The following are the minutes of the Planning Commission Meeting held on Thursday, March 15, 2018 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:** Vice Chair Chris Berbert

**Commission Members Present:** Andrea Bradford, Adam Jacobson, Curt Noble

**City Staff Present:** City Planner Michael Maloy, Assistant City Manager Gordon Haight, Community Development Coordinator Sandra Llewelyn, Communication Specialist Mitch Davis, Planning Coordinator Craig Evans, Assistant City Engineer Jonathan Bowers, City Attorney John Brems, and Deputy Recorder Wendy Thorpe.

**6:40 PM - Work Meeting (Fort Herriman Conference Room)**

1. **Review of City Council Decisions**
   Vice Chair Chris Berbert called the meeting to order at 6:40 pm.

Planner Mike Maloy informed the Commission that City Council adopted the text change to the Land Development code regarding backyard chickens in residential zones and the fee in lieu of open space outside of a planned development ordinance. He recommended for the Commissioners to watch the Better City follow up presentation on the Herriman Facebook page. They had some very specific recommendations and market opportunities that might work well in certain locations of the City. Assistant City Manager Haight stated City Council scheduled interim Council work session meetings to be discussed at the next meeting. He informed the Commissioners that capital projects, revenue budget discussion, McCuiston paving approval, and a brief discussion of the 900 acres of County property would be on the agenda.

2. **Review of Agenda Items**
Item 2.1 – Approval for Rockwell Landing Phase 2 Grading Plan (continued from February 15, 2018)

Planning Coordinator Evans informed the Commission that the applicant provided plans for emergency access and engineering requirements. Assistant Engineer Bowers explained there was a ten-foot maximum slope requirement for a 20-foot driveway to a property. Maximum slope allowed for driveway standards and grade allowed on access roads had been discussed. Commissioner Jacobson expressed concern that large vehicles would have problems on steep access roads. Assistant City Engineer Bowers stated more grading could be done to lower the site or grading could start further away. Assistant City Manager Haight discussed the type of vehicles that could get up that grade had not been part of the City standards. Commissioner Jacobson stated sharp corners on the roads that were higher than ten-percent would create safety concerns. Assistant Engineer Bowers said it could be discussed with applicants as projects were proposed and the City would work with individual issues. Unified Fire Authority reviewed and approved the current 10.4-percent grade. Assistant City Manager Haight stated the motion for approval could include the requirement that grade would need to be below ten-percent and have to meet Unified Fire Authority standards for access.

Item 2.2 – Conditional Use Permit for a Gorilla Car Wash and Grease Monkey Quick Lube

Planning Coordinator Evans explained the applicant had made requested changes. The only remaining concern came down to an issue with stone on the poles. Recommendation to have brick or stone around the canopy could be amended due to the high number of poles, 42 total. The placement of stone on poles between each car stall would take up a lot of space. The requirements could be amended to only require it on the end poles. The applicant could install stone over the canopy and kiosk as well. He also explained that fencing requirement was an issue with this property and the Ace Hardware development and should be included in the conditions if approved.

Item 2.3 – Conditional Use Permit for a Holiday Oil Gas Station/Convenience Store

Planning Coordinator Evans informed the Commission that access would not be from 15000 South due to reconfiguration of the pumps by the applicant. Issues with nearby homes were discussed. The applicant planned to use landscape buffers to resolve the issue.

City Planner Maloy made the Commissioners aware that Item 3.1 was not a Public Hearing as it had been conducted February 15, 2018.

Planning Commission work meeting adjourned by consensus at 7:00 p.m.

7:00 PM – Regular Planning Commission Meeting

1. Call to Order

Vice Chair Chris Berbert called the meeting to order at 7:03 p.m. and welcomed those in attendance

1.1 Invocation/Thought/Reading and Pledge

Mr. John Linton led the audience in the Pledge of Allegiance.

1.2 Roll call

Full Quorum Present; Commissioner Jessica Morton was excused.
1.3 Approval of Minutes for: January 18, 2018
Commissioner Bradford moved to recommend approval of item 1.3 Minutes for: January 18, 2018. Commissioner Jacobson seconded the motion.

