



PLANNING COMMISSION MINUTES

Thursday, September 7, 2017

Approved September 21, 2017

The following are the minutes of the Planning Commission Meeting held on **Thursday, September 7, 2017 at 6:00 p.m.** in the Herriman City Community Center, 5355 W. Herriman Main Street (12090 South), 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, Adam Jacobson, Curt Noble, Wade Thompson

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

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

6:00 PM - Work Meeting *(Council Work Room)*

1. Discussion of the Proposed Adalynn Development

City Planner Bryn McCarty reminded the commission that City Council was working on the general plan and so they invited Doug to come in and show the general idea for the area west of the high school. Once the general plan was approved they would go through the rest of the process.

Doug Young explained that Walmart was out for bid and described various opportunities for retail. He reported that Herriman could capture retail opportunities in the Adalynn project and he outlined the area. The retail center would be a walkable area with shopping and office space. He detailed a buffer zone, apartments, a medium density area, a senior living area, cottage type homes, an area with larger homes and an area with estate lots. A video clip was shown to illustrate how the overall area could look. He thanked the commission for their time and hoped to be able to present the project to them again at a future date.

2. Discussion of the Low Density Agricultural Zone

City Planner Bryn McCarty explained that the zone was approved a year ago and then there were revisions from

the council which were not approved. The proposed language would need to be taken through the process again. Council concerns were with how the new zone would affect those with smaller sized properties who may not be able to meet the criteria outlined. A draft ordinance would be brought back with a text change to allow the A-.25 zone on smaller properties. Chair Clint Smith asked for staff to provide a couple of examples of how the proposed zone would work to illustrate concerns voiced. City Planner Bryn McCarty responded affirmatively and reported that the zone would be on the agenda for the 21st which was looking like a small meeting with a closed session to take under advisement the application for a proposed treatment facility.

3. Review of City Council Decisions

City Planner Bryn McCarty reported that City Council was still discussing the general plan and scheduled a public hearing for next week. They approved the amended development agreement for Rosecrest. The Multi Family Design Standards were approved and they changed the driveway and garage sizes to 24 feet instead of 20 feet. There were two neighborhood meetings held for the Maverick rezone and they had also presented to the council. They would be on the agenda next week for a decision as a proposed rezone to change the conditions. If approved, the conditional use would come to the commission.

4. Review of Agenda Items

Item 2.1 – 10-Bed Residential Treatment Facility – the application was to expand the existing boy's home on Rose Canyon Road. City Attorney John Brems explained that the applicant was asking for a reasonable accommodation and it was their burden to show how they meet city ordinance. He advised the commission to take the proposal under advisement and explain to the applicant that they would make a decision to be announced at a future meeting. Staff did receive emailed concerns, however, they were not expecting to make comments tonight. City Attorney Brems advised the commission that if they chose to allow public comment, that it was not a public hearing and that if it were his decision, he would not allow comments. Commissioner Chris Berbert wondered if he could ask questions or if there were some things better left unasked. He mentioned that their website describes the facility more like a school and he would like to ask what types of treatment go on in the facility. City Attorney Brems repeated that was the applicant's burden.

Item 2.2 & 2.3 – 232 Condominium Units – the commission can move forward with the approval of the amendment to the development agreement.

Item 2.4 & 2.5 – 246 Townhome Units – the commission can move forward with the approval of the amendment to the development agreement.

Item 2.6 – Exception for Height of a Detached Garage – the ordinance does allow staff to approve the requested height if the applicant were to increase setbacks to 10 feet. However, the applicant did not want to increase the setbacks and that was why it was on the agenda. It was noted that the owner does have trails around their home and that no complaints or concerns had been received.

Item 2.7 – Amendment to add for lots to Anthem Commercial Center – the proposal was for a plat amendment to the commercial subdivision to add four pads.

Item 2.8, 2.9, 2.10 & 2.11 – Final conditional use approval for Retail Building in Anthem Commercial Center – a landscape plan, sidewalk plan and parking exhibit would be shown. John Gust (applicant) explained that the parking plan would actually be adjusted to increase the amount of lots. Trish Smith (applicant) presented a material board with the color scheme for all four of the buildings and the trash receptacles.

