The following are the minutes of the Planning Commission Meeting held on Thursday, April 5, 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: Chris Berbert

Commission Members Present: Adam Jacobson, Jackson Ferguson, Lorin Palmer, Andrew Powell, Andrea Bradford

Council Members Absent: Jessica Morton, Curtis Noble

City Staff Present: City Planner Michael Maloy, Community Outreach Coordinator Sandra Llewelyn, Communications Specialist Jon LaFollette, Planner Craig Evans, Assistant City Engineer Jonathan Bowers, City Attorney John Brems, and Deputy City Recorder Wendy Thorpe.

6:00 PM - Work Meeting (Fort Herriman Conference Room)
Meeting commenced at 6:02 p.m.

1. Training – Planning Commission Orientation
All the members present at the work meeting introduced themselves. City Planner Michael Maloy began by mentioning a recent Land Development Code adopted by the city. Within that code, there are more engineering requirements and application materials. This may be a bit of a transition process as many developers are used to the old system. In addition, some of these developers became vested in the City with the old process, and will use that still as promised. There will be a balance now between the ideal system and what a developer was promised. The City will conduct an internal review of each application. The departments will be given two weeks to review and add comments. Once this period is over, the developer will be called in to discuss the comments with the City before it goes before the commission. Some projects require a public hearing notice and the Commission wants to make these deadlines for the developers.
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City Planner Michael Maloy continued with an explanation of the agenda planning deadlines and the packet disbursement. If there are questions with the packet, he recommended contacting Assistant City Planner McCarty or Planner Craig Evans. The binders contained recently updated policies and procedures, maps, and other important updated information. He explained the protocol for alternates. The alternate who is a voting member of the Commission will sit on the Dias. The others would sit in the audience. Planner Evan would send out the Notice of Decision the day after the meeting. If appeal is filed, they are heard by a hearing officer and ultimately may be heard in a District Court. If Commissioners are named in appeal, the City would provide legal support. The decisions made are based on ordinances and the General Plan. The city would provide ongoing training and a free membership to the American Planning Association. This provides free online access to trainings and other online amenities. It was also mentioned that the City has the possibility to send two of the planners to a national conference next year.

City Planner Maloy reminded everyone to sign the roll every week for attendance and let staff know if commissioners will miss meetings. City Planner Maloy mentioned that there is a new code on the front page of the packet. The packets, meeting minutes and agendas are all on the website. Another recommended resource for the Commissioners would be the Utah State Public Notice website. Commissioners should not discuss issues away from meetings, in person or on social media. They were instructed to direct any residents with questions to call City staff. If there is a Conflict of Interest, it needs to be stated at each meeting. On a side note of duties, the City recently was divided into districts. Also, staff reports will explain expectation of the Planning Commission. Another note for the Commissioners to remember is that they do not look at financials, which is for the City Council to configure.


3. **Review of Agenda Items**

2.1 Before discussing the specifics, City Planner Maloy reminded the commissioners that the best manners when the public are commenting is to not engage with them and allow them to state their opinions. The staff would announce the items and the Communications team would track comment time on screen.

The discussion turned to subdivisions. City Planner Maloy affirmed that subdivisions are permitted if they meet the standards. The lot must be legally subdivided to have a house built. Commissioner Jacobson asked a few questions of clarification about the standards. John mentioned that building permits should be submitted for legal lots only. City Planner Michael Maloy stated that the staff would look into the best policy for title searches. The City is able to search far back and find whether or not a property was created under subdivision regulations. The group looked over a picture of certain land area to determine how it would be split up between roads and home properties. Assistant City Engineer Jonathan Bowers drew lines to show where the home lots and trails intersect. The property not on the trail will be vacated and deeded to landowners. Commissioner Jacobson asked about the potential flooding issues in the discussed area. City Planner Maloy and Engineer Bowers explained berming would assist in drainage and avoid downhill flooding issues. Commissioner Jacobson stressed that this specific issue needs to be addressed now. Drainage issues should be fixed before vacating lots back to landowners.

2.2 The Commission discussed the approval of 29 single lots. City Planner Maloy pointed out that this is in the
A-.25 zone. They begin at 8.25 acres and can expand later. There are three elements the landowners are applying for with this proposal. Engineer Bowers mentioned that the southeast corner appears to need grade for storm drain issues. It is possible that there will be a full retention, making the space much bigger than currently seen. Lot 17 would be impacted in that scenario. The storm drain would need to be tied in through a 20-foot trail in the area.

