The following are the minutes of the Planning Commission Meeting held on **Thursday, November 1, 2018 at 7:00 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:** Jackson Ferguson, Andy Powell, Brody Rypien, Parry Harrison, Andrea Bradford, Adam Jacobson, Lorin Palmer, Chris Berbert

**Staff Present:** City Planner Michael Maloy, Communication Specialist Mitch Davis, Planning Coordinator Craig Evans and Deputy Recorder Wendy Thorpe, Engineer Blake Thomas, and Engineer Josh Petersen.

**Work Meeting (Fort Herriman Conference Room)**
Chair Jessica Morton called the work meeting to order at 6:05 pm.

The Planning Commission mentioned moving Item 1 to the end of the work meeting. The order would change as follows: first HTC residential discussion, followed with an agenda review, and last City Council decision review.

**1. HTC Residential Discussion**
City Planner Michael Maloy introduced the developer to discuss the Herriman Towne Center plans. He first discussed the original plans from 2008 with locations around the U road on the original master plan. Since this time, the commercial areas on the east side and by City Hall have increased. The marketplace division near 13400 also increased. The original concept had an older feel that needed an update. The developer hoped to create single structures to appear as individual buildings. In addition, he hoped to create a commercial core.
The area would display awnings and trees with a complimentary transition to the unit on the outer U road. The east side would feature a large single space commercial building covering the majority of the block. Condominiums would be featured in the design as well. In preparation for these, a color board would be presented to the Commission.

The developer mentioned preparations for outdoor patio spaces, commercial office space, and garages in certain areas. The Planning Commission discussed walkability within the area. A parking area for pedestrians would be included in the plans. Sidewalks would allow access outlets. The specific design includes bump-outs and mid-block raised areas, modeled after South Lake, Texas. Townhomes would be three stories high with privacy and walkability as a priority. The proposed architecture was distributed to the Commission. The last page featured the specific townhome design, previewing balconies with setbacks from 5-10 feet. The outer ring of the U road also will feature townhomes with more green space. Overall, the vision has evolved from the original plans. The Planning Commission voiced support for the newer updated plan, agreeing with the need for the urban feel. Various maintenance aspects were discussed.

2. **Review of City Council Decisions**

City Planner Michael Maloy discussed the storage unit construction. He mentioned his preference for higher value opportunities that help create more jobs and generate additional sales. He expressed the necessity of agricultural zones. Many of these are larger lots with single-family developments, which may grow out of the general plan development. The City Council also has an interest in the agricultural zones. Additionally, City Council was interested to know the building setbacks, especially those due to the town center five-yard setback compromising privacy and open space. As a result, there was a reduction in site plan landscaping by eliminating the parking strip. City Council prefers the applicant make a request to the Planning Commission first. The group further discussed home occupation, C-2 building height changes, the auto mall district, and recently installed fences.

3. **Review of Agenda Items**

City Planner Michael Maloy discussed the conditional use for VASA; staff recommended approval. It would become part of the strip center located north of the KFC. The group defined the six-foot precast wall. City Engineer Blake Thomas stated that a pass through into Ace Hardware was being considered. The landscaped island could potentially mitigate the lights shining into nearby homes. Teton Village and Jackson Village also received adjustments; staff recommended continuing the process forward with an additional public hearing once all of the information was made available.

The Commission discussed the final PUD approval and the various issues identified in the report. These issues included the open space and land use development product type. The zone restriction would be brought up during the public meeting. They continued discussing street parking, guest parking, and the potential benefits of a cut-through section. Furthermore, the Commission determined the number of units per building and the differences between having an eight-plex or ten-plex. If the Commission gives approval, the master
development would require a traffic study. The road continuing through would become a parking center access into the commercial center. The group defined the fire access roads; fire would be addressed by the width of private road on the inside and the turning radius. During the public meeting, further information regarding elevations would be presented.

