The following are the minutes of the Planning Commission Meeting held on Thursday, April 19, 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:** Chair Jessica Morton

**Commission Members Present:** Chris Berbert, Andrea Bradford, Curt Noble, Andrew Powell, Adam Jacobson, Jackson Ferguson and Brody Rypien

**City Staff Present:** City Planner Michael Maloy, Assistant City Planner Bryn McCarty, Communications Specialist Jon LaFollette, Planning Coordinator Craig Evans, City Engineer Blake Thomas, Assistant City Engineer Jonathan Bowers, City Recorder Jackie Nostrom, City Attorney John Brems, Water Manager Luke Sieverts, and Community Development Coordinator Sandra Llewellyn.

**6:00 PM - Work Meeting** *(Fort Herriman Conference Room)*
Chair Jessica Morton called the meeting to order at 6:05 p.m.

1. **Discussion of the Herriman Crossroads Development**
   City Planner Michael Maloy offered a brief overview of the proposed Herriman Crossroads Development proposal and the approval process for a development agreement. He explained this project already has density approvals and the applicant is willing to reconsider plans. Applicant Ken Olsen presented an overview of the different pods throughout the development and noted they would look to include townhomes in the development rather than apartments. He observed the 45 acres of commercial property which is more than what would be required. Mr. Olsen oriented the Commission of the location of the development as requested by Commissioner Andrew Powell. Commissioner Brody Rypien asked if traffic would be able to be diverted through the development because of congestion along Redwood Road. Mr. Olsen confirmed and noted of the Utah Department of Transportation access that had already been granted.
Planner Maloy indicated the first part of the development agreement would lock in the zoning, required amenities and the lifestyle living. Mr. Olsen explained the change to a more traditional architectural style to accommodate a mountain resort theme and reviewed the proposed concept designs for the two story townhomes. He depicted the metal or cement proposed fencing for the project and reviewed the natural features of the development that would incorporate into the Herriman Trails Master Plan. Mr. Olsen suggested the project would be a 10-15 year buildout for the project.

Planner Maloy stated the key exchange for the discussion would be to review that the development agreement would conceptually lock in the zoning and would commit the developer to commit to a phased schedule, certain materials would be required, and the amenities that would be incorporated into the project. This development would move away from a large apartment complex to one of a mixed use approach. Mr. Olsen added this project would look to attract individuals who would like a more active community lifestyle with commercial in the vicinity. Planner Maloy anticipated scheduling this project for a future meeting for continued discussion. Commissioner Rypien asked if the agreement would cover system improvements or more project improvements and be allowed impact fee credits. Assistant City Planner Bryn McCarty reviewed the infrastructure that would be eligible for impact fee reimbursements. She noted the amenities throughout the project would be private; however, the trails would be open to the public. Commissioner Curtis Noble asked of the location for the proposed fencing. Mr. Olsen responded the fence would be installed along Redwood Road and along the Jacob Welby Canal for safety measures. Planner Maloy added the Development Agreement would depict fencing requirements. Assistant Planner McCarty informed the Commission they would still have to review and approve each pod. Commissioner Chris Berbert expressed his concern of the fencing being too close to the busy road. Mr. Olsen anticipated the location of the location of the fencing and street lights would be a great distance from Redwood Road.

2. Review of City Council Decisions

City Planner Maloy informed the Commission the City Council adopted the General Plan Amendment with all ten areas being considered commercial primarily because of potential opportunities. He noted they would look at all areas of the City with the forthcoming amendment. The amendment would look at moving against multi-family and reviewing all of the commercial zoning throughout the City to find the correct balance.

Planner Maloy indicated the City has been working on the next year fiscal budget and noted the continued support of Planning Commission trainings.

3. Review of Agenda Items

2.1 Proposed One lot Subdivision for Jory Dalling

Planner Maloy indicated the proposed one lot subdivision for Jory Dalling had been revised to address engineering concerns.

2.2 Proposed Subdivision of 30 single family lots for Carmen Freeman

Planner Maloy observed the future plans for this property including the cul-de-sac. He noted the trail connection throughout the development and added the trail could not be used for educational safe walking routes.
2.3 Conditional Use Permit for Ace Hardware for Brad Murdock
Assistant City Planner McCarty indicated the Ace Hardware addressed the fencing and building material concerns expressed at the previous meeting.