The vote was recorded as follows:

Commissioner Chris Berbert  Aye
Commissioner Andrea Bradford  Aye
Commissioner Adam Jacobson  Aye
Commissioner Curt Noble  Aye

The motion passed unanimously.

1.4 Conflicts of Interest
No conflicts of interest were offered.

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

2.1 Request: Approval for Rockwell Landing Phase 2 Grading Plan
(continued from February 15, 2018)

Applicant:  Kim Rindlisbacher
Address:  16000 S 2150 W
File Number:  39C15-01

Mr. Jason Thompson spoke on behalf of the Applicant, who had not yet arrived. He informed the Commission that the turn analysis, to ensure Unified Fire Authority vehicles could navigate the roads and the high northwest portion of site, had been completed and submitted to the City. The Earth Tech Slope Study was completed and submitted to the City. Commissioner Jacobson expressed the opinion that the City should have a standard requiring roadways to have a slope lower than ten-percent. The staff recommendation stated applicant completed all requirements.

Commissioner Jacobson moved to recommend approval of item 2.1 file number 39C15-01 for Rockwell Landing Phase 2 Grading Plan with staff recommendation to meet all Engineering Standards and receive approval from the City Engineer prior to any grading being done to the site, with an additional requirement that no slope should be over ten-percent. Commissioner Noble seconded the motion.

The vote was recorded as follows:

Commissioner Chris Berbert  Aye
Commissioner Andrea Bradford  Aye
Commissioner Adam Jacobson  Aye
Commissioner Curt Noble  Aye

The motion passed unanimously.

2.2 Request: Conditional Use Permit for a Gorilla Car Wash and Grease Monkey Quick Lube
Applicant: Steve Cloward  
Address: 5708 W 13400 S  
Zone: C-2  
Acres: 1.395  
File Number: C2018-005

Applicant Steve Cloward approached the podium and explained he provided City staff with all pertinent information. He explained the project would be a 130-foot tunnel car wash with 21 vacuum bays and a four bay automobile lube center on approximately 1.4 acres in Herriman Corners lot two. Commissioner Bradford expressed concern with egress and parking. Commissioner Berbert confirmed the parking lot would not be shared with nearby development. Commissioner Jacobson asked applicant about the hours of operation for the carwash. Applicant stated they would be open from 7:00 or 8:00 am to 7:00 pm. Commissioner Jacobson asked if screening would be provided to prevent vehicle headlights from shining into nearby homes. Applicant Cloward stated no screening was planned but a vinyl fence would be in the northwest corner to shield nearby residences. Commissioner Jacobson asked if the landscaping plan had been developed. Applicant Cloward stated it was not completed, but he understood the landscape requirements and the project was in compliance. Construction of precast wall was discussed. Commissioner Jacobson stated his preference that it would be installed before construction. Commissioners discussed timing for installation of wall. Applicant Steve Cloward expressed the opinion that the precast wall installation was not his responsibility. Applicant John Cloward asked if the six foot vinyl privacy fence could be installed first and precast wall installed later. Assistant Engineer Bowers explained precast wall had been written as a staff recommendation but timeline for installation was at the discretion of the Commission. City Planner Maloy reminded the Commission that this item was a conditional use permit which could be included in the requirements.

Applicant Cloward stated his willingness to do anything in his capacity to shield the nearby residences from sound and light. He had no agreement with Dave Murdoch to pay for the wall and expressed frustration that he was being punished because developer had failed to install the wall. City Planner Maloy reminded the Commissioners that offsite improvements were a separate issue. It was discussed that this was an issue for the Ace Hardware project also. Commissioner Noble expressed the opinion that the development should not be delayed because the wall was not completed. City Planner Maloy recommended for the Commission to tie the recommendation to a standard. Commissioners discussed location of precast wall. Planning Coordinator Evans stated Dave Murdoch had not completed traffic study for Herriman Corner, which was an original subdivision requirement. Lack of a traffic study was discussed. Applicant Steve Cloward expressed frustration that he was not able to develop the property because the required improvements had not been completed. His opinion was the previous owner should have been required to complete said improvements prior to the sale of any lots. Commissioners expressed that they understood the applicants frustration. Planning Coordinator Evans stated developer was currently working on a new development. Assistant Engineer Bowers stated that per the master development the wall was required and normally would have been done with the subdivision application. Precast wall location requirements and traffic study accountability were discussed. Per City Planner Maloy the conditions could be transferred to the new owner of the property and that a decision could be made tonight, and amended later to keep the development moving forward.