The Commissioners discussed landscaping, green space percentages and the DRC notes. These notes could eventually be added as a condition before approval. The Commission could approve the items and require them to be presented after changes. They discussed the pond on the south end with a recalculation of open space. Commissioners discussed various issues and heard that the revised plan had been approved by the UFA. The north side includes a compatible use retaining wall at six feet. City Engineer Blake Thomas mentioned that there are a few more issues regarding safety.

*Planning Commission work meeting adjourned by consensus at 7:02 p.m.*

**7:00 PM - Regular Planning Commission Meeting**

1. **Call to Order**
   Chair Jessica Morton called the meeting to order at 7:08 p.m. and welcomed those in attendance.

   1.1 **Invocation/Thought/Reading and Pledge**
   Councilmember Ohrn 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 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: Conditional Use Permit for a Vasa Fitness**
   Applicant: Kevin Parker
   Address: 13366 S 5600 West
   Zone: C-2 (Commercial)
   Acres: 3.65
   File Number: C2018-39
   Planning Coordinator Craig Evans described the location for Vasa Fitness and assured the Commission that parking requirements have been met. Commissioners asked about the elevation exceptions. They include 60-percent brick or stone on all sides, including large amounts of glass on certain sides.
Mr. Kevin Park thanked the staff for their assistance. He addressed the Commissioners, stating that Vasa agrees with everything stated except for the elevation. The company typically features a wide open space with large amounts of glass. Brick and stone are only used as an accent. As a result, the company requested approval from the City for the changes with Rick Sander as the architect. Ideally, the main elevation would be under 30-percent brick or stone and 34-percent masonry, glazing, stucco, and metal for the panel sidings. In the current plan, the back is fronting a residential wall. Parking would be limited in the back due to this. The architect discussed the u-shaped interior design. There would be no functionality for pedestrians in the back of the building. The metal panel would be a 20-gauge galvanized sheet. Various color options were presented.

Commissioners questioned why two of the sides are not required to meet City requirements. The landscaping along the back would possibly mitigate concerns and reduce headlights shining into nearby homes. Commissioners expressed concerns with certain sides of the buildings not meeting requirements. They also discussed the setbacks. The applicant agreed to add landscaping. Commissioners expressed concerns with such low percentages of various materials. Commissioner Adam Jacobson offered his opinion that the windows would function on three sides, but a higher percentage for the back of the building. They discussed the trail locations near the back of the location as well.

City Planner Michael Maloy informed the Commissioners that ten-percent landscaping is required for the area. The request to modify the masonry to less than 60-percent would need to be approved through City Council. Commissioners discussed the durability of materials and consistency. The bottom area could possibly feature a stone portion for durability. They discussed the reasons for these standards. In response, the architect explained the stone type variations and colors. He addressed the false windows and tree sizes as well.

Commissioner Jacobson made a motion to approve item 2.1 file number C2018-39 Conditional Use Permit for Vasa Fitness with 17 staff recommendations with an adjustment to #3 requiring that evergreen landscaping anticipated to grow to more than 10 feet in height shall be provided at a distance sufficient to provide visual and noise reducing barriers and to also require trees by the dumpster location to prevent headlights glaring into the residential area on the access road by the Ace Hardware. An additional requirement for Item 15 that building elevations and approval for the exception go to City Council with the recommendation that the pylon/columns/pilasters are consistent around the entire building with the material as proposed in the east elevation, and that there is a 3 feet wainscoting of boral alpine stone on the lower elevation of the west elevation and that on the the north and south we consider glazing or artificial glazing, spandrel glazing on the sides that a total of 60% is achieved with masonry and glass. Commissioner Rypien seconded the motion.

The vote was recorded as follows:

Commissioner Chris Berbert          Aye
Commissioner Andrea Bradford        Aye
Commissioner Jackson Ferguson       Aye
Commissioner Adam Jacobson          Aye
Commissioner Andy Powell            Aye
Commissioner Brody Rypien  Aye
The motion passed unanimously.

2.2 Request: Preliminary Plat Approval for a 250 Lot Age-Restricted Subdivision (Teton Village) (Public Hearing)

Applicant:  Anthem Utah, LLC
Address:  6100 W 12000 South
Zone:  R-2-10 (Residential – Medium Density)
Acres:  51.158
File Number:  S2018-18

Planning Coordinator Craig Evans explained the plat approval, stating that it was a public hearing.