2.4 Conditional Use Permit for a Gorilla Car Wash and Grease Monkey Quick Lube for Steve Cloward
Assistant City Planner McCarty reviewed the conditional use permit and reviewed the issues pertaining to the elevations, parking, fencing and landscaping that had been addressed.

2.5 Conditional Use Permit for a Holiday Oil Gas Station/Convenience Store for John Linton
Assistant City Planner McCarty oriented the Commission of the location of the Holiday Oil gas station adjacent to Academy Parkway and noted the building would have 60-percent brick or stone on the front and any side elevation visible from the street. The proposed elevations showed compliance. She reviewed the proposed site plan indicating that parking requirements would be adhered. The applicant had provided additional landscaping along 15000 South to mitigate any noise and light pollution that may affect abutting residential properties. The proposed site plan also depicted the project would meet the setback requirements. Assistant City Planner McCarty indicated staff has been working with the developer on the timing and construction of the required fencing.

2.6 Conditional Use Permit for a Wireless Utility Communications Tower for Herriman City
Assistant City Planner McCarty indicated the City is looking to install a wireless utility tower which is a conditional use in the residential zone. The tower would be utilized for the water facilities telemetry system.

2.7 Request: Proposed Two lot Subdivision for Jared Kelsch
Assistant City Planner McCarty indicated applicant Jared Kelsch requested an approval of a two lot subdivision. A home currently exists on the parcel and a future home has been proposed for the newly-created lot. Street frontage would not be an issue for the development. Right-of-way would need to be dedicated to the City and road improvements of a fee-in-lieu would be required. The Engineering Department has been working with the applicant to determine how much property would need to be dedicated as well as the cost of improvements. This subdivision would be contingent upon the City Council granting the rezoning request.

3.1 Rezone from A-1 (Agricultural- 1 acre min.) to A-50 (Agricultural-.50 acre min.) for Jared Kelsch
This request is the second part to the proposed two lot subdivision. The Planning Commission would have to make a recommendation to the City Council whether or not to approve the rezone, then the Commission could act on the proposed subdivision.

The Planning Commission adjourned by consensus at 6:59 p.m.
1. Call to Order
Chair Morton called the meeting to order at 7:05 p.m.

1.1 Invocation/Thought/Reading and Pledge
Mr. Dave Murdock led the audience in the Pledge of Allegiance.

1.2 Roll call
Full quorum present.

1.3 Conflicts of Interest
No Conflicts of Interest were noted.

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: Proposed One lot Subdivision (Public Hearing held on April 5, 2018)
Applicant: Jory Dalling
Address: 6308 W 14300 S
Zone: A-25
Acres: 1
File Number: S2018-005
Assistant City Planner McCarty relayed the request for the one lot subdivision that held the Public Hearing during the last meeting. She noted the applicant would have to provide turn around access for emergency personnel. She indicated there had been concerns regarding the storm water runoff and protecting adjacent properties. The applicant had been working with the City Engineer to address those concerns.

Staff recommendations are as follows:

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, street lights, and sidewalk on all public streets or pay a fee in lieu of all required improvements. Coordinate with engineering on timing of installation of required improvements.
4. The plat shall be approved and recorded prior to a building permit being issued for the lot.
5. Provide a hammerhead to meet UFA requirements.
6. The proposed home shall meet the single-family design criteria.
7. Plat shall include easements for existing City utilities.
8. Provide storm water report and plans to show that post-development flows leaving the lot are less than or equal to pre-development flows leaving the lot.
   a. Impoundment of storm water must be accomplished with a retention pond whereas there is no existing outfall location.
   b. Applicant may obtain a drainage easement and install an outfall pipe to 14200 South if a detention pond is desired.
c. Applicant must enter into a long term storm water maintenance agreement for the storm water pond and other storm water management features on the site.

9. Provide a berm or swale to direct storm water flows from the south to the east edge of the lot and to the designated drainage easement that exists from the northeast corner of the property to 14200 South.
   a. If this water enters the storm water retention/detention pond, those flows must be accounted for in the storm water report and reflected in the site design grading and drainage plan.