*Commissioner Jacobson moved to continue without date item 2.2 Conditional Use for Gorilla Car Wash and Grease Monkey Quick Lube to address traffic study, precast wall and landscape requirements. Commissioner Noble seconded the motion*
The vote was recorded as follows:

Commissioner Chris Berbert  Aye
Commissioner Andrea Bradford  Aye
Commissioner Adam Jacobson  Aye
Commissioner Curt Noble  Aye

The motion passed unanimously.

2.3 Request: Conditional Use Permit for a Holiday Oil Gas Station/Convenience Store

Applicant: John Linton
Address: 15000 S Academy Pkwy
Zone: C-2
Acres: 1.48
File Number: C2018-006

Applicant John Linton spoke on behalf of the owner of Holiday Oil and stated they would comply with the staff recommendations. Commissioner Jacobson expressed concern with the landscaping plan along 15000 South. He was not comfortable with the proposal due to small landscape buffer between the development and residences across the street. Applicant Linton presented landscaping plan and stated he would be happy to add additional landscaping. Commissioner Jacobson asked if a monument sign would be located on 15000 South. Applicant Linton stated it was their intent to have monument signs on Academy Parkway and 15000 South; however, they were willing to add stipulation to dim LED lights at night.

Commissioner Jacobson moved to continue item 2.3 Conditional Use Permit for a Holiday Oil Gas Station/Convenience Store, with requirement that applicant bring back landscape plan, colors, and plan to mitigate negative impact for areas across the street; Commissioner Noble seconded the motion.

The vote was recorded as follows:

Commissioner Chris Berbert  Aye
Commissioner Andrea Bradford  Aye
Commissioner Adam Jacobson  Aye
Commissioner Curt Noble  Aye

The motion passed unanimously.

2.4 Request: Conditional Use Permit for Ace Hardware

Applicant: Brad Murdock
Address: 13548 S Rosecrest Rd
Zone: C-2
Acres: 2.81
File Number: C2017-056

Applicant was not present. Commissioner Jacobson stated the precast wall and ingress and egress were issues. City Planner Maloy stated that the City would start providing Commissioners with copies of the standards of review for them to use when making a recommendation for approval or denial. Vice Chair Berbert requested that City staff notify the applicant of additional information with regards to traffic study and precast wall that would be needed for approval.
Commissioner Noble moved to continue without date item 2.4 Conditional Use Permit for Ace Hardware to address traffic study and precast wall. Commissioner Bradford seconded the motion.

The vote was recorded as follows:
Commissioner Chris Berbert  Aye
Commissioner Andrea Bradford  Aye
Commissioner Adam Jacobson  Aye
Commissioner Curt Noble  Aye

The motion passed unanimously.

Applicant was not present.

Vice Chair Berbert 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.

Rick Kelsch suggested the burden for precast wall should be placed on developer Dave Murdock, the wall was his responsibility.

Vice Chair Berbert closed the public hearing.

Commissioner Jacobson made motion to approve item 2.5 lot line adjustment with the following staff recommendations 1. Receive and agree to the recommendations from other agencies. 2. Plat to be reviewed and approved by the City Engineer. 3. Any utilities or utility boxes that need to be relocated shall be done at the expense of the property owner along with additional requirements for the transportation study for entire development to be submitted prior to the recording of the plat or approval of a plat and requirement for installation of six foot precast wall along the two (2) west sides and north side of the entire subdivision. Commissioner Noble seconded the motion.

