The following are the minutes of the Planning Commission Meeting held on **Thursday, August 1, 2019 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 Chris Berbert

**Commission Members Present:** Andy Powell, Lorin Palmer, Colby Oliverson, Heather Garcia, Adam Jacobson, Jackson Ferguson, Brody Rypien, Andrea Bradford

**Commission Members Excused:** Joy Kaseke

**Staff Present:** City Planner Michael McCarty, Assistant City Planner Bryn MacDonald, Communication Specialist II Jon LaFollette, Planner Samantha Deselman, Deputy Recorder Wendy Thorpe, Staff Engineer II Josh Peterson, City Attorney John Brems, Assistant City Manager Gordon Haight, City Manager Brett Wood

**Work Meeting** *(Fort Herriman Conference Room)*

Chair Chris Berbert called the work meeting to order at 6:05 pm.

1. **Review of Planning Commission Agenda Items**

Assistant City Planner MacDonald explained the adjustment to the 30% slope area for item 2.1 was necessary due to a portion of it being larger than what was originally platted, and to make the plot more buildable.

With regards to item 2.4 and 2.5 for the Herriman Town Center areas, it was explained that the information had changed since a conceptual plan was seen by the Commissioners a year ago. Changes had been encouraged by staff, based on design guidelines. The Commissioners were directed to be very specific with any
concerns and recommendations.

City Manager Brett Wood stressed the importance of the final stages of the Herriman Towne Center (HTC) development as it has been under development for 13 years. It was envisioned as a gathering space for the entire community and the final review would be of the utmost importance.

**Commissioner Andrea Bradford arrived at 6:15**

Commissioner Oliverson expressed frustration with the typical look of the multifamily housing in the Herriman Towne Center section and offered that is was the last and most important part of the development with the potential to be very special. The opinion was offered that live, work, play areas with business on the bottom and living space on the top would look better from the street, and the condominiums lack charm and should be hidden. City Manager Wood added that the original concept included more combined commercial and residential buildings, but the vision had shifted. Commissioner stated concerns with lack of overflow parking.

City Planner Maloy stated the job of the Commission was to determine if the proposal meets the design guidelines and standards and suggestions would have to fall within the parameters of the design guidelines. Sidewalk engagement and direct pedestrian access from front door were clarified to be part of the HTC design guidelines.

Staff reported that the engineering department was finalizing the parking study for Game Point. Commissioners recommended that no parking be allowed on public streets. Building location, visibility from Mountain View Corridor and parking locations were discussed. Future food establishment may negatively influence parking for Game Point and Commissioners expressed varying opinions regarding ideal tenants.

2. **Training**

City Attorney John Brems presented training for development agreements, design guidelines and ordinance requirements. He requested that the Commissioners review the materials, which were distributed, and email him questions, comments and recommendations. An updated copy would be provided to them upon completion.

City Planner Maloy reviewed rules and procedures regarding motions that would allow the Chair to vote. The Chair may make a motion if one was not offered. The Chair shall vote only for a rezone, or for conditional use or subdivision matters, unless the vote was needed for a quorum or in case of a tie. The Chair shall be a voting member on all other matters. Alternates only vote when serving in the absence of a Commissioner.

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

1. Call to Order
Chair Chris Berbert called the meeting to order at 7:05 p.m. and welcomed those in attendance.

1.1 Invocation/Thought/Reading and Pledge
Darcy Wayman led the audience in the Pledge of Allegiance.

1.2 Roll call
Full Quorum Present.

1.3 Conflicts of Interest
No Conflicts were offered.

Chair Berbert reviewed the public hearing guidelines.

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 application compliance with the ordinance.

2.1 Request: Subdivision Plat Amendment for Lot 307 of Fort Herriman Cove to Adjust the 30% Slope Area
Applicant: Craig & Alison Gunther
Address: 14491 S Herriman View Cove
Zone: A-.25 (Agricultural)
Acres: 1.6
File Number: S2019-058

Assistant City Planner Bryn MacDonald explained that the applicant was requesting a subdivision amendment for lot 307 of Fort Herriman Cove to Adjust the 30% Slope Area. Onsite conditions were surveyed and shown to be slightly different than what showed on the original plat. Applicant had requested to remove drainage easement area on the proposed amended plat to make the lot buildable.

Applicants Craig and Alison Gunther approached the podium and thanked the staff and offered that they were excited to build in Herriman.

