Pod 8) – Zone: MU-2 – Acres: 7.92 – Units: 125

Commissioner Jessica Morton MOVED to approve the item with the 25 townhomes instead of the 28 and with the requirements outlined by staff with a number seven that says 25 units approved so it's clear on the PUD and the subdivision both separately and number eight that they must all include driveways.

Commissioner Curt Noble SECONDED the motion.

The vote was recorded as follows:

<i>Commissioner Chris Berbert</i>	<i>Yes</i>
<i>Commissioner Andrea Bradford</i>	<i>Yes</i>
<i>Commissioner Jessica Morton</i>	<i>Yes</i>
<i>Commissioner Curt Noble</i>	<i>Yes</i>
<i>Commissioner Robyn Shakespear</i>	<i>Yes (with reservations)</i>
<i>Commissioner Wade Thompson</i>	<i>Yes</i>

The motion passed unanimously.

3. Legislative Items:

Legislative items are recommendations to the City Council. Broad public input will be taken and considered on each item. All legislative items recommended at this meeting will be scheduled for a decision at the next available City Council meeting.

3.1 [8:05:01 PM](#) 14Z16 – Herriman City – Text change to the Land Use Ordinance to create a Technology and Manufacturing Zone (Public Hearing held on August 4 and September 1, 2016)

City Planner Bryn McCarty oriented the commission with the text changes to the Technology Manufacturing Zone. She noted changes made to the uses and landscaping. Discussions for the design criteria of what the elevations of the buildings would look like took place during the work meeting. Design criteria would be amended to read, a) all development including accessory buildings must comply with the criteria and b) metal buildings are prohibited. That would also refer to 10-13b-15 which reads it must meet commercial design criteria unless it is over 40,000 square feet and could receive an exception from the council.

Chair Clint Smith appreciated the work from everyone and was comfortable with the way it was proposed. It has been a good process.

Commissioner Wade Thompson MOVED to approve and recommend to council the item with text changes and changes to the design criteria discussed.

Commissioner Chris Berbert SECONDED the motion.

The vote was recorded as follows:

Commissioner Chris Berbert Yes

Commissioner Andrea Bradford Yes

Commissioner Jessica Morton Yes

Commissioner Curt Noble Yes

Commissioner Robyn Shakespear Yes

Commissioner Wade Thompson Yes

The motion passed unanimously.

3.2 [8:09:17 PM](#) 25Z16 – Herriman City – Text change to the Home Occupation Ordinance (Public Hearing)

Chair Clint Smith noted that there was discussion regarding this item during the work meeting and the ordinance language would need additional work.

City Planner Bryn McCarty oriented the commission with the text change to the home occupation ordinance. There will be more changes to the ordinance centered around daycares and preschools. The ordinance does need more work and will be brought back in the next month with those suggested changes.

Commissioner Chris Berbert requested that an additional requirement be included that states there cannot be a shared driveway. Chair Smith suggested limiting daycares and preschools to single family dwellings because shared driveways would not work well for that type of business.

City Planner Bryn McCarty explained that she will be basically withdrawing the application and will start over with the application.

[8:12:07 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:

None

[8:12:25 PM](#) Chair Smith closed the public hearing and noted that the intent would be to renotice the item because it will be redone.

Commissioner Chris Berbert MOVED to continue the item without date.

Commissioner Robyn Shakespear SECONDED the motion.

The motion passed unanimously.

3.3 [8:13:39 PM](#) 26Z16 – Herriman City – Text change to the Sign Ordinance for Large Commercial Signs (Public Hearing)

City Planner Bryn McCarty oriented the commission with text changes to the sign ordinance. There will be changes made to the sign ordinance when the entire zoning ordinance takes place. However, the change to the sign ordinance for large commercial signs was needed in commercial projects larger than 40 acres in the C-2 zone. The signs will be as approved in design guidelines and as part of a development agreement that would be approved by the city council. This would be for projects like Anthem Commercial. The change is not attached to a location.

[8:15:19 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:

None

[8:15:28 PM](#) Chair Smith closed the public hearing.

Commissioner Jeramy Burkinshaw MOVED to recommend to city council approval of the item.

Commissioner Wade Thompson SECONDED the motion.

The vote was recorded as follows:

Commissioner Chris Berbert Yes

Commissioner Andrea Bradford Yes

Commissioner Jessica Morton Yes

Commissioner Curt Noble Yes

Commissioner Robyn Shakespear Yes

Commissioner Wade Thompson Yes

The motion passed unanimously.

3.4 [8:16:14 PM](#) 21Z16 – Scenic Development – 15102 S 3200 W - Proposed Rezone from A-1 (Agricultural 1 acre min.) to C-2 (Community Commercial) - Acres: 23.5 (Public Hearing)

City Planner Bryn McCarty oriented the commission with an aerial map, site plan and other images prepared to

show location of the properties. The next four items were for four separate rezones on four separate properties that are adjacent to each other. The concept layout for the property was shown but was not part of the approval. Office space and residential on the south side of Mountain View corridor. The proposal was for commercial on the other side. It has been changed on the general plan. The four separate properties adjacent to each other were pointed out.

Kim Rindlisbacher (applicant), Scenic Development, 14572 S 790 W, Ste. A100, Bluffdale, estimated that there would be about 50 plus acres in the development. On the south side of the road on the bench he felt the highest and best use would be class a office space with amenities and restaurants. He requested the ability to add more if the demand is there. North side would be commercial as shown.

[8:21:27 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:

None

[8:21:48 PM](#) Chair Smith closed the public hearing.