City Planner Bryn McCarty turned the time over to Kade Cunningham and Rick Magness, applicants for the proposed Maverick. Mr. Cunningham reminded the commission that there were 12 restricted uses for the C2 property. He reported that the property tax would be \$17,000 a year and believed that only a restaurant could sustain that kind of cost. The Planning Commission had asked them to meet with the residents in the surrounding neighborhood. That meeting was held and after hearing the residents' concerns, the site plan was revised and invitations were mailed out for an additional meeting. That second meeting had lower attendance than the prior meeting. The ordinance required 60% brick or stone, however, they made the decision to go with 100% brick for the building. Mr. Cunningham turned the time to Rick Magness to describe the sign design. Mr. Magness asked that the sign design comply with the Town Center for consistency in the area. He showed the landscape and lighting plan and noted that they pushed the retail center as far north on the property as possible. They planned to proposed 79 restrictions out of a possible 109 uses. They described the development as Class A retail space. Mr. Cunningham showed them the site plan. He met with Council Member Coralee Moser to review FHA guidelines to keep the fuel tanks 300 feet from homes. Therefore, the underground storage tanks were moved to the west so they would not be affecting any properties. Light pollution was a big concern of the residents and so the lighting plan was reviewed. He showed a picture that was taken of the current lighting in the area. He reminded them that the light from the maverick would be recessed inside a canopy. The commission seemed impressed with the illustration. Mr. Magness provided details about the underground tanks and how the vapors were removed off site. Maverick hooks up two hoses. One is used to fill up the tank and the other hose takes the vapors into another tank that is then taken off the property. The ingress and egress for the tanker trucks and the customer access was briefly discussed. It was reported that a landscape buffer would be provided. He wanted to ensure that the commissioners were aware of the outreach they had done and appreciated any feedback they may have. The development agreement would be on the agenda for October 5th if their proposal to the council was approved. Commissioner Chris Berbert explained that he did not believe it would be a good thing to have a gas station as the main entrance to the city and that was the reason for the restrictions placed and the original vote made. The commission was responsible for planning a whole city not just one commercial development. Commissioner Adam Jacobson noted that the commission could only make a recommendation to the City Council and they had the final decision as to whether or not to approve the proposal.

Meeting Adjourned 6:54 PM

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7:00 PM - Regular Planning Commission Meeting

Presiding: Chair Clint Smith

Commission Members Present: Chris Berbert, Adam Jacobson, Curt Noble, 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, Communications Specialist Destiny Skinner, Communications Specialist Mitch Davis, City Engineer Blake Thomas, City Attorney John Brems

1. Call to Order

7:02 PM Welcome

Chair Clint Smith welcomed those in attendance.

1.1 Invocation/Thought/Reading and Pledge of Allegiance

John Kemp led us in the pledge.

1.2 Roll Call:

Full Quorum, Jessica Morton, Robyn Shakespear and Andrea Bradford were absent

1.3 Approval of Minutes for: August 17, 2017

Commissioner Curtis Noble MOVED to approve the minutes for August 17, 2017.

Commissioner Adam Jacobson SECONDED the motion.

The voting was unanimous.

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 P2017-02 Request for Reasonable Accommodation for a 10-Bed Residential Treatment Facility

Applicant: Sundance Canyon, Inc.

Address: 6966 W Dusty Rose Cir

Zone: A-.25 (Agricultural – 10,000 sq. ft. min.)

Acres: 3.09

Chair Clint Smith explained that the item was not noticed for a public hearing and that staff received emailed concerns. However, there may be some in attendance that were hoping to make a public comment. Therefore, the commission would take public comment from those wishing to share.

City Planner Bryn McCarty oriented the commission with the reasonable accommodation request for a 10-bed residential treatment facility. Pictures of the property and home were shown. The ordinance was briefly reviewed and it was noted that the applicant would be required to explain how they meet the criteria of the ordinance.

Boyd Hooper (applicant) explained that he was requesting reasonable accommodation to expand his

existing business. The adjoining property had a residential treatment facility for young men for ten years. They were not looking to change the scope of the property. The young men coming to the facility have special needs, anywhere from spectrum disorder, to substance abuse issues; both therapeutically and academically. The stay would be between six and nine months receiving therapy and learning life skills. The property would add an equine therapy and other assistive therapies and they believe would be offering services to help youth outside of Utah, as well as those in Utah and their families. It would not impact the neighborhood or property itself. He concluded that those were the reasons for the request and the accommodation to be made. Commissioner Curtis Berbert asked how many bedrooms were in the home. Mr. Hooper said they could have 12 children with the criteria outlined by the state of Utah, however, the home is a five bedroom home. The criteria from the State of Utah is for 60 square feet for each student and they also need office space so they are only asking for 10 beds. There would be 24/7 supervision but the staff would be awake and would run in shifts no need for beds.

Chair Smith allowed public comment for the item and asked for anyone wishing to comment to come forward.

Andrew Loader was not prepared to make comments and requested that the commission read the comments already received. Chair Clint Smith explained that the comments received would be made part of the public record but did not plan to read them during the meeting. Mr. Loader explained that his home was next to the property and he and neighbors had concerns. He wanted the commission to understand that even though the facility was being made to sound like the occupants were special needs youth, many of the kids were troubled youth with substance abuse issues and were there for rehabilitation. He believed the facility would increase crime affecting the neighborhood and home values. He hoped the city would not rush into a decision without taking into account the concerns of the surrounding neighbors and the issues that they would have to go through with the expansion request.