Recommendations
1. Receive and agree to the recommendations from other agencies.
2. Final plat to be reviewed and approved by the Engineering Department.
Commissioner Adam Jacobson moved to approve item 2.1 file number S2019-058 Subdivision Plat Amendment for Lot 307 of Fort Herriman Cove to Adjust the 30% Slope Area with two staff recommendations. Commissioner Brody Rypien seconded the motion.

The vote was recorded as follows:

- Commissioner Lorin Palmer   Aye
- Commissioner Adam Jacobson  Aye
- Commissioner Brody Rypien   Aye
- Commissioner Andrea Bradford Aye
- Commissioner Jackson Ferguson Aye
- Commissioner Andy Powell    Aye

The motion passed unanimously.

2.2 Request: Site Plan Review for 30 Single Family Lots—Hidden Oaks Pod 4 Phase 1

Applicant: Ivory Land Corporation
Address: 6710 W Herriman Highway
Zone: R-1-15 (Residential)
Acres: 21.2
File Number: P2019-050

Assistant City Planner Bryn MacDonald explained the history of the item. Hidden Oaks was approved last year with the planned development overlay zone. The preliminary plat approval would be a public hearing and neighborhood meetings would be required. Phase one approval was being requested to be developed and to build a precast wall and fencing along Herriman highway. The landscaping plan was presented and an eight foot asphalt trail and berming were included through the open space area. Front elevations meet the City standards of at least 40% brick or stone.

Applicant Brad Mackey from Ivory homes approached the podium. He explained the plan was to develop thirty lots initially. Projects included work on soil remediation and the building of a FEMA channel. Some phasing in chunks would be presented to the Commission over the next year. The fencing concept along Herriman highway was presented and feedback was requested from the Commission. A sidewalk or asphalt meandering trail, disconnected from the road, was preferable to make it appear park like.

Ivory Land Corporation partnered with Perry Homes for the development of pods one and twenty. The plans for the road development throughout the entire development would be installed up front. They were open to discussion regarding the fencing materials.

Commissioners discussed the option for an asphalt trail/bike path to go all the way around and connect to the Butterfield Trail bike path.
Requirements:
1. Receive and agree to the recommendations from other agencies, including those included in the Development Review Committee comments dated June 5, 2019.
2. Meet with staff to review compliance with all requirements of the Master Development Agreement when each phase is submitted for final engineering review.
3. All homes shall meet the design guidelines and the Herriman City single family design criteria.
4. All single family dwellings shall provide basements.
5. Setbacks shall be as follows:
   Front: 12’ to living; 24’ to garage
   Rear: 15’ to building; 10’ to deck/covered patio
   Sides: 5’ to any part of building
   Corners: 15’
6. Accessory buildings shall be setback 5’ from all property lines and shall not impose hardship on neighboring properties (storm water runoff, etc.).
7. All lots shall have at least 45’ of frontage.
8. Provide detailed landscaping plans for the detention pond and for the open space next to Main Street.
9. Work with the Parks Department on providing access and trailheads.
10. No more than 30 building permits to be issued on one access.
11. Full improvements needed for west side of 6710 West, including asphalt for full width of road, curb and gutter, sidewalk, park strip landscaping and street lighting. Curb and gutter must be installed on east side of 6710 West.
12. Full improvements for 13050 South and 6850 West must be installed, including asphalt, curb and gutter, sidewalk, landscaped park strip, and street lighting.
13. Provide dedication for 6710 West, 6850 West, and 13050 South.
14. The size, location, design, and nature of entry monument signs, and the intensity and direction of area floodlighting, shall be detailed in a separate site plan application.
15. All building elevations shall meet the requirements of the Hidden Oaks Design Guidelines and receive approval from the Hidden Oaks ARC.
16. Receive approval from Herriman City for the contaminated soils mitigation plan.
17. Building elevations are approved as submitted.

Commissioner Adam Jacobson moved to approve item 2.2 file number P2019-050 Site Plan Review for 30 Single Family Lots – Hidden Oaks Pod 4 Phase one with 17 staff requirements, with an alteration to number 8 to provide a detailed landscaping plan for the detention pond and the open space next to Main Street and to come back to the Planning Commission for approval. Commissioner Andy Powell seconded the motion.

The vote was recorded as follows:

Commissioner Lorin Palmer  Aye
Commissioner Adam Jacobson  Aye
Commissioner Brody Rypien  Aye
Commissioner Andrea Bradford  Aye
2.3 Request: Preliminary Plat Approval for a 30 Lot Subdivision – Hidden Oaks Pod
4 Phase 1 (Public Hearing)
   Applicant: Ivory Land Corporation
   Address: 6710 W Herriman Highway
   Zone: R-1-15 (Residential)
   Acres: 6.82
   File Number: S2019-049

Chair Chris Berbert opened the Public Hearing.