Applicant Corey Shupe mentioned that an architect reviewed the site plan. More single family detached products were added. A commercial side-entry road has been moved to the west to align with the incoming road from Daybreak. More parks are included in the site plan as well with zoning on the west side approved for high density housing. Other areas will feature single-family detached pieces, similar to Jackson Village. He expressed that he is here to address comments from the Planning Commission and Public.

Chair Jessica Morton reviewed the public comment guidelines.

Chair Jessica Morton opened the public hearing.

Robert Bradfield voiced his concern regarding the west side. He opined that the City should guarantee in writing that no apartments would be constructed on that west strip.

Councilmember Henderson spoke on behalf of the entire Council. He mentioned that the Council would like Teton Village to construct a gated community for the age-restricted area. He also requested a wider road for the community. The City does not want high school students or apartment residents using the neighborhood as a shortcut. The City, however, would not maintain the gated area. He questioned why nearby property appeared on the proposal as well. He agreed that more than a promise should be required for the specific property.

Jim Emery asked about the lot sizes on Starlight Lane. He voiced his concern that with smaller lots, various roads, parks and churches would not be constructed. In response, he was assured that the lots were between 4000 and 6000 square feet. Higher density consists of around 10 units per acre with a medium density around 8-12 per acre.

Chair Jessica Morton continued the public hearing.

Applicant Corey Shupe offered to work with staff on the development. SLR sent a letter to Assistant City Planner Bryn McCarty and City Engineer Blake Thomas; however, more work is required before approval. He
clarified as well that the age-restricted community is separate from the gated area. Flow through from nearby neighborhoods is standard and the gates may cause issues with fire safety.

Commissioner Chris Berbert expressed his frustration with churches and schools changing the product yet maintaining high density. His frustration stems from the requirement to make decisions with incomplete projects. City Planner Michael Maloy stated that the issue arises from a development agreement issue. This problem can be solved but not with the current project. He added that phased development is expected and allowed. The Commissioners passionately expressed disappointment with developments not being delivered as promised. Commissioner Adam Jacobson asked to forego building churches or schools in this area. Councilmember Henderson mentioned that this issue was under discussion currently with the City Council and City Planner Michael Maloy added that the City could not legally deny schools.

Elizabeth Jones addressed the Commissioners with her concern with the lack of accessibility and trail access. She expressed her worry over accessing the open space in the area.

The Planning Commission discussed public parking at the park, including the issues with the main and equestrian trails.

The public hearing will remain open for two weeks. The Planning Commission concluded on touching base with the Parks and Trails Committee regarding a paved path around Bacchus highway. Staff may check with Parks and Recreation Director Wendy Thomas to ensure this development is in line with the Parks Master Plan.

### 2.3 Request: Final Site Plan Review for a 250 Lot Age-Restricted Subdivision (Teton Village)

**Applicant:** Anthem Utah, LLC  
**Address:** 6100 W 12000 South  
**Zone:** R-2-10 (Residential – Medium Density)  
**Acres:** 51.158  
**File Number:** P2018-04-01

Assistant City Planner Bryn McCarty described the final site plan review.

*Commissioner Jacobson moved to continue to the next meeting in two weeks. Re-notice if staff and applicant are not ready. item 2.2 and 2.3 file number S2018-10 Preliminary Plat approval for a 250 Lot Age-Restricted Subdivision (Teton Village) with staff recommendations. Commissioner Powell seconded the motion.*

The vote was recorded as follows:

- Commissioner Chris Berbert  **Aye**
- Commissioner Andrea Bradford  **Aye**
- Commissioner Jackson Ferguson  **Aye**
- Commissioner Adam Jacobson  **Aye**
- Commissioner Andy Powell  **Aye**
Commissioner Brody Rypien  Aye
The motion passed unanimously.