The vote was recorded as follows:
Commissioner Chris Berbert  Aye
Commissioner Andrea Bradford  Aye
Commissioner Adam Jacobson  Aye
Commissioner Curt Noble  Aye

The motion passed unanimously.

2.5 Request: Subdivision Amendment for a Lot Line Adjustment (Public Hearing)
Applicant:  Brad Murdock
Address:  13548 S Rosecrest Rd
Zone:  C-2
File Number:  S2015-012-02

Applicant was not present.

Vice Chair Berbert 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.

Rick Kelsch suggested the burden for precast wall should be placed on developer Dave Murdock, the wall was his responsibility.

Vice Chair Berbert closed the public hearing.

Commissioner Jacobson made motion to approve item 2.5 lot line adjustment with the following staff recommendations 1. Receive and agree to the recommendations from other agencies. 2. Plat to be reviewed and approved by the City Engineer. 3. Any utilities or utility boxes that need to be relocated shall be done at the expense of the property owner along with additional requirements for the transportation study for entire development to be submitted prior to the recording of the plat or approval of a plat and requirement for installation of six foot precast wall along the two (2) west sides and north side of the entire subdivision. Commissioner Noble seconded the motion.

The vote was recorded as follows:
Commissioner Chris Berbert  Aye
Commissioner Andrea Bradford  Aye
Commissioner Adam Jacobson  Aye
Commissioner Curt Noble  Aye

The motion passed unanimously.

Applicant:  Duaine Rasmussen
Address:  5353 W Anthem Park Blvd
Zone:  R-M
Acres:  13.87
File Number:  S2018-004
Applicant Duaine Rasmussen was present and available to answer questions. All of the necessary documents have been submitted to the City.

Vice Chair Berbert 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.

No comments were offered.

Vice Chair Berbert closed the public hearing.

Commissioner Bradford moved to recommend approval of item 2.6 Pinnacle Apartments, file # S2018-004 with the three staff requirements as follows: 1. Receive and agree to the recommendations from other agencies. 2. Dedication of right of way from center line of Anthem Park Blvd and Herriman Main Street to the City for street right-of-way. 3. Install curb, gutter, sidewalk, street lights, and park strip on all public streets. Commissioner Noble seconded the motion.

The vote was recorded as follows:

- Commissioner Chris Berbert: Aye
- Commissioner Andrea Bradford: Aye
- Commissioner Adam Jacobson: Aye
- Commissioner Curt Noble: Aye

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 Request: Amendment to the 2025 General Plan (Public Hearing Held Feb. 15, 2018)

Applicant: Herriman City
File Number: G2018-001

City Planner Maloy informed the Commission of what was discussed at the neighborhood meeting. Potential commercial zoning considerations were discussed with residents. The General Plan proposal matches the zoning in that area. It was discussed that the City GIS team had reviewed the map. Commissioners discussed issues with areas three and four.

Commissioner Jacobson moved to recommend approval of item 3.1 with the exception that area 3 should wait until final general plan update, area 4 should be reviewed for reduction and area 5 should be reduced or removed, depending on what Riverton City plans for a nearby area, until General Plan Update Amendment to the 2025 General Plan. Commissioner Bradford seconded the motion.

The vote was recorded as follows:

- Commissioner Chris Berbert: Aye
- Commissioner Andrea Bradford: Aye
- Commissioner Adam Jacobson: Aye
- Commissioner Curt Noble: Aye

The motion passed unanimously.
4. **Chair and Commission Comments**
No comments were offered.

5. **Future Meetings**
   5.1 City Council – Wednesday, March 28, 2018 @ 7:00 PM
   5.2 Joint Work Meeting – March 29, 2018 @ 6:00 PM
   5.3 Planning Commission Meeting – April 5, 2018 @ 7:00 PM

6. **Adjournment**
Meeting adjourned at 8:11 p.m.

I, Wendy Thorpe, Deputy Recorder for Herriman City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on March 15, 2018. This document constitutes the official minutes for the Planning Commission Meeting.

Wendy Thorpe