Chad Dansie offered concerns with Herriman City allowing this to go forward without completion of roads or parks. The area already had too much traffic and this will add more. He also had construction concerns and thinks the road should be included with the pod.

Chair Chris Berbert closed the public hearing.

Staff added that those issues would be addressed with requirement number thirteen of the staff recommendations.

Recommendation
Staff recommends preliminary plat approval with the following requirements:

Preliminary Plat Requirements:
1. Receive and agree to the recommendations from other agencies, including those included in the Development Review Committee comments dated June 5, 2019.
2. Meet with staff to review compliance with all requirements of the Master Development Agreement when each phase is submitted for final engineering review.
3. At least 20 percent of the planned unit development shall be preserved as permanent open space. At least one-half of the open space required shall be maintained in single contiguous lot, not including any unbuildable property, configured in a usable size and shape. Open space that is unbuildable because of, among other things, slope, wetlands, flood drainage, or contamination, shall be counted at 25 percent of the acreage required to satisfy applicable open space requirements. Detention basins may count as open space only if they provide recreational amenities, including, but not limited to, playgrounds, gazebos, exercise stations, or sports fields with parking lots. Park strips adjacent to a street shall not count as open space.
4. All homes shall meet the design guidelines and the Herriman City single family design criteria.
5. Comply with all recommendations from the Traffic Study, including additional right-of-way dedication for future traffic signals or turn lanes.
6. An addendum to the traffic study shall be submitted with each pod. The addendum needs to address the intersection of 6400 West and Main Street.

7. A traffic verification memo needs to be submitted for each phase brought in. The purpose is that the original study projects that at some point there will be LOS E or worse at 6400 West and Main Street. When that occurs a traffic signal must be installed.

8. A turnaround shall be installed at the end of 6850 West – either a temporary turnaround (cul-de-sac or hammerhead) or improvements may be made up to the intersection to use that as their turnaround. The phase 1 temporary turnaround can be compacted road-base during the construction phase, but the future connection must be completed or the turnaround must be paved prior to occupancy of phase 1 dwellings.

9. A neighborhood meeting is required prior to each subdivision being scheduled for Planning Commission.

10. Install curb, gutter, sidewalk, park strip, and street lights along all public streets in accordance with city standards.

11. Construct a 6 foot precast wall at the bottom of the slope along Main Street and work with staff on a landscaping plan for the area adjacent to Main Street. Also construct a 6 foot precast wall along the residential lot to the east that is not part of the Hidden Oaks project.

12. A long term stormwater maintenance agreement is required for any private detention ponds.

13. Main Street and roadway improvements, and the water system (pipes and PRV) shall be completed along the frontage to the development per the MDA.

14. Obtain a grading permit for contaminated soils clean-up.

15. Indicate the location of the FEMA Floodway on the plats.

16. Provide a geotechnical report for pavement design.

Commissioner Adam Jacobson moved to approve item 2.3 file number S2019-049 Preliminary Plat Approval for a 30 Lot Subdivision – Hidden Oaks Pod 4 Phase 1 (Public Hearing) with staff requirements and alteration to #11 to add a requirement for the developer to present a landscaping plan to the Planning Commission for approval for the wall installation, and additional #17 stating that all construction along Herriman Highway must be completed before issuance of an occupancy permit and/or use of the model home. Commissioner Andy Powell seconded the motion.

The vote was recorded as follows:

Commissioner Lorin Palmer  No
Commissioner Adam Jacobson  Aye
Commissioner Brody Rypien  No
Commissioner Andrea Bradford  Aye
Commissioner Jackson Ferguson  Aye
Commissioner Andy Powell  Aye

The motion passed with a vote of 4 in favor and 2 opposed.

2.4  Request: Update on Site Plan for 229 Units in Herriman Towne Center (Park Side Townhomes)
Applicant: HTC Communities, LLC, Jaran Nichols
Address: 5250 W Copeland Drive
City Planner Mike Maloy explained changes have been made to the proposal and the developer was seeking feedback from the Planning Commission. He explained the underlying zone was Mixed Use (MU-2) and reviewed the design guidelines for the mixed use and townhome portions. Intent was to consistently apply either Traditional or Conventional typology standards. The applicant agreed to to match with the site items already in use. He requested for the Commissioners to email him feedback and concerns over the next few weeks.