2.4  Request: Preliminary Plat Approval for a 320 Lot Subdivision (Jackson Village)
(Public Hearing)
Applicant:  Anthem Utah, LLC
Address:  6500 W 11900 South
Zone:  R-2-10 (Residential – Medium Density)
Acres:  68
File Number:  S2018-19
Assistant City Planner Bryn McCarty explained the subdivision and reviewed the staff requirements, stating that this item is due for a public hearing.

Chair Jessica Morton opened the public hearing.

No comments were offered.

Chair Jessica Morton stated that the public hearing would remain open for two weeks.

Commissioner Jacobson moved to continue item 2.4 and 2.5 file number S2018-19 Preliminary Plat Approval for a 320 Lot Subdivision (Jackson Village) amended for two weeks and if not in two weeks then re-noticed. Commissioner Berbert seconded the motion.

The vote was recorded as follows:
Commissioner Chris Berbert  Aye
Commissioner Andrea Bradford  Aye
Commissioner Jackson Ferguson  Aye
Commissioner Adam Jacobson  Aye
Commissioner Andy Powell  Aye
Commissioner Brody Rypien  Aye
The motion passed unanimously.

2.5  Request: Final Site Plan Review for a 320 Lot Subdivision (Jackson Village)
Applicant:  Anthem Utah, LLC
Address:  6500 W 11900 South
Zone:  R-2-10 (Residential – Medium Density)
Acres:  68
File Number:  P2018-04-02
City Planner Bryn McCarty explained the site plan review and staff requirements.

Commissioner moved to continue item 2.5 file number P2018-04-02 Final Site Plan Review for a 320 Lot Subdivision (Jackson Village) amended for two weeks and if not in two weeks then re-noticed. Commissioner Berbert seconded the motion.

The vote was recorded as follows:
Commissioner Chris Berbert  Aye
Commissioner Andrea Bradford  Aye
Commissioner Jackson Ferguson  Aye
Commissioner Adam Jacobson  Aye
Commissioner Andy Powell  Aye
Commissioner Brody Rypien  Aye
The motion passed unanimously.
Village) Commissioner seconded the motion.

The vote was recorded as follows:

Commissioner Chris Berbert  Aye
Commissioner Andrea Bradford  Aye
Commissioner Jackson Ferguson  Aye
Commissioner Adam Jacobson  Aye
Commissioner Andy Powell  Aye
Commissioner Brody Rypien  Aye

The motion passed unanimously.

2.6 Request: Preliminary Plat Approval for a Subdivision of 260 Townhomes (Monarch Village) (Public Hearing)

Applicant: DAI Partners, LLC
Address: 15102 S 5200 West
Zone: R-2-15 (Residential – Medium Density)
Acres: 15.82
File Number: S2018-10

City Planner Michael Maloy defined the product types and development agreement. The name was changed from Camelot to Soleil and now includes stacked units. Density was guaranteed but will not be exceeded. The townhomes will take up a certain amount of space. City Planner Michael Maloy defined open space and clustering.

Chair Jessica Morton opened the public hearing.

Mr. Brian Flam with the DAI presented the site plan. He stated that moving the parking helped break up the landscaping. He hoped that this solved the parking and street issues touched on by the Commissioners. He further presented images and stone elevation samples in a PowerPoint, specifically depicting driveways, front yard open space, and various percentages.

The Commissioners discussed a stacked type rather than the presented display. A stacked feel would allow for additional open space. Commissioner Adam Jacobson discussed the access to units via sidewalks.

Applicant Brian Flam discussed the various density allowances. Commissioner Adam Jacobson affirmed that open space is missing. The Commissioners discussed allowable unit shapes and the possibility of alterations for variation. They proposed distributing the number of units in each section differently in order to break up the area for more open space. Additional questions were addressed regarding street and visitor parking. The applicant stated that each unit in the second section includes a garage and driveway. These units particularly will have a higher price point.