Brad Baldauf owns the property next door. He understood the treatment facility had been there for ten years but was very concerned with the proposed expansion and how the campus would completely surrounded his home. He reported that there were already 16 people there and with staff there could be 30 plus people in the area with the proposal.

Chris Tarbet owns and lives on the property to the west. He said 10 years ago the Sundance Corporation was not surrounded by homes and now there was a great amount of homes with young children in the area. He reported that some of the youth from the facility knocked on doors in the neighborhood trying to use their phones. He also noted that Butterfield Canyon Elementary is within close proximity to the facility. He felt it was a great concern to expand the facility.

Chair Clint Smith explained that the commission would take the information received under advisement and would issue a written decision at a future meeting.

2.2 20S17 Proposed Subdivision of 232 Condominium Units (Rosecrest Pod 34) (Public Hearing held on July 20, 2017)

Applicant: Edge Homes
 Address: 4150 W Autumn Spring Drive
 Zone: MU-2 (Mixed Use)
 Acres: 10.5

Chair Smith explained that item 2.2 & 2.3 would be discussed together.

City Planner Bryn McCarty oriented the commission with the proposed subdivision and PUD approval for 232 condominium units. Edge Homes would be the builder. The layout of the subdivision and elevations of the condominiums were shown.

Jaron Nichols (applicant) was available for questions.

Chair Smith explained that the commission had looked at the proposal a few times and had just been waiting for the council to approve a development agreement. He felt the walk out units were very helpful with the slope of the land. He did have concerns with the detached garages, however, as long as the buyers are aware of those garages, then he would be fine with the proposal. Commissioner Wade Thompson wondered about the size of the lot. Mr. Nichols reported that it would be 45 x 60 and reminded them of the half-court basketball yard. He also mentioned that the walk out units helped to make a large open space with a club house, pool and parking lot. Three connections to trails were also pointed out.

Commissioner Adam Jacobson MOVED to approve the subdivision with staff's eight requirements and for number eight to provide three connections to the trail.

Commissioner Wade Thompson SECONDED the motion.

Subdivision Requirements

1. *Meet with the Staff for review and final approval of the site plan.*
2. *Receive and agree to the recommendations from other agencies.*
3. *Construct Autumn Spring Drive to access this project.*
4. *Install curb, gutter and sidewalk on all public streets.*
5. *The approval is for 232 condo units.*
6. *Complete a traffic impact study.*
7. *All storm water must be retained on-site, unless there is capacity in an off-site regional detention pond.
Work with Engineering on determining the location of potential off-site regional detention.*
8. *Provide three asphalt paved connections to Juniper Canyon trail.*

The vote was recorded as follows:

<i>Commissioner Chris Berbert</i>	<i>Yes</i>
<i>Commissioner Adam Jacobson</i>	<i>Yes</i>
<i>Commissioner Curt Noble</i>	<i>Yes</i>
<i>Commissioner Wade Thompson</i>	<i>Yes</i>

The motion passed unanimously.

2.3 56C07-19 Proposed Final PUD Approval for 232 Condominium Units (Rosecrest Pod 34)
Applicant: Edge Homes

Address: 4150 W Autumn Spring Drive
 Zone: MU-2 (Mixed Use)
 Acres: 10.5

Commissioner Adam Jacobson MOVED to approve the item with the staff's nine recommendations and number 10 to require a 45 x 60 tot lot, half-court basketball and a pool.

Commissioner Chris Berbert SECONDED the motion.

PUD Requirements

1. Receive and agree to the recommendations from other agencies.
2. Landscaping for the condos shall be installed by the builder and maintained by the HOA.
3. Building elevations to meet the approved Rosecrest design guidelines and receive ARC approval.
4. Building elevations and materials are approved as submitted, including the color palette shown.
5. The condo buildings should have the following setbacks:

- 10 feet min between buildings
- 15 feet from public streets
- 10 feet min from private streets or PL

Front Yard Setbacks:

- 10 feet min to breezeway/entry
- 18 feet min to garage

Rear Yard Setbacks:

- 10 feet min from Property Line
- 25 feet min between buildings

6. Parking for the condos should include a garage and a driveway for each unit, and at least 46 guest parking spaces.
7. Install a 2-rail fence along the Juniper Canyon open space.
8. Install a 6 foot vinyl privacy fence adjacent to Mountain View Corridor.
9. Maximum height of 56 feet.
10. Require a 45 x 60 tot lot, half-court basketball and pool.

The vote was recorded as follows:

<i>Commissioner Chris Berbert</i>	<i>Yes</i>
<i>Commissioner Adam Jacobson</i>	<i>Yes</i>
<i>Commissioner Curt Noble</i>	<i>Yes</i>
<i>Commissioner Wade Thompson</i>	<i>Yes</i>

The motion passed unanimously.