7:00 PM - Regular Planning Commission Meeting

1. Call to Order
Chair Chris Berbert called the meeting to order at 7:02 p.m. and welcomed those in attendance.

1.1 Invocation/Thought/Reading and Pledge
Scout Jeffrey Lindon Jones led the audience in the Pledge of Allegiance.

1.2 Roll call
The full quorum was present for the meeting. Commissioners Jessica Morton and Curtis Noble were absent.

1.3 Approval of Minutes for: February 1, 2018
Commissioner Bradford moved to recommend approval of item 1.3 Minutes for: February 1, 2018. Commissioner Jacobson seconded the motion.

The vote was recorded as follows:

- Commissioner Andrea Bradford: Aye
- Commissioner Adam Jacobson: Aye
- Commissioner Jackson Ferguson: Aye
- Commissioner Lorin Palmer: Aye
- Commissioner Andrew Powell: Aye

The motion passed with a 5:0 vote.

1.4 Conflicts of Interest
Commissioner Lorin Palmer mentioned that he used to be involved in item 2.2 in the community, but that the ties no longer remain. Commissioner Adam Jacobson mentioned that he lives in the area next to the land discussed in 2.2.

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.

Chair Chris Berbert explained procedures for public hearings.

2.1 Request: Proposed One-Lot Subdivision (Public Hearing)
Applicant: Jory Dalling
Address: 6308 W 14300 S
Zone: A-.25
Acres: 1
File Number: S2018-005
Chair Chris Berbert opened the discussion on this item. City Planner Maloy explained the proposal with a presentation. He explained that the request was a resident hoping to create a one-acre lot to build one home on with a hammerhead turn around. Approval from the neighbor had already been received. Berming had also been requested to prevent water run-off. The single-family home plat needed approval before the building process could begin.

Applicant Jory Dalling approached and had no specific comments aside from what had already been presented.

Chair Berbert opened the Public Hearing.

There were no comments offered.

Chair Berbert declared the Public Hearing closed.

Attorney John Brems explained that a continuance had been requested by proposal.

Commissioner Jacobson moved to continue without a date for staff-recommend approval of item 2.1 for Proposed One-Lot Subdivision. Commissioner Lorin Palmer seconded the motion.

The vote was recorded as follows:

Commissioner Andrea Bradford Aye
Commissioner Adam Jacobson Aye
Commissioner Jackson Ferguson Aye
Commissioner Lorin Palmer Aye
Commissioner Andrew Powell Aye

The motion passed with a 5:0 vote.

2.2 Request: Proposed Subdivision of 31 single-family lots (Public Hearing)
Applicant: Carmen Freeman
Address: 6000 W 13200 S
Zone: 16.33
File Number: S2018-006

Assistant City Planner McCarty informed the Commission that this item has been noticed for a Public Hearing. She oriented the Commission with the A-.25 zone information. Any development has an A-.25 zone density requirement. She explained that the staff recommendation and density requirements have been met. Currently there is a trail on the south side with retention area. She showed the layout with pictures and reaffirmed that street lights would eventually need to be added. The ordinance would also require a semi-private, six-foot slotted vinyl fence south of the trail. A public hearing had already taken place on the matter and the associated minutes were included in the packet given to each commissioner. An additional point brought up briefly was that there would be no driveways on 6000 west.

Chair Chris Berbert invited the applicant to podium. Mr. Cory Shoop approached with the architects and
designers representing Carmen Freeman. He believed resident concerns had all been met at the neighborhood meeting. Some of the concerns were regarding the size of lots, fencing and looking forward to the changes.

Chair Chris Berbert opened the Public Hearing.

No comments were offered.

Chair Berbert closed the Public Hearing.

Commissioner Jacobson mentioned that typically at this point a Master Plan should have been created. He was curious what the timing would be on the plan. He also questioned if there were plans for a curb, gutter and sidewalk. He mentioned his concern with potential impact to the nearby school and also asked if a traffic study could be completed. Andy clarified that the goal for the future is a subdivision.