3.5 [8:21:54 PM](#) **22Z16 – Scenic Development – 15102 S 3200 W - Proposed Rezone from A-1 (Agricultural 1 acre min.) to C-2 (Community Commercial) - Acres: 2.56 (Public Hearing)**

[8:22:05 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:

None

[8:22:11 PM](#) Chair Smith closed the public hearing.

3.6 [8:22:15 PM](#) **23Z16 – Scenic Development – 15102 S 3200 W - Proposed Rezone from A-1 (Agricultural 1 acre min.) to C-2 (Community Commercial) - Acres: 2.56 (Public Hearing)**

[8:22:27 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:

None

[8:22:33 PM](#) Chair Smith closed the public hearing.

3.7 [8:22:37 PM](#) [24Z16](#) – Scenic Development – 15102 S 3200 W - Proposed Rezone from A-1 (Agricultural 1 acre min.) to C-2 (Community Commercial) - Acres: 10.25 (Public Hearing)

[8:22:49 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:

None

[8:22:57 PM](#) Chair Smith closed the public hearing.

Chair Clint Smith noted that the discussion would be regarding the overall plan, encompassing all four parcels. He voiced reservation with the possible residential component for item 3.4 on the south side. He liked the possibility for class a office space there. He would not like seeing it rezoned residential. He would like to have that piece come back when a more definitive use is outlined. Commissioner Chris Berbert asked about the acreage for residential along the south side. The response was most likely 13 to 15 acres for residential. Planner McCarty explained that the MU-2 zone would require a master plan. It seemed easier to leave it commercial and residential without a mixed use zone. Mr. Rindlisbacher was concerned with the slope of the area and the back corner has some real drainage issues. He thought town homes may be better there. He did feel that class a office space would work best for the zone and the area he just doesn't want to sit on it too long. It may be hard to attract restaurants on the hillside. He reiterated, however, that they would like to build class a office space. Commissioner Berbert would like to hold off until there is a better idea of what is going in the property. City Planner McCarty suggested moving forward with zoning per the map and zone the two parcels commercial leaving out the two pads outlined as residential to come back at a later date.

City Attorney John Brems disclosed arranging for easements and access for water tank and water lines to have all of these areas zoned commercial so that they can get the easements. He recommended zoning the whole thing commercial. Mr. Rindlisbacher wants to do what is best for the community and the land owners. He briefly explained discussions with the owners. He would like to be able to talk with the sellers to see if everyone is okay with the changes discussed at the meeting. He would like to have some flexibility for higher density on the south side area being that it is close to the freeway if it is necessary. Again, the preference would be to do the class a office space. Planner McCarty suggested that being this was a recommendation to city council it may give enough time to better know how to work out a solution for when the city council acts on it.

Commissioner Jessica Morton MOVED for recommendation to the city council to approve item 3.4 with leaving the residential portion (two parcels) of the property as A-1, the recommendation by staff and as shown on the concept plan.

Commissioner Curt Noble SECONDED the motion.

The vote was recorded as follows:

<i>Commissioner Chris Berbert</i>	<i>Yes</i>
<i>Commissioner Andrea Bradford</i>	<i>Abstain</i>
<i>Commissioner Jessica Morton</i>	<i>Yes</i>

Commissioner Curt Noble Yes
Commissioner Robyn Shakespear Yes
Commissioner Wade Thompson Yes

The motion passed unanimously.

Commissioner Jessica Morton *MOVED* to recommend approval to city council of item 3.5 with recommendations outlined by staff.
Commissioner Robyn Shakespear *SECONDED* the motion.

The vote was recorded as follows:

Commissioner Chris Berbert Yes (under the assumption that this will be changed on the general plan)
Commissioner Andrea Bradford Abstain
Commissioner Jessica Morton Yes
Commissioner Curt Noble Yes
Commissioner Robyn Shakespear Yes
Commissioner Wade Thompson Yes

The motion passed unanimously.

Commissioner Jessica Morton *MOVED* to recommend approval to city council of item 3.6.
Commissioner Wade Thompson *SECONDED* the motion.

The vote was recorded as follows:

Commissioner Chris Berbert Yes (assuming it complies with the new plan)
Commissioner Andrea Bradford Abstain
Commissioner Jessica Morton Yes
Commissioner Curt Noble Yes
Commissioner Robyn Shakespear Yes
Commissioner Wade Thompson Yes

The motion passed unanimously.

Commissioner Jessica Morton *MOVED* to recommend approval to city council of item 3.7.
Commissioner Curt Noble *SECONDED* the motion.

The vote was recorded as follows:

Commissioner Chris Berbert Yes
Commissioner Andrea Bradford Abstain
Commissioner Jessica Morton Yes
Commissioner Curt Noble Yes
Commissioner Robyn Shakespear Yes
Commissioner Wade Thompson Yes

The motion passed unanimously.

4. [8:41:09 PM](#) **Chair and Commission Comments:**

Commissioner Chris Berbert noticed some areas with the development agreement and what the general plan says in certain areas do not appear to match. He requested more education on how that works or perhaps the planning commission needs to stick to the general plan better and make sure development agreements comply. Chair Clint Smith requested that City Attorney John Brems provide a training on that subject.

5. **Future Meetings:**

5.1 City Council – Wednesday, October 12, 2016 @ 7:00 PM

5.2 Planning Commission Meeting – November 3, 2016 @ 7:00 PM

6. **Adjournment:**

Commissioner Jessica Morton MOVED to adjourn the meeting. The motion passed unanimously. The meeting adjourned at [8:42:49 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 October 6, 2016. This document constitutes the official minutes for the Herriman City Planning Commission Meeting.



Cindy Quick, CMC
Deputy Recorder