2.4 21S17 Proposed Subdivision of 246 Townhome Units (Rosecrest Pod 52)

(Public Hearing held on July 20, 2017)

Applicant: Rosecrest Communities, LLC

Address: 14953 S Academy Parkway

Zone: R-M (Residential – Multi-Family)

Acres: 17

Chair Smith explained that item 2.4 and 2.5 would be discussed together.

City Planner Bryn McCarty oriented the commission with the proposed subdivision and PUD for 246

townhome units. A layout of the subdivision along with elevations for the townhomes was shown. Commissioner Chris Berbert asked what was located north of the property. The response was that it was a zoning strip and would be commercial to the border line.

Matt Watson (applicant) pointed out that item three (in PUD requirements) says 28 feet but it should be 18 feet. The other item was regarding fencing and access (item 4 PUD requirements). The property abuts Mountain View Corridor right-of-way and the sidewalk, therefore there would not be a strip that the city would need to maintain behind the walk. It would all be part of the common area of the HOA. Therefore, he requested to work with engineering for the requirement of fencing. There is a wall located in that area that may not be needed. He would like to ensure that the wall does have a purpose and that the purpose is met. The property goes to the back of the wall and slopes down from there. City Engineer Blake Thomas was fine to work with the applicant for fencing requirements along Mountain View. Mr. Watson explained that from the road level the retaining wall was 12-14 feet tall. He responded to a question about basements and reported that some units would have walk out basements to work with the grade.

Commission discussion. Chair Smith voiced appreciation to the applicant regarding the proposed parking plan and appreciated the hard work to make that plan work out so well.

*Commissioner Chris Berbert MOVED to approve the item with subdivisions requirements outlined by staff.
Commissioner Curt Noble SECONDED the motion.*

Subdivision Requirements

1. Receive and agree to the recommendations from other agencies.
2. Dedication and improvement of all public roads for street right-of-way.
3. Install curb, gutter and sidewalk on all public streets.
4. Provide a traffic study for review and approval by the City Engineer. This should include information on potential turn lanes on Academy Parkway
5. All storm water must be retained on-site, unless there is capacity in an off-site regional detention pond. Work with Engineering on determining the location of potential off-site regional detention.

The vote was recorded as follows:

<i>Commissioner Chris Berbert</i>	<i>Yes</i>
<i>Commissioner Adam Jacobson</i>	<i>Yes</i>
<i>Commissioner Curt Noble</i>	<i>Yes</i>
<i>Commissioner Wade Thompson</i>	<i>Yes</i>

The motion passed unanimously.

- 2.5 56C07-21 Proposed Final PUD Approval for 246 Townhome Units (Rosecrest Pod 52)**
 Applicant: Rosecrest Communities, LLC
 Address: 14953 S Academy Parkway
 Zone: R-M (Residential – Multi-Family)
 Acres: 17

Commissioner Chris Berbert MOVED to approve the item with two adjustments; number three to change letter a. to read 18 feet from public or private right of way and number four, adjust that to read work with engineering in regards to placing the six foot simulated precast wall along Mountain View Corridor.

Commissioner Wade Thompson SECONDED the motion.

PUD Requirements

1. *Meet with Staff for review and final approval of the site plan.*
2. *Receive and agree to the recommendations from other agencies.*
3. *Setbacks shall be:*
 - a. *~~28'~~ 18' from public or private right of way*
 - b. *12' to adjacent building*
 - c. *10' to property line*
4. *~~Provide a~~ Work with engineering in regards to placing the 6 foot simulated precast wall along Mountain View Corridor. Provide adequate access to the City for maintenance adjacent to MVC.*
5. *Building elevations and colors approved as submitted.*
6. *Provide 3.28 parking spaces per unit, as shown on the plan.*
7. *Park/ Amenities to be installed prior to 50 percent of the building permits being issued.*

The vote was recorded as follows:

Commissioner Chris Berbert Yes

Commissioner Adam Jacobson Yes

Commissioner Curt Noble Yes

Commissioner Wade Thompson Yes

The motion passed unanimously.

2.6 C2017-52 Proposed Exception for the Height of a Detached Garage

Applicant: John Kemp

Address: 6249 W Triple Crown Ln

Zone: R-1-21 (Residential – ½ acre min.)

Acres: .70

City Planner Bryn McCarty oriented the commission with the proposed exception for the height of a detached garage. The property was over a half acre which would allow the owner to have a roof height of up to 20 feet. The ordinance does allow staff to approve up to 25 feet in height if the applicant increases setbacks to 10 feet. The applicant was asking for a roof height of 22 feet but did not want to increase the setbacks to 10 feet. Pictures of the property were shown and a trail along both sides of the property was pointed out. The site plan was presented and it was noted that the applicant was showing setbacks of four and a half feet. Planner McCarty reminded the commission that the size of the garage was not the issue; the issue was the height requested with the proposed setbacks.

