The following are the minutes of the Planning Commission Meeting held on Thursday, November 15, 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: Andy Powell, Brody Rypien, Andrea Bradford, Adam Jacobson, Lorin Palmer, Chris Berbert

Staff Present: City Planner Michael Maloy, Assistant City Planner Bryn McCarty, Communication Specialist Destiny Skinner, and Deputy Recorder Wendy Thorpe, Engineer Josh Peterson, City Attorney John Brems, Assistant City Manager Gordon Haight

Work Meeting (Fort Herriman Conference Room)

Chair Jessica Morton called the work meeting to order at 6:02 pm.

1. Kim Mikesell – Rezone to C-2

Assistant City Planner McCarty introduced Kim and Jackie Mikesell and their dog Zina to explain their proposal. They requested feedback from the Commissioners regarding a possible re-zone. Assistant City Planner McCarty explained the property was zoned O-P for office buildings and the proposed re-zone would change it to either Commercial or Agricultural. Ms. Mikesell explained one of the businesses she runs is a nonprofit called Outreach Pawsabilities, Inc, which trains service dogs for families and Veterans that cannot afford them. The channel two news recently presented a story highlighting their mission. She explained benefits of such animals for children with various medical conditions and autism. She added that they also rescue and re-home dogs and horses and train them as therapy animals. She also provided a place for completion of community service hours, assisted sober living home residents, and taught them to train dogs as
a career. She stated she had been working hard to clean up the property and she may xeriscape or lay sod in the front yard. The Commissioners discussed the zoning of the neighborhood.

Ms. Mikesell informed the Commissioners that the total number of animals would fluctuate as they were evaluated and referred out to other agencies but she estimated the maximum number of dogs would be eighteen and the maximum horses would be five to seven. Her business assesses dogs that are at risk for being put to sleep and provided training. Her staff would consist of five to seven employees. Commissioners offered that if it is rezoned C-2 a precast wall would be required.

The property size is one acre. She planned on building a brick, barn like structure that would accommodate both dogs and horses. No one lived on the property at this time but eventually may include a caretaker. Commissioners expressed concern with the number of dogs being located adjacent to a residential area. Ms. Mikesell stated they would be trained to be service dogs and would be well mannered. The dogs would not be left outside and barking would be a non-issue. She added that she was rated one of the best trainers in Utah and training service dogs costs twenty to thirty thousand dollars.

Commissioners expressed concerns with having dogs and horses together on a property that small. They proposed having fewer horses.

 Commissioner Rypien arrived at 6:18.

City Planner Maloy asked the Commissioners if a report from animal services would be beneficial, to which the Commissioners responded affirmatively. The Commissioners expressed appreciation for the cause and stated the possibility that it may work with fewer dogs and fewer horses with necessary zoning and text changes. Assistant City Planner McCarty stated the property had been for sale for a while before being purchased by the applicant. Commissioners expressed the opinion that the layout and impact on surrounding residents should be considered and requested to see the entire plan to see what the kennels would look like. Ms. Mikesell expressed openness to making changes and to working with the Staff and Commissioners. Assistant City Planner McCarty stated she would forward the news story to the Commissioners.

2. Review of City Council Decisions

City Planner Maloy informed the Commissioners that City Council adopted the home occupation ordinance, and they set the maximum number of eight students per session. City Council also adopted the alcohol ordinance with no changes to the Planning Commission recommendations. The City received a request today for a brewery/distillery, which was not included in the ordinance, which may need to be updated to include the distillery designation.

City Planner Maloy provided a brief overview of the Council work session discussion allowing wooden fencing for agricultural zones with large animals. The Planning Commission and City Council offered similar opinions.
that it be considered for zones with large animals only.

City Council offered procedural clarification whether or not the Mayor’s signature was necessary on Mylar plats. Since the Planning Commission is the land use authority, the Council recommended that Staff explore the possibility that the Mayor’s signature may not be necessary. They discussed different possibilities such as making the City Attorney the final signature and also recommended having the City Planner sign the plats.

Commissioners asked how the Council was informed of Planning Commission discussions. Assistant City Planner McCarty stated they were sent an email the morning after the meeting with an overview. City Planner Maloy stated he would look into better ways to increase communication between the Council and Commission.

Commissioners and Staff discussed business licensing for rentals and Good Landlord programs. Commissioners expressed the opinion that creating business licenses for home rentals similar to the one in Taylorsville would be beneficial to the City. If issues arise with a property owner, their license would not be renewed. Over time, the fees would be reduced for good property owners. This would keep the home rentals to a higher standard. City Planner Maloy and Assistant City Planner McCarty stated this had been discussed with the City Council multiple times over the past several years but would be mentioned to this City Council.