Applicant Cory Shoop approached the stand and thanked the Planning Commission for their concerns. He first addressed the question regarding Parcel A and the vacant adjacent pieces of land. He mentioned that the current owner has no desire to develop at this time. If it were to be developed in the future, it would be after the owner’s passing when the land fell to a new owner. If there were to be an intersection in the future, his guess would be that it would align with 5600 West. Commissioner Jacobson voiced his concern about transportation issues with backup traffic at the drop off and pick up locations for the bordering school. Applicant Cory Shoop had previously discussed this with City Engineer Blake Thomas. The residents mentioned not wanting traffic to go on the existing roads and for this reason Applicant Cory Shoop added the south access road. He also stated that a retention pond could be extended. Chair Chris Berbert asked him to clarify the density table.

Commissioner Jacobson reiterated that he wanted to include a traffic study. Chair Chris Berbert mentioned that he didn’t think 31 lots could have much impact on traffic. However, Commissioner Jacobson was concerned that the traffic would cut through the neighborhood. Engineer Jonathan Bowers stated that a traffic study had not been done but that the standard could allow for a study. The engineering department did not see a need for a traffic study but the Planning Commission could request one to be completed. If 100 trips per day are anticipated then a traffic study could be requested. Commissioner Andy Powell mentioned his concerns with the school entrance. Carmen Freeman asked if a potential second access would be required. Assistant City Planner McCarty McCarty responded in the negative. The cul-de-sac could be closed off on the end but this could also create more problems in the end as well. Commissioner Ferguson mentioned that school parents might park along road. Commissioner Jacobson also voiced his concern with the school proximity.

Commissioner Jacobson moved to continue without a date for the area highlighted on the map and to mitigate transportation. This included item 2.2 for Proposed Subdivision of 31 single family lots. Commissioner Powell seconded the motion.

The vote was recorded as follows:

Commissioner Andrea Bradford  Aye
Commissioner Adam Jacobson  Aye
Commissioner Jackson Ferguson  Aye
Commissioner Lorin Palmer  Aye
2.3 Request: Proposed Plat Amendment to the Anthem Commercial Plat for a lot line adjustment and to add one lot (Public Hearing)

Applicant: Anthem Center LLC
Address: 5264 W Anthem Peak Lane
Zone: C-2
Acres: 8.06
File Number: S2017-028-01

Assistant City Planner McCarty informed the Commission that this item had been noticed for a Public Hearing. She oriented the Commission with staff recommendations. Applicant Trish Smith with the Anthem approached the podium and stated she was available for questions.

Chair Chris Berbert opened the Public Hearing.

There were no comments offered.

Chair Chris Berbert closed the Public Hearing.

Commissioner Andy Powell moved to recommend Approval of item 2.3 for Proposed Plat Amendment to the Anthem Commercial Plat for a lot line adjustment and to add one lot. Commissioner Jacobson seconded the motion.

The vote was recorded as follows:

Commissioner Andrea Bradford Aye
Commissioner Adam Jacobson Aye
Commissioner Jackson Ferguson Aye
Commissioner Lorin Palmer Aye
Commissioner Andrew Powell Aye

The motion passed with a 5:0 vote.

2.4 Request: Proposed Subdivision Amendment to add 1 lot (Public Hearing)

Applicant: Kim Rindlisbacher
Address: 15000 S Academy Parkway
Zone: C-2
Acres: .74
File Number: S2018-002-01

Assistant City Planner McCarty informed the Commission that this item had been noticed for a Public Hearing. She oriented the Commission with proposal and staff recommendation. Applicant Kim Rindlisbacher with Scenic Development explained the possible commercial properties such as Starbucks and Burger King, who like to maintain ownership of their properties.

Chair Chris Berbert opened the Public Hearing.
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There were no comments offered.

Chair Chris Berbert closed the Public Hearing

Commissioner Palmer moved to recommend Approval of item 2.4 for Proposed Subdivision Amendment to add one lot. Commissioner Ferguson seconded the motion.

The vote was recorded as follows:
Commissioner Andrea Bradford  Aye
Commissioner Adam Jacobson  Aye
Commissioner Jackson Ferguson  Aye
Commissioner Lorin Palmer  Aye
Commissioner Andrew Powell  Aye
The motion passed with a 5:0 vote.