Chair Clint Smith asked for clarification regarding the height. He understood that the applicant could have a roof height of 25 feet if he increased the setbacks. City Planner McCarty reiterated that was correct.

John Kemp (applicant) explained that increasing the setbacks to 10 feet would push the garage into the

middle of his backyard. He wanted to ensure the garage did not block views of adjacent properties, however, the closest home was 166 feet away and many were 365 feet away. There was also a horse path behind his home. He requested raising the height only two more feet and setbacks of four to five feet, he felt 10 feet was too much. He explained that he had spoken with all his neighbors and had them sign a document indicating they were okay with his plan. Every neighbor signed that document. The reason for increasing the height was to allow an RV to fit inside the garage and accommodate the structural need for a taller door. A professional engineer looked at his plan and informed him that the additional two feet would be needed.

Commission discussion. Commissioners did not have concern with the height request. Chair Smith felt the height request was not an issue, however, the request to not increase setbacks was of concern. Commissioner Chris Berbert appreciated the applicant's initiative of talking to his neighbors. Chair Smith noted the applicant was okay with a five foot setback. He felt more comfortable approving the proposal with a five foot setback due to the location of the home with surrounding trails providing an extra buffer. He wanted to be consistent with reasoning when granting exceptions in the future.

Commissioner Curt Noble MOVED to approve the item with staff's seven requirements and an additional seventh requirement that the setbacks will be a minimum of four foot six inches.

Commissioner Wade Thompson SECONDED the motion.

Requirements:

1. Meet with Staff for review and final approval of the site plan.
2. Receive and agree to the recommendations from other agencies.
3. Conform to CCR's if applicable.
4. No accessory building or group of accessory buildings shall cover more than twenty five percent (25%) of the rear yard.
5. Maximum height of 22' in height.
6. The front elevation of the garage must match the front of the home, with similar materials and colors.
7. Setbacks shall be a minimum of 4' 6".

The vote was recorded as follows:

Commissioner Chris Berbert	Yes
Commissioner Adam Jacobson	Yes
Commissioner Curt Noble	Yes
Commissioner Wade Thompson	Yes

The motion passed unanimously.

2.7 **S2016-15-01 Proposed Subdivision Amendment to Add 4 Lots to Anthem Commercial Center (Public Hearing)**

Applicant: Anthem Center, LLC
 Address: 5253 W Anthem Park Blvd
 Zone: C-2 (Commercial)
 Acres: 2.6

City Planner Bryn McCarty oriented the commission with the proposed subdivision amendment to add

four lots to the Anthem Commercial Center. The property was located near 11800 S and Mountain View Corridor. The original plat was shown and the proposed amendment which would add four additional lots.

Trish Smith (applicant) representing Anthem Center, explained that the proposed amendment was for development purposes and to individualize the lots. Each lot would have a separate retail building. Commissioner Adam Jacobson asked about the sidewalk and whether or not it was included as part of the property, the response was yes.

7:49 PM Chair Smith opened the public hearing and called for any citizen who would like to speak on the item to come to the podium, fill out a comment form and state their name for the record.

Citizen Comments:

None

7:49 PM Chair Smith closed the public hearing.

City Engineer Blake Thomas explained that the sidewalk was not installed yet. Commissioner Jacobson felt that a sidewalk should be required for safety. City Engineer Thomas explained that there was a verbal notification that the city may be selected for a grant and he wanted to be flexible, however, they do plan to get the sidewalk installed all at once because it's part of a safewalking route. Commissioner Jacobson's concern was that they deed the property for the sidewalk. Planner McCarty suggested tying the requirement to the first building to have them complete the sidewalk at that time. Commissioner Jacobson felt that it should be tied to the subdivision. John Gust explained that trades had already been made and the right of way was given to the city as an exchange for the Main Street right of way. He did plan to install a sidewalk to Mountain View Corridor but they were not building in that area with the proposed phase, it would be done with the rest of the development. City Engineer Thomas explained that all of the right of way was dedicated with the plat. Commissioner Jacobson was fine with the way it was written in number three.

*Commissioner Adam Jacobson MOVED to approve the item with staff's nine recommendations.
Commissioner Chris Berbert SECONDED the motion.*

Requirements:

1. *Meet with the Staff for review and final approval of the site plan.*
2. *Receive and agree to the recommendations from other agencies.*
3. *Install curb, gutter, sidewalk, and street lights on all public streets.*
4. *Provide a storm drain study.*
5. *Detention ponds should be landscaped per City standards.*
6. *West edge of property boundary shall match Right of Way boundary of new Main Street Connector.*

7. *A six foot easement shall be provided along the west edge of the property for new Main Street Connector surface improvements (i.e. sidewalk and parkstrip).*
8. *Work with Engineering on providing the appropriate utility easements on the plat.*
9. *Right of Way dedication for Anthem Park Boulevard shall be a minimum of 133 ft between the new Main Street Corridor and the Mountain View Corridor.*

The vote was recorded as follows:

<i>Commissioner Chris Berbert</i>	<i>Yes</i>
<i>Commissioner Adam Jacobson</i>	<i>Yes</i>
<i>Commissioner Curt Noble</i>	<i>Yes</i>
<i>Commissioner Wade Thompson</i>	<i>Yes</i>

The motion passed unanimously.