10. Applicant to install or pay a fee-in-lieu for roadway improvements along parcels that have frontage on 14300 South.

Commissioner Jacobson moved to approve item 2.1 file number S2018-005 for a one lot subdivision located at 6308 West 14300 South with staff recommendations. Commissioner Powell seconded the motion.

The vote was recorded as follows:

Commissioner Chris Berbert Aye
Commissioner Jackson Ferguson Aye
Commissioner Adam Jacobson Aye
Commissioner Curtis Noble Aye
Commissioner Andrew Powell Aye
Commissioner Brody Rypien Aye

The motion passed unanimously.

2.2 Request: Proposed Subdivision of 30 single family lots (Public Hearing held on April 5, 2018)

Applicant: Carmen Freeman
Address: 6000 W 13200 S
Zone: A-25
Acres: 16.33

File Number: S2018-006

Assistant City Planner McCarty indicated the proposed subdivision had a public hearing for a 30 lot development. The remaining parcel would continue to be utilized for farming and would ultimately be a future development. She compared the original plan with the revised plan to address engineering concerns. The proposal would qualify for 2.1 lots per acre which meets the density requirements. The Commission reviewed the traffic concerns for the development.

Applicant Carmen Freeman thanked the Commission for their service and noted all of the concerns had been addressed and added a couple of trail connections throughout the development.

Staff recommendations are as follows:

1. Meet with staff for review and final approval of the site plan.
2. Each of the lots shall be a minimum of 85 feet wide and 10,000 square feet.
3. Install curb, gutter, street lights, and sidewalk on all public streets, including 13200 South. Street lights on 6000 West shall be installed at the pre-determined locations.
4. Dedicate property needed to accommodate a 60 foot right of way for 6000 West and 13200 South.
5. Install a 6-foot vinyl privacy fence along 6000 West, making sure to maintain the clear view on the corner of 13200 South.
6. Install a 6-foot vinyl privacy fence along the east side of the development.
7. Install a 6-foot semi-private vinyl fence along the south property line, adjacent to the trail, and along both sides of the trail connection, except where adjacent to the detention pond.
8. All homes shall meet the Single-family design criteria.
9. Density is approved at 2.1 units per acre, which is 34 lots. The proposed plan shows 30 lots, and a “Parcel A” that could be developed in the future. No density is being approved for Parcel A at this point.
10. No lots shall be accessible from or onto 6000 West.
11. The detention pond should be landscaped to meet City standards and dedicated to the City.
12. Developer is responsible for locating the existing storm drain pipe that is stubbed into Parcel A and connecting the pipe into the roadway drainage system in the development. Offsite flows collected by this pipe will need to be accounted for in the on-site detention basin.
13. Developer is responsible for the installation of sidewalk, curb, gutter, and lighting along the entire project frontage (13200 South from 6000 West/Mirabella to 5900 West). Work with engineering on the proper alignment of improvements on 13200 South.
14. Install a trail connection to the existing trail system. The trail should be concrete 16 feet wide, with landscaping along each side, and provide maintenance access to the detention pond. The trail shall be dedicated to the City.
15. Applicant needs to provide storm water detention or retention to meet Herriman City Engineering Standards. Retention will be required if constructability of a pipe in the existing trail and drainage easement is found to be unfeasible.
16. If any of the trails will be also used for utility loops (i.e. waterline alignment) the trail will need to be sized to the appropriate width required for future utility maintenance work (20 ft. typical)

Commissioner Berbert moved to approve Item 2.2 File Number S2018-006 approving a subdivision at approximately 6000 West 13200 South with staff recommendations. Commissioner Jacobson seconded the motion.

The vote was recorded as follows:
Commissioner Chris Berbert Aye
Commissioner Jackson Ferguson Aye
Commissioner Adam Jacobson Aye
Commissioner Curtis Noble Aye
Commissioner Andrew Powell Aye
Commissioner Brody Rypien Aye
The motion passed unanimously.

2.3 Request: Conditional Use Permit for Ace Hardware (continued from March 15, 2018)

Applicant: Brad Murdock
Address: 13548 S Rosecrest Rd
Zone: C-2
Assistant City Planner McCarty reviewed the conditional use permit proposal for the Ace Hardware located west of the Smith’s Market Place 5600 West 13400 South. She noted the brick and stone concerns had been addressed. Commissioner Berbert asked about the fence being installed prior to the construction of the Hardware Store. Assistant Planner McCarty confirmed the requirement for the north side of the property and would review the specific condition.