City Planner Maloy and the Commissioners expressed interest in having the City Code Enforcement Officer provide a report at work meetings. Commissioners discussed potential code violations they have witnessed in the City concerning parking locations for semi-truck and dump trucks. They offered the opinion that new ordinances may need to be put in place to address these issues. City Planner Maloy stated the City faces challenges with growth and there is only one Code Enforcement Officer. He added that this employee picked up 300 illegal signs over the weekend and the potential need for more staff had been discussed.

3. Review of Agenda Items

Assistant City Planner McCarty informed the Commission that Wasatch Development was the builder for the townhome development and John Lindsley is the developer. City Planner Maloy recommended reviewing the standards for the variation section, which was in the Staff Report. Commissioners questioned open space requirement and discussed increasing it. City Planner Maloy stated checking compliance with zoning requirement would be beneficial. The Commissioner expressed the opinion that sidewalks and areas between garages should not count as open space. They further discussed the density, layout and shape of the development.

Commissioners offered the opinion that if this development is truly thirty-percent that the open space requirement need to be increased.

*Planning Commission work meeting adjourned by consensus at 6:59 p.m.*
7:00 PM - Regular Planning Commission Meeting

1. Call to Order
Chair Morton called the meeting to order at 7:03 p.m. and welcomed those in attendance.

1.1 Invocation/Thought/Reading and Pledge
Mr. Christopher Spendlove led the audience in the Pledge of Allegiance.

1.2 Roll call
Full Quorum Present.

1.3 Approval of Minutes for September 20, 2018 and October 4, 2018
Commissioner Jacobson moved to approve item 1.3 Minutes for September 20, 2018 and October 4, 2018 as written. Commissioner Rypien seconded the motion and all voted aye.

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: Conditional Use Permit Approval for Wide Hollow Trail
Applicant: Herriman City
Address: 6600 W Wide Hollow Drive
Zone: FR-1 (Forestry Recreation – 1 acre min.)
File Number: C2018-44

Parks, Events and Recreation Director Wendy Thomas approached the podium and explained City Council recommended a new procedure and notification process for park structures and trail improvements. This process involved notification of residents that live within three hundred feet of the proposed improvement as well as a public meeting process. All of which would occur before presentation to the Planning Commission. She explained the Wide Hollow Trail location and presented the trail plans, which would connect the trail system throughout Herriman. Future plans would be to continue the trail system to Yellow Fork Canyon with some financial assistance from Salt Lake County. She added that the County was paying for this section of the trail.

Commissioner Palmer moved to approve item 2.1 file number C2018-44 Conditional Use Permit Approval for Wide Hollow Trail. Commissioner Berbert seconded the motion.

The vote was recorded as follows:
Commissioner Chris Berbert  Aye
Commissioner Andrea Bradford  Aye
Commissioner Lorin Palmer  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 Subdivision of 260 Townhomes (Monarch Village) *(Public Hearing was held on November 1, 2018)*

Applicant: DAI Partners, LLC
Address: 15102 South 3200 West
Zone: R-2-15 (Residential – Medium Density)
Acres: 15.82
File Number: S2018-10

Assistant City Planner McCarty explained the plat approval was east of Mountain View Corridor and was part of the South Hills development agreement and included 260 units. Site plan changes had been submitted based upon previous Planning Commission feedback regarding open space calculations. Proposed elevations and color scheme renderings and photos were presented. The development report included guidelines for color variation regarding unit placement. Two parking spaces were required per unit.

Applicant Brian Flam presented a side by side display to show the Prairie Style versus the Craftsman Style and the staggered unit layout. Eastern rental unit artist renderings of color breaks and grading and western for sale unit grading and color scheme renderings were displayed. Blue, red, and tan color schemes and stone photos were presented. Open space calculations were provided with breakdown of retention area, sidewalk and area between garages. Open space total was 21.2-percent with them excluded. He clarified the retention area would not appear deep due to some of the retention area being underground. Mr. Flam identified which items were amenities and the pool house and pool would be the first building permit.

Assistant City Planner McCarty stated the park was required to be installed before 50-percent of the development was completed and defined the amenities.

Mr. Flam expressed the desire to pour all the foundations at the same time. Assistant City Manager Haight clarified the building permit timeline and that foundation only permits were allowed.

Fencing for requirement # 11 was clarified as well as fencing location and requirements along mountain view, near the Real Salt Lake (RSL) sign.