2.8 **C2016-50-02** Final Conditional Use Approval for a Retail Building in the Anthem Commercial Center (Building MT-1)

Applicant: Trish Smith

Address: 5281 W Anthem Park Blvd

Zone: C-2 (Commercial)

Acres: 1.15

City Planner Bryn McCarty oriented the commission with the proposals for a final conditional use approval for a retail building in the Anthem Commercial Center (Building MT-1). The landscaping plan, site plan, pedestrian connections, sidewalks and parking lot plan was shown. The building site and elevations were presented and it was reported that the materials board was presented during the work meeting.

Trish Smith (applicant) was available for questions. Chair Smith asked if tenants had been identified. Ms. Smith explained that the tenants would be able to enjoy an outdoor plaza area and a friendly community environment. There was a lot of excitement including tenants for restaurants, coffee and pizza. She was excited for the Walmart to go in and help with leasing. The design guidelines were met and in place with brick, wood, metal and glass. Staff had been very helpful in the meetings when discussing all their plans.

Commissioner Wade Thompson MOVED to approve the item with 18 requirements from staff.

Commissioner Curt Noble SECONDED the motion.

Requirements:

1. *Meet with the Staff for review and final approval of the site plan.*
2. *Receive and agree to the recommendations from other agencies.*
3. *All building elevations shall meet the approved design guidelines.*
4. *Building elevations are approved as submitted.*
5. *Install curb, gutter, sidewalk and streetlights on all public streets.*
6. *No signs are approved with this request, separate approval will be required.*
7. *At least 15% of the total site must be landscaped. At least 5% of the parking lot interior must be landscaped.*

8. *The front yard area and the side yard area which faces on a street shall be landscaped and maintained with live plant material, including shrubs, flowers and trees for a minimum distance of twenty feet (20'). This should include trees in the park strip every 30 feet.*
9. *Screen all outside trash and dumpster areas.*
10. *Provide storm drain detention to meet City standards.*
11. *Parking shall be provided at 1 space per 200 square feet of retail floor area. Show designated parking for each building.*
12. *All buildings shall be setback a minimum of 20 feet from a public right of way.*
13. *Detention ponds should be landscaped per City standards.*
14. *Show designated walking paths with first building.*
15. *Provide full engineering site plans for review (including Site Plan, Grading, Drainage, Utilities, Signing and Striping, and Erosion Control plans).*
16. *Provide supplemental traffic analysis for each building lot.*
17. *Install or pay fee in lieu for all sidewalk along the south side of Anthem Park Boulevard between Mountain View Corridor to Herriman Main Street.*
18. *Install all required street lighting along the south side of Anthem Park Boulevard from Mountain View Corridor to Herriman Main Street.*

The vote was recorded as follows:

<i>Commissioner Chris Berbert</i>	<i>Yes</i>
<i>Commissioner Adam Jacobson</i>	<i>Yes</i>
<i>Commissioner Curt Noble</i>	<i>Yes</i>
<i>Commissioner Wade Thompson</i>	<i>Yes</i>

The motion passed unanimously.

2.9 **C2016-50-03** Final Conditional Use Approval for a Retail Building in the Anthem Commercial Center (Building AP-2)

Applicant: Trish Smith

Address: 5281 W Anthem Park Blvd

Zone: C-2 (Commercial)

Acres: 0.821

City Planner Bryn McCarty oriented the commission with the final conditional use approval for a retail building in the Anthem Commercial Center (Building AP-2). The layout and site plan were shown along with building elevations.

John Gust (applicant) pointed out the glass on the north and west elevations to give a different look. The buildings would go out for bid in the next week or two. He explained that all tenants could not be divulged at this time. Commissioner Adam Jacobson asked if signs would be allowed on the back of the buildings and the response was yes. Mr. Gust reminded the commission that there was a lot of movement in the elevations that was hard to see with the renderings provided.

Commissioner Curt Noble MOVED to approve the item with staff's 18 requirements.

Commissioner Chris Berbert SECONDED the motion.