Applicant Dave Murdock presented samples of the building material products along with the colors depicting the elevations. He noted the color may vary slightly and noted there would be 65-percent of the elevation in brick or storne. Assistant Planner McCarty relayed the 60-percent requirement on the front and side elevations that would face a public street. Commissioner Rypien asked about the materials being used along the rear elevation. Applicant Murdock responded it would be colored CMU block. Commissioner Powell asked about what would be placed along the north side of the building. Applicant Murdock explained the Garden Center would be located there. Assistant Planner McCarty indicated the Garden Center would be fenced with a wrought iron material. Commissioner Jacobson asked if the rear parking would be for employees or for customers. Applicant Murdock indicated it would mostly be used for employees. Commissioner Jacobson observed the rear door that could be used by patrons. Applicant Murdock indicated the entrance was not designed for that purpose. The access doors would be for emergency and employee use. Commissioner Rypien agreed with the aesthetics. Commissioner Berbert expressed his concern of not having actual customers use the rear parking lot, and couldn’t guarantee that it would happen. He suggested the layout of the site would entice people to park in the back. Commissioner Rypien noted it would be used for deliveries. Commissioner Jacobson noted the retail to the south has not been approved and the land could be vacant for a long period of time.

Staff recommendations are as follows:

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. Provide a 15 foot landscape buffer along the north and west property lines adjacent to the residential areas. Evergreen landscaping anticipated to grow to more than six feet in height shall be provided at distances sufficient to provide a visual and noise reducing barrier. Such landscaping shall consist of at least one tree for every 20 feet of fencing.
4. Building elevations approved as submitted.
5. No signs are approved with this request, separate approval will be required.
6. At least 15% of the total site must be landscaped. At least 5% of the parking lot interior must be landscaped. Landscaping shall meet all requirements of the ordinance and standards.
7. Parking shall be provided at one space per 250 square feet of floor area, which would be 64 spaces.
8. Screen all outside trash and dumpster areas with precast or masonry walls.
9. Provide an addendum to the original traffic impact study for review and approval. This should include information on access points.
10. Detention shall be provided on site as required by City standard. This may be in underground detention.
11. All exterior lighting must be reviewed and approved by the City Engineer, including a photometric plan. Lights must meet City standard.

12. Any and all trash pickup shall only occur between the hours of 6:00 a.m. and 6:00 p.m. of the same day.

13. Install a 6 foot precast wall along the entire west property line of the Herriman Corners Subdivision prior to a building permit being issued for this lot. Also provide a 6 foot precast wall along the north property line prior to building permit.

14. Construct the backbone road for the Herriman Corners development. This should be built curb to curb, and include street lights.

15. Fencing around the garden center shall be wrought iron.

16. Provide ADA access to a public street.

**Commissioner Power moved to approve item 2.3 File Number C2017-056 approving a conditional use permit for an Ace Hardware with the following change to staff recommendations to have item no four read building elevations shall have 60-percent stone or brick on all four (4) sides of the building. Commissioner Berbert seconded the motion.**

The vote was recorded as follows:
- Commissioner Chris Berbert  Aye
- Commissioner Jackson Ferguson  Aye
- Commissioner Adam Jacobson  Aye
- Commissioner Curtis Noble  Aye
- Commissioner Andrew Powell  Aye
- Commissioner Brody Ryepien  Aye

The motion passed unanimously.

2.4 Request: Conditional Use Permit for a Gorilla Car Wash and Grease Monkey Quick Lube  
**(continued from March 15, 2018)**

Applicant: Steve Cloward
Address: 5708 W 13400 S
Zone: C-2
Acres: 1.395
File Number: C2018-005

Assistant City Planner McCarty oriented the Commission of the location of the project and noted some of the changes had been addressed. West of the development are residential homes which would need to have additional buffering to be installed to mitigate the noise and light pollution from affected neighbors. She displayed the potential precast wall that would be installed if the subdivision did not install a fence along the western portion of the development. Assistant Planner McCarty presented the revised landscaping plans and proposed elevations.