*Commissioner Jacobson moved to approve item 2.2 file number C2018-10 Preliminary Plat Approval for a Subdivision of 260 Townhomes (Monarch Village) with 14 staff requirements, including an alteration to number 11 to install a six foot precast wall along the north and west property line around the RSL sign, another alteration to number 7 to define the park amenities as*
clubhouse, pool, pickleball court, lawn, hot tub, exercise room, pool mechanical, parking, mailboxes and shed, basically everything delineated on the amenities plan, must be installed prior to 50-percent of the building permits being issued. Commissioner Palmer seconded the motion.

The vote was recorded as follows:

Commissioner Chris Berbert  Aye
Commissioner Andrea Bradford  Aye
Commissioner Lorin Palmer  Aye
Commissioner Adam Jacobson  Aye
Commissioner Andy Powell  Aye
Commissioner Brody Rypien  Aye

The motion passed unanimously.

2.3  Request: Final PUD Approval for 260 Townhomes (Monarch Village)

Applicant:  DLAI Partners, LLC
Address:  15105 South 3200 West
Zone:  R-2-15 (Residential – Medium Density)
Acres:  15.82
File Number:  P2008-44-06

City Planner Maloy informed the Commissioners, just for the record, that another review would take place to confirm compliance with the Master Development Agreement (MDA) at the permitting stage. This review would confirm that building code, fire code and engineering requirements were all met. This zoning check would also make sure all landscaping requirements from the MDA were included. Assistant City Planner McCarty added that the full engineering and landscaping plans would be reviewed by the engineering department.

Commissioner Jacobson moved to approve item 2.3 file number S2018-10 Final PUD Approval for 260 Townhomes (Monarch Village) with staff recommendations. Commissioner Berbert seconded the motion.

The vote was recorded as follows:

Commissioner Chris Berbert  Aye
Commissioner Andrea Bradford  Aye
Commissioner Lorin Palmer  Aye
Commissioner Adam Jacobson  Aye
Commissioner Andy Powell  Aye
Commissioner Brody Rypien  Aye

The motion passed unanimously.

2.4  Request: Conditional Use Approval for a Manufacturing Building

Applicant:  Rob Cottle / Babcock Design
Address:  7107 West 11800 South
Zone:  T-M (Technology Manufacturing)
Acres:  15.56
File Number:  C2018-41
Assistant City Planner McCarty explained the pending property annexation included 37 acres and the location was south of 11800 and west of the SLR property. The manufacturing zone would bring jobs to the area. She emphasized that no decision was expected tonight, as the item would be brought back for Commission review at the January 3, 2019 meeting and the annexation process would be completed by then. Parking would be based on the number of employees which was estimated to be 370. The area would contain offices, manufacturing locations and storefronts. Building elevations, parking lot and the landscaping plan were presented.

Architects Devin Bellnap and Rob Cottle approached the podium and explained at this time the development contains 11.7-percent. open space. They explained that the parking lot needed to include increased space for truck and trailer access, loading and parking. They presented the landscape concept drawing and treeline. The north side of the building would be attractive glass. The building is almost six acres and they offered the opinion that 15-percent would be a tremendous amount of landscaping. They added their products are manufactured to order and they design and build the products onsite. Rooftop would include ventilation and small scale equipment. The building would include energy efficient features, windows and roof skylights.

Assistant City Manager Haight added the City Council was more concerned with the appearance of the building than the percentage of landscaping.

Commissioner Berbert stated he had no concerns with the percentage of landscaping percentage and requested more detail for what it would include and offered the opinion that a winding path lined with park benches would be more attractive than a sidewalk.

Mr. Cottle stated the current plan included sidewalks to meet the City ordinance and expressed willingness to have paths connected to nearby trails. He further explained this would be the first building in an industrial area and some details would be added later. The nearby trail loop and fee in lieu options were discussed.

Commissioner Jacobson expressed the opinion that more landscape should be located on the east side.

The Commissioners expressed appreciation for the quality of the building and landscaping. City Planner Maloy reminded the Commissioners that staff would collaborate with parks and engineering departments as the project develops and would appreciate a decision at the Planning Commission meeting January 3, 2019.

Commissioners added that if the adjacent property became residential fencing would be required. Assistant City Manager Haight stated that area was anticipated to be be zoned T-M.

*Commissioner Brody Rypien moved to continue item 2.4 file number C2018-41 Conditional Use Approval for a Manufacturing Building. Commissioner Bradford seconded the motion.*

*The vote was recorded as follows:*
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
   No comments were offered.

5. Future Meetings
   5.1 Planning Commission Meeting – Thursday, December 6, 2018 @ 7:00 PM
   5.2 City Council – Wednesday, December 12, 2018 @ 7:00 PM

6. Adjournment
   Commissioner Palmer moved to adjourn, second by Powell the Planning Commission meeting at 7:57 p.m. Commissioner 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 15, 2018. This document constitutes the official minutes for the Planning Commission Meeting.

Wendy Thorpe