Requirements

1. *Meet with the Staff for review and final approval of the site plan.*
2. *Receive and agree to the recommendations from other agencies.*
3. *All building elevations shall meet the approved design guidelines.*
4. *Building elevations are approved as submitted.*
5. *Install curb, gutter, sidewalk and streetlights on all public streets.*
6. *No signs are approved with this request, separate approval will be required.*
7. *At least 15% of the total site must be landscaped. At least 5% of the parking lot interior must be landscaped.*
8. *The front yard area and the side yard area which faces on a street shall be landscaped and maintained with live plant material, including shrubs, flowers and trees for a minimum distance of twenty feet (20'). This should include trees in the park strip every 30 feet.*
9. *Screen all outside trash and dumpster areas.*
10. *Provide storm drain detention to meet City standards.*
11. *Parking shall be provided at 1 space per 200 square feet of retail floor area. Show designated parking for each building.*
12. *All buildings shall be setback a minimum of 20 feet from a public right of way.*
13. *Detention ponds should be landscaped per City standards.*
14. *Show designated walking paths with first building.*
15. *Provide full engineering site plans for review (including Site Plan, Grading, Drainage, Utilities, Signing and Striping, and Erosion Control plans).*
16. *Provide supplemental traffic analysis for each building lot.*
17. *Install or pay fee in lieu for all sidewalk along the south side of Anthem Park Boulevard between Mountain View Corridor to Herriman Main Street.*
18. *Install all required street lighting along the south side of Anthem Park Boulevard from Mountain View Corridor to Herriman Main Street.*

The vote was recorded as follows:

<i>Commissioner Chris Berbert</i>	<i>Yes</i>
<i>Commissioner Adam Jacobson</i>	<i>Yes</i>
<i>Commissioner Curt Noble</i>	<i>Yes</i>
<i>Commissioner Wade Thompson</i>	<i>Yes</i>

The motion passed unanimously.

2.10 **C2016-50-04** Final Conditional Use Approval for a Retail Building in the Anthem Commercial Center (Building AP-3)

Applicant: Trish Smith

Address: 5253 W Anthem Park Blvd

Zone: C-2 (Commercial)

Acres: 1.2

City Planner Bryn McCarty oriented the commission with the final conditional use approval for a retail building in the Anthem Commercial Center (Building AP-3). Building layout and site plan were shown along with the elevations.

Trish Smith (applicant) pointed out the outdoor seating that would provide a gathering place and synergy for the community. She reported that the dumpster enclosures would be screened and she felt they had been planned out well. John Gust added that there would be shielding with landscaping as well. Chair Clint Smith asked if they planned to put in the landscaping all at once and the response was yes, that it would go in all at once and all the way down Mountain View Corridor. Commissioner Chris Berbert asked if there was sidewalk on the right side of AP3 for a connection. The response was yes, and that it would flow through the area safely. Commissioner Wade Thompson asked if there would be windows on the side of the buildings. Ms. Smith reported that the service exit would not have glass, allowing for kitchens and back loading space. That area would be heavily landscaped. John Gust explained that some of the buildings were not completely leased out and tenants could ask for additional glass. He reported that they raised the buildings up to 8,000 feet and brought them closer together to create more of a gathering spot. Commissioner Berbert asked for further details about the access in the rear for loading and unloading. Ms. Smith explained that it was required by code as a secondary exit and the additional access was for night time loading. She reported that the area would be lit well.

Commissioner Wade Thompson asked if they were planning on putting a stop light on Carls Bad. City Engineer Blake Thomas responded that there would not be a traffic signal there. A traffic study had been done and it was anticipated that Trax would run through the area making the intersection a right in, right out scenario. He did report of a traffic signal at Main Street and that the traffic study did show that volumes would be such that the signal would be enough.

Commissioner Chris Berbert MOVED to approve the item with staff requirements.

Commissioner Wade Thompson SECONDED the motion.

Requirements

1. *Meet with the Staff for review and final approval of the site plan.*
2. *Receive and agree to the recommendations from other agencies.*
3. *All building elevations shall meet the approved design guidelines.*
4. *Building elevations are approved as submitted.*
5. *Install curb, gutter, sidewalk and streetlights on all public streets.*
6. *No signs are approved with this request, separate approval will be required.*
7. *At least 15% of the total site must be landscaped. At least 5% of the parking lot interior must be landscaped.*
8. *The front yard area and the side yard area which faces on a street shall be landscaped and maintained with live plant material, including shrubs, flowers and trees for a minimum distance of twenty feet (20'). This should include trees in the park strip every 30 feet.*
9. *Screen all outside trash and dumpster areas.*
10. *Provide storm drain detention to meet City standards.*
11. *Parking shall be provided at 1 space per 200 square feet of retail floor area. Show designated parking for each building.*
12. *All buildings shall be setback a minimum of 20 feet from a public right of way.*
13. *Detention ponds should be landscaped per City standards.*
14. *Show designated walking paths with first building.*

15. *Provide full engineering site plans for review (including Site Plan, Grading, Drainage, Utilities, Signing and Striping, and Erosion Control plans).*
16. *Provide supplemental traffic analysis for each building lot.*
17. *Install or pay fee in lieu for all sidewalk along the south side of Anthem Park Boulevard between Mountain View Corridor to Herriman Main Street.*
18. *Install all required street lighting along the south side of Anthem Park Boulevard from Mountain View Corridor to Herriman Main Street.*

The vote was recorded as follows:

<i>Commissioner Chris Berbert</i>	<i>Yes</i>
<i>Commissioner Adam Jacobson</i>	<i>Yes</i>
<i>Commissioner Curt Noble</i>	<i>Yes</i>
<i>Commissioner Wade Thompson</i>	<i>Yes</i>

The motion passed unanimously.