Applicant Steve Cloward requested the Commission be aware of the additional landscaping that had been incorporated into the plan and observed the available walkways for patrons to utilize. Commissioner Noble asked about the vacuum areas to be covered. Applicant Cloward presented the elevations depicting the three rows of vacuumers. Commissioner Jacobson thanked the applicant for the changes.
Commissioner Noble addressed the temporary fencing requirements would have to be changed. Applicant Cloward suggested a vinyl fence could be installed for screening purposes, if necessary. Commissioner Berbert requested the fencing match the one that will be installed on the adjacent property for consistency. Assistant City Planner McCarty confirmed.

Staff recommendations are as follows:

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. Work with the Herriman City Water Department to comply with State requirements for the Well Source Protection Area. The source protection plan should be in place prior to final engineering approval.
4. The front yard area which faces 13400 South shall be landscaped and maintained with live plant material, including shrubs, flowers and 2-inch caliper trees for a minimum distance of twenty feet (20’), or 15 feet with a berm. This should also include trees in the park strip every 30 feet.
5. 15% of the total site shall be landscaped and shall also include a minimum of 5% of the parking area landscaped. Additional landscaping, including evergreen trees, should be incorporated into the landscaping in the northwest corner of the lot to provide year round screening.
6. No signs are approved with this request, separate approval will be required.
7. Parking is approved as provided.
8. Screen all outside trash and dumpster areas with precast or masonry walls.
9. Provide a traffic impact study for review and approval. This should include information on access points.
10. The access off of 13400 South shall be on the east side of the subject property and shared with the adjacent lot.
11. Detention shall be provided on site as required by City standard. This may be in underground detention.
12. Install curb, gutter, sidewalk, street lights, and park strip landscaping on all public streets.
13. All exterior lighting must be reviewed and approved by the City Engineer, including a photometric plan. Lights must meet City standard.
14. Any changes made to existing street lights will be at the cost of the applicant, not the City.
15. Any and all trash pickup shall only occur between the hours of 6:00 a.m. and 6:00 p.m. of the same day.
16. Install a 6 foot precast wall along the west property line.
17. Provide a temporary 6 foot vinyl privacy fence on the north property line until a precast wall is constructed along the entire west property line of the Herriman Corners development. The temporary fence is to mitigate the light and sounds from impacting the adjacent residential properties. Work with staff on the required length of the fence.
18. Building elevations are approved as submitted. Canopy elevations shall add brick to the outside columns to match the building. Brick shall also be on the payment kiosk columns.

Commissioner Berbert moved to approved Item 2.4 File No. C2018-005 approving a Conditional Use Permit for a Gorilla Car Wash and Grease Monkey Quick Lube with the following change to staff requirements that the precast wall shall match the precast wall of the surrounding subdivision and to work with the Engineering Department to make sure that occurs. Commissioner Jacobson seconded the motion.
The vote was recorded as follows:

Commissioner Chris Berbert  Aye
Commissioner Jackson Ferguson  Aye
Commissioner Adam Jacobson  Aye
Commissioner Curtis Noble  Aye
Commissioner Andrew Powell  Aye
Commissioner Brody Rypien  Aye
The motion passed unanimously.

2.5 Request: Conditional Use Permit for a Holiday Oil Gas Station/Convenience Store
(continued from March 15, 2018)

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

Assistant City Planner Bryn McCarty informed the Commission of the conditional use permit for the Holiday Oil Gas Station located at 15000 South Academy Parkway which had been continued from the March 15, 2018 meeting. She presented the site and landscaping plans for the development and compared them to previous renditions. Assistant Planner McCarty observed the submitted elevations for the building showing compliance with commercial building requirements. The car wash and canopy elevations also notated brick would be utilized.

Assistant Planner McCarty indicated they addressed landscaping concerns identified during the previous meeting. A precast wall would be required and must be installed around the perimeter prior to the commencement of construction. The store hours also had been adjusted listed in the conditions which would be 5:00 a.m. to 11:00 p.m. Assistant Planner McCarty acknowledged a traffic study had been conducted for the site which had been previously disseminated to the Commission.

Commissioner Berbert referenced the lack of the six-foot precast wall requirement in the guidelines and asked if it should be included. Assistant Planner McCarty noted the Commission could add the requirement to meet the previous conditions of the subdivision to have the wall installed prior to construction.