2.5 Request: Final Planned Unit Development approval of 600 apartment units as part of the South Hills Master Development Agreement

Applicant: Camelot South Hills LLC
Address: 14700 S Academy Parkway
Zone: R-2-15
Acres: 31
File Number: C2008-044-05

Assistant City Planner McCarty explained the proposal and the staff recommendations. The location would be across the street from the RSL Academy. She presented color renderings, floor plans, and a density tracking summary. The setbacks were also determined.

Applicant John Lindsley represented the Camelot homes and mentioned that the crew had taken into consideration the design and information associated with the RSL Academy. Appearance has been created to be modern and cutting edge with the product. He also explained the micro grid with Rocky Mountain Power. The goal was to create a green community with recycling bins and other amenities that will hopefully attract a tech crowd. The curb, gutter, sidewalk and roads will all be in place. He mentioned that all necessary documentation has been supplied to the City. The 35-percent open-space requirement has also been met. Commissioner Jacobson mentioned that 50-percent of a building would be required to be built up before adding the parking areas. He then clarified with John Lindsley on if he would anticipate an approval of the elevations. John Lindsley responded that elevations are not required for approval, but would submit them with the building permit. Commissioner Jacobson asked if the Commission could put the additional changes into the approval process, such as the electrical and other environmental-friendly aspects. John Lindsley commented that he would agree to what has already been approved, rather than adding additional approval steps that may then become difficult during the construction process. The amenities would be constructed when half of the apartments have been built. Commissioner Jacobson asked for clarification on how this model would differ from the original Four Seasons complex in Logan, Utah. John Lindsley stated that this model will be more modern in look and feel as well as have a more environmental aspect. Commissioner Jacobson commented on his preference that those differing aspects be added to the approval forms for clarification. The applicant mentioned that there would be
Commissioner Jacobson moved to recommend Approval of item 2.5 for Final Planned Unit Development approval of 600 apartment units as part of the South Hills Master Development Agreement with an adjustment to number 11; the staff recommendations will be constructed like 4 Seasons and show adherence toward element to include regarding energy efficiency solar elements. Commissioner Andy seconded the motion.

The vote was recorded as follows:

Commissioner Andrea Bradford  Aye
Commissioner Adam Jacobson  Aye
Commissioner Jackson Ferguson  Aye
Commissioner Lorin Palmer  Aye
Commissioner Andrew Powell  Aye

The motion passed with a 5:0 vote.

2.6 Request: Proposed 2 lot subdivision  (Public Hearing)

Applicant: Camelot South Hills LLC
Address: 14700 S Academy Parkway
Zone: R-2-15
Acres: 45.57
File Number: S2018-007

Assistant City Planner McCarty informed the Commission that this item had been noticed for a Public Hearing. She oriented the Commission. The applicant John Lindsley had nothing specific to add.

Chair Chris Berbert opened the Public Hearing.

There were no comments offered.

Chair Chris Berbert closed the Public Hearing.

Commissioner Ferguson asked for clarification on whether or not the new developers would adhere to the same HOA and current approved processes. He mentioned that the current formats are wonderfully done and he hoped that the next set would adhere to the same requirements. John Lindsley and Assistant City Planner McCarty both affirmed that although the future section might differ in housing type (i.e. town homes), it would go through the same approval process. The guidelines would remain.

Commissioner Jackson moved to recommend Approval of item 2.6 for Proposed 2 lot subdivision. Commissioner Jacobson seconded the motion.

The vote was recorded as follows:

Commissioner Andrea Bradford  Aye
Commissioner Adam Jacobson  Aye
Commissioner Jackson Ferguson  Aye
Commissioner Lorin Palmer  Aye

The motion passed with a 5:0 vote.
4. **Chair and Commission Comments**
Commissioner Jacobson requested information regarding title search history by city staff.

5. **Future Meetings**
   5.1 City Council – Wednesday, April 11, 2018 @ 7:00 PM
   5.2 Planning Commission Meeting – April 19, 2018 @ 7:00 PM

6. **Adjournment**
Commissioner Jacobson moved to adjourn the Planning Commission meeting. The meeting adjourned at 8:07 pm.

I, Wendy Thorpe, Deputy City Recorder for Herriman City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on April 5, 2018. This document constitutes the official minutes for the Herriman City Planning Commission Meeting.

Wendy Thorpe
Deputy City Recorder