2.11 **C2016-50-05** Final Conditional Use Approval for a Retail Building in the Anthem Commercial Center (Building AP-5)

Applicant: Trish Smith

Address: 5253 W Anthem Park Blvd

Zone: C-2 (Commercial)

Acres: 1.4

City Planner Bryn McCarty oriented the commission with the final conditional use approval for a retail building in the Anthem Commercial Center (Building AP-5). The layout of the development, site plan and elevations was shown.

Trish Smith (applicant) responding to a question regarding location of the dumpsters, explained that on the overall landscaping plan the dumpsters would be shown. The details of the gate would be included and landscaping would be done around the site as much as possible. The traffic study was updated and had been provided to staff and engineering.

Commissioner Wade Thompson MOVED to approve the item with staff's recommendations and requirements.

Commissioner Curt Noble SECONDED the motion.

Requirements

1. *Meet with the Staff for review and final approval of the site plan.*
2. *Receive and agree to the recommendations from other agencies.*
3. *All building elevations shall meet the approved design guidelines.*
4. *Building elevations are approved as submitted.*
5. *Install curb, gutter, sidewalk and streetlights on all public streets.*
6. *No signs are approved with this request, separate approval will be required.*
7. *At least 15% of the total site must be landscaped. At least 5% of the parking lot interior must be landscaped.*

8. *The front yard area and the side yard area which faces on a street shall be landscaped and maintained with live plant material, including shrubs, flowers and trees for a minimum distance of twenty feet (20'). This should include trees in the park strip every 30 feet.*
9. *Screen all outside trash and dumpster areas.*
10. *Provide storm drain detention to meet City standards.*
11. *Parking shall be provided at 1 space per 200 square feet of retail floor area. Show designated parking for each building.*
12. *All buildings shall be setback a minimum of 20 feet from a public right of way.*
13. *Detention ponds should be landscaped per City standards.*
14. *Show designated walking paths with first building.*
15. *Provide full engineering site plans for review (including Site Plan, Grading, Drainage, Utilities, Signing and Striping, and Erosion Control plans).*
16. *Provide supplemental traffic analysis for each building lot.*
17. *Install or pay fee in lieu for all sidewalk along the south side of Anthem Park Boulevard between Mountain View Corridor to Herriman Main Street.*
18. *Install all required street lighting along the south side of Anthem Park Boulevard from Mountain View Corridor to Herriman Main Street.*

The vote was recorded as follows:

<i>Commissioner Chris Berbert</i>	<i>Yes</i>
<i>Commissioner Adam Jacobson</i>	<i>Yes</i>
<i>Commissioner Curt Noble</i>	<i>Yes</i>
<i>Commissioner Wade Thompson</i>	<i>Yes</i>

The motion passed unanimously.

3. Chair and Commission Comments

Commissioner Adam Jacobson would like city staff to look into the issue of city sidewalks. City Planner Bryn McCarty explained that City Engineer Blake Thomas and staff were working on it.

Chair Clint Smith appreciated staff forwarding the commission information. He would like to have a procedure outlined when the commission doesn't receive public comments and how to handle that in the future because the commission did feel it would have been appropriate to have public comment for item 2.1.

Commissioner Chris Berbert voiced concern over the upcoming joint meeting. He believed the joint meeting should be held before a decision was made on the general plan. Commissioner Curt Noble agreed.

4. Future Meetings

- 4.1 City Council – Wednesday, September 13, 2017 @ 7:00 PM
- 4.2 Planning Commission Meeting – September 21, 2017 @ 7:00 PM
- 4.3 Joint PC/CC work Meeting – September 28, 2017 @ 6:00 PM

City Planner Bryn McCarty reported that the meeting on the 21st may be cancelled. She conveyed that the date

for the joint meeting was difficult to work out and reminded them that the whole ordinance would be reviewed at that meeting.

5. Adjournment

Chair Smith called for a motion to adjourn.

Commissioner Curt Noble MOVED to adjourn the meeting. All voted yes and the motion passed unanimously. The meeting adjourned at 8:25 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 September 7, 2017. This document constitutes the official minutes for the Herriman City Planning Commission Meeting.



Cindy Quick, CMC
Deputy Recorder