Applicant John Linton informed the Commission there would be five pine trees installed along 15000 South in addition to the detailed landscaping and welcomed the aspect to be placed as part of the conditions. Assistant Planner McCarty interjected there would also be City street trees planted adjacent to 15000 South and Academy Parkway.

Commissioner Berbert empathized with the owners of the neighboring houses that would face the development, and noted this parcel had always been designated as commercial. He suggested it was unfortunate those homes have been built there; however, landscaping has been incorporated to buffer light pollution for the residents. He suggested the developer had done everything in their power to minimize the impact to surrounding residents. The Commission agreed.
The Holiday Oil Staff recommendations are as follows:

1. Meet with the Staff for review and final approval of the site plan.
2. All exterior lighting, including a photometric plan, must be reviewed and approved by the City Engineer which will mitigate or eliminate detrimental impacts of light.
3. At least 15% of the total site must be landscaped. At least 5% of the parking lot interior must be landscaped which will mitigate or eliminate detrimental visual impacts. Landscaping should be provided adjacent to the west side of building, and also on the south side on the patio.
4. 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') which will mitigate or eliminate detrimental visual impacts. This should include trees in the park strip every 30 feet.
5. Building elevations and canopies are approved as submitted which will mitigate or eliminate detrimental visual impacts.
6. Install curb, gutter, sidewalk, street lights, and park strip on all public streets.
7. No signs are approved with this request, separate approval will be required. No monument sign will be allowed on 15000 South, which will mitigate detrimental lights and glare.
8. Screen all outside trash and dumpster areas which will mitigate or eliminate detrimental visual impacts.
9. Parking calculated at 1 space for each 250 square feet gross floor area for a total of at least 19 stalls.
10. Hours of operation to be from 5:00am to 11:00pm which will mitigate or eliminate detrimental light and noise impacts.
11. A traffic study for the entire development shall be reviewed as part of the engineering approval. Left-turns may be limited as recommended in the traffic study.
12. Provide storm drain retention for the property. This can be provided in shared facility for the entire commercial center. A maintenance agreement for any retention ponds will be required for engineering approval.
13. Receive approval from UFA prior to installing underground tanks.
14. Certificate of Occupancy for the building will not be granted until a precast wall is constructed on the south and east sides of the commercial development.

Commissioner Chris Berbert moved to approve Item 2.5, Conditional Use Permit for a Holiday Oil Gas Station/Convenience Store with the following adjustments made to staff recommendations under item no. 4 to add an additional requirement incorporating five (5) additional pine trees located on the north side of the property, and to add item number 16 to fulfill the need to meet the previous subdivision condition of requiring a 6-foot precast wall on the east side of the detention basin pond before any building permit is offered. Commissioner Noble seconded the motion.

The vote was recorded as follows:

Commissioner Chris Berbert  Aye
Commissioner Jackson Ferguson  Aye
Commissioner Adam Jacobson  Aye
Commissioner Curtis Noble  Aye
Commissioner Andrew Powell  Aye
Commissioner Brody Rypien  Aye

The motion passed unanimously.

2.6 Request: Conditional Use Permit for a Wireless Utility Communications Tower

Applicant:  Herriman City
Address:  14200 S 4000 W
Zone:  R-2-10
Acres:  4.81
File Number:  C2018-013

Assistant City Planner McCarty indicated Herriman City Water Department requested a 60-foot wireless utility communications tower which requires a conditional use permit in the R-2-10 zone.

Water Manager Luke Seiverts indicated the infrastructure located on the tower would be limited to City owned equipment. He explained a survey had been conducted to concluded the tower would need to be 60-feet tall to meet the current and future SCADA system needs.

Staff recommendations are as follows:

1. The height of the pole is limited to 60 feet above grade.
2. The monopole and the site the pole occupies are to be properly maintained. The pole must be removed within sixty (60) days after the communications use is discontinued.

Commissioner Jacobson moved to approve item 2.6 File No. C2018-013 conditional use permit for a wireless utility communications tower with an additional requirement to only allow city equipment to be placed on the tower. Commissioner Rypien seconded the motion.