Furthermore, Applicant Brian Flam addressed various issues listed in the Staff Report. He showed the different
styles of buildings, discussed various colors and materials, and mentioned that he has experienced a high demand for similar new homes. He affirmed that the west half of the area is currently for sale. The Commissioners requested more clarity overall with the development agreement. Applicant Brian Flam discussed the recommendations, mentioning that a few of the concerns have already been addressed. Following this, he addressed concerns regarding setbacks, precast walls and fencing. He also asked the Planning Commission for more clarity in the future.

Chair Jessica Morton opened public hearing

No comments were offered

Chair Jessica Morton closed the public hearing.

*Commissioner Berbert moved to continue item 2.6 file number S2018-10 Preliminary Plat Approval for a Subdivision of 260 Townhomes (Monarch Village). Commissioner Ferguson seconded the motion.*

The vote was recorded as follows:

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<td>Chris Berbert</td>
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<td>Andrea Bradford</td>
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<td>Jackson Ferguson</td>
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<td>Adam Jacobson</td>
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<td>Andy Powell</td>
<td>Aye</td>
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<td>Brody Rypien</td>
<td>Aye</td>
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The motion passed unanimously.

No additional comments offered.

*Commissioner Berbert moved to continue without date item 2.7 file number C2008-44-06 Final PUD Approval for 260 Townhomes (Monarch Village). Commissioner Jackson seconded the motion.*

The vote was recorded as follows:

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<td>Chris Berbert</td>
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<td>Andy Powell</td>
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<td>Brody Rypien</td>
<td>Aye</td>
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Commissioner Brody Rypien  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.

4. Chair and Commission Comments

Commissioner Chris Berbert discussed the “good landlord” incentive and opined that the City Council should consider the idea. He also added his desire to separate the 80 square foot enclosed storage from the garage. Certain areas with higher density units should incorporate underground parking. This helps to create more open space. He also addressed adjusting the setbacks from window wells, which is especially needed for the five-foot setbacks. There will be designated storage for recreational vehicles and specific areas for visitor parking. Mayor David Watts appreciated the input given and asked the Planning Commission to work with staff to create a presentation for City Council.

Commissioner Adam Jacobson discussed implementing a better method for separating motions. He felt part of the issue stems from losing the ability to talk about various projects. Staff talk with attorneys and include only one motion per item. He opined that the work meeting should include a review of ordinance sections and focus less on developments and more on protecting the community. With the Planning Commission focusing on ways to improve the community, the work meetings would be more productive rather than wasted on long developmental discussions. In his opinion, the developments move too quickly with intense pressure for the Commissioners to approve everything.

Commissioner Chris Berbert thanked City Planner Michael Maloy for the opportunity to meet with Taylorsville. Taylorville recommended to structure discussions on ordinances, which inevitably would advocate for correct development completion.

Commissioner Adam Jacobson mentioned that the focus should be on keeping the current residential zones as originally intended by the developer. There should be defined expectations to maintain and a method of keeping all residents aware of various City requirements, such as parking. The Planning Commission should look at areas of the City that need more code enforcement, as certain areas are dilapidated. This gives people a reason to move to Herriman.

The Commissioners discussed the Fieldstone development and decided to keep the focus on the ordinances during presentations and meetings. Commissioner Andrea Bradford opined that the planning packets for meetings were too dense. Much of the information could be consolidated for easier briefing and decision-making. City Planner Michael Maloy discussed restructuring the packets and including maps with a wider view. Another option mentioned was to purchase iPads and use Dropbox packets; this would need budgeting before
Chair Jessica Morton thanked Mayor David Watts and City Council for attending the meeting. She stated her opinion that it would be beneficial for City Council to continue coming to Planning Commission meetings.

5. **Future Meetings**
   5.1 City Council – **Wednesday, November 14, 2018 @ 7:00 PM**
   5.2 Planning Commission Meeting – **Thursday, November 15, 2018 @ 7:00 PM**

6. **Adjournment**

   Commissioner Berbert moved to adjourn the Planning Commission meeting at 9:46 p.m. Commissioner Andrew seconded the motion and all voted aye.

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 November 1, 2018. This document constitutes the official minutes for the Planning Commission Meeting.

_Wendy Thorpe_