The vote was recorded as follows:
Commissioner Chris Berbert  Aye
Commissioner Jackson Ferguson  Aye
Commissioner Adam Jacobson  Aye
Commissioner Curtis Noble  Aye
Commissioner Andrew Powell  Aye
Commissioner Brody Rypien  Aye

The motion passed unanimously.

2.7 Request: Proposed Two Lot Subdivision (Public Hearing)

Applicant:  Jared Kelsch
Address:  13705 S 7300 W
Zone:  A-1
Acres:  1.125
File Number:  S2018-003
Assistant City Planner McCarty explained this request has two different applications for the one acre subdivision to create two lots. First, the zoning would have to be changed to the A-.5 zone and then the Planning Commission could approve the subdivision. One home already exists on the existing parcel and a future home would be added to the new lot. The property is located on a corner so each parcel would have street frontage.

Applicant Jared Kelsch indicated there would be property dedicated to the City for the right-of-way and a fee in lieu for improvements would have to be considered and may warrant an exception.

Chair Morton opened the Public Hearing.

There were no comments offered.

Chair Morton closed the public hearing.

Commissioner Berbert indicated that Gina Road does not have sidewalks. This was confirmed. He recommended the consideration for an exception would be for the lot that would face Gina Road, not 7300 West. Commissioner Jacobson expressed his concern about amending a prerecorded subdivision and relayed his understanding of not continuing the practice. He recommended this concern be taken to the Council to have the ordinance reflect the desire. Commissioner Berbert agreed. Commissioner Rypien suggested other applicants would also request exceptions based on this request. Commissioner Jacobson agreed with the statement. He explained the subdivision couldn’t occur until the zoning had been changed and the subdivision would have to come back to the Commission for approval. He relayed his position he wasn’t supportive of the request and would like to see developed subdivisions maintain their original format as it would not be advantageous for the City. Commissioner Berbert suggested the subdivision be continued to see if the rezoning request has been approved.

Commissioner Jacobson moved to continue item 2.7 File No. S2018-003 to a future Planning Commission meeting. Commissioner Berbert seconded the motion, and all voted aye.

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: Rezone from A-1 (Agricultural-1 acre min.) to A-.50 (Agricultural-.50 acre min.) (Public Hearing)

Applicant: Jared Kelsch
Address: 13705 S 7300 W
Zone: A-1
Acres: 1.125
File Number: Z2018-006

Assistant City Planner McCarty informed the Commission this item was for the rezone of the property.

Chair Morton opened the public hearing.
Gordon Kelsch informed the Commission they have lived there since 1996 and have watched lots be subdivided and couldn’t understand their opposition to the request.

Chair Morton closed the public hearing.

Commissioner Berbert indicated Herriman needed to have a balance of different lot sizes including half acre parcels. He expressed his opposition to recommending the approval of the rezone when it would take away from the feel of Herriman. He noted the property was zoned a specific way for a purpose and would like to keep the same feel in the area. Commissioner Noble agreed and noted the Planning Commission has not recommended approval of any “spot zonings”. Commissioner Jacobson explained his desire to maintaining a transition buffer and would like to have the zoning stay as currently designated.

*Commissioner Jacobson moved to recommend denial of item 3.1 rezoning property from A-1 to A-.50 for Jared Kelsch to the City Council to stay consistent with the zoning in the area. Commissioner Noble Seconded the motion.*

The vote was recorded as follows:

- Commissioner Chris Berbert: Aye
- Commissioner Jackson Ferguson: Nay
- Commissioner Adam Jacobson: Aye
- Commissioner Curtis Noble: Aye
- Commissioner Andrew Powell: Aye
- Commissioner Brody Rypien: Nay

The motion passed with a vote 4:2.

4. Chair and Commission Comments

5. Future Meetings

- 5.1 City Council – Wednesday, April 25, 2018 @ 7:00 PM
- 5.2 Planning Commission Meeting – May 3, 2018 @ 7:00 PM

6. Adjournment

Commissioner Berbert moved to adjourn the Planning Commission meeting at 8:12 p.m. Commissioner Powell seconded the motion and all voted aye.

*I, Jackie Nostrom, City Recorder for Herriman City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on April 19, 2018. This document constitutes the official minutes for the Herriman City Planning Commission Meeting.*

Jackie Nostrom, MMC