Matt Watson, representing HTC Communities, approached the podium to address the mixed use area details. The current Mixed Use site plan contains 14 residential units per building plus 9,900 square feet of store front space in each of the four mixed use buildings. The Multifamily area included 259 residential units. Development patterns were defined as more traditional on the inside and more conventional on the outer perimeter. The requirement was to meet 5.5 units per acre which is well below the 10 units per acre allowed in this zone. Parking standard for residential was defined as two spaces per unit and four spaces per thousand square feet of store space.

Commissioners expressed concerns with parking of recreational vehicles and large trucks and with overflow parking.

Chair Berbert explained the Commission would discuss items 2.4 and 2.5 concurrently and make separate motions afterward.

Mr. Watson displayed the floorplans for the units above the commercial. Commissioners requested additional trellises, awnings, canopies to ensure good flow and walkability year around.

Commissioner Rypien left at 8:24

Outside elements and elevations were further discussed.

Commissioner Rypien returned at 8:26

Commissioners recommended reducing the number of facades and expressed concerns with traffic flow and parking.

Steve Maddox with Edge Homes approached the podium and provided an overview of the residential portion of the Towne Center development. He displayed architectural components, park amenities and open space. He stated the parking provided exceeded requirements by 100 units.
The Commissioners expressed comfort with some of the proposal but see areas for improvement. Requested for balconies to overlook the park and for more unique design features.

Commissioner Adam Jacobson moved to continue without date item 2.4 file number C2008-014-26 Update on Site Plan for 229 Units in Herriman Towne Center (Park Side Townhomes) with requirements. Commissioner Brody Rypien seconded the motion.

The vote was recorded as follows:
- Commissioner Lorin Palmer: Aye
- Commissioner Adam Jacobson: Aye
- Commissioner Brody Rypien: Aye
- Commissioner Andrea Bradford: Aye
- Commissioner Jackson Ferguson: Aye
- Commissioner Andy Powell: Aye

The motion passed unanimously.

2.5. Request: Update on Site Plan for a Mixed Use Development of 56 Condominiums and Ground Floor Commercial Storefronts (Herriman Towne Center Pods 12b & 14)
Applicant: HTC Communities, LLC
Address: 13024 S Black Locust Way
Zone: MU-2 (Mixed Use)
Acres: 3.97
File Number: C2008-014-25

Request was discussed with Item 2.4.

Commissioner Andy Powell moved to continue without date item 2.5 file number C2008-014-25 Update on Site Plan for a Mixed Use Development of 56 Condominiums and Ground Floor Commercial Storefronts (Herriman Towne Center Pods 12b & 14). Commissioner Lorin Palmer seconded the motion.

The vote was recorded as follows:
- Commissioner Lorin Palmer: Aye
- Commissioner Adam Jacobson: Aye
- Commissioner Brody Rypien: Aye
- Commissioner Andrea Bradford: Aye
- Commissioner Jackson Ferguson: Aye
- Commissioner Andy Powell: Aye

The motion passed unanimously.

2.6. Request: Site Plan Approval for Game Pointe: An Indoor/Outdoor Recreation Center
Applicant: Aaron Osmond
Address: 12300 South 5100 West
Zone: MU-2 (Mixed Use)
Acres: 4.496
File Number: C2019-067

Planner Samantha DeSeelhorst reviewed the site plan, parking, elevations and arrangement of amenities.

Applicant Aaron Osmond Game Pointe attractions approached the podium and provided and an overview of the family entertainment center which included a ropes course, escape rooms, bowling alley, and full service sit down restaurant. The exterior included a reception area, splash pad, garden area and mini golf course. Expectation was to funnel traffic through the main area for ticket access, but the restaurant had a separate entrance. Applicant expressed a willingness to work with the City and Commission regarding parking.

Recommendations.

Commissioners expressed safety concerns with sidewalk from back parking lot to the entrance. Unique design on the front mural, design elevations and visibility of ropes course were recommended.

Commissioner Adam Jacobson moved to continue without date item 2.6 file number C2019-067 Site Plan Approval for Game Pointe: An Indoor/Outdoor Recreation Center. Commissioner Brody Rypien seconded the motion.

The vote was recorded as follows:

Commissioner Lorin Palmer Aye
Commissioner Adam Jacobson Aye
Commissioner Brody Rypien Aye
Commissioner Andrea Bradford Aye
Commissioner Jackson Ferguson Aye
Commissioner Andy Powell Aye

The motion passed unanimously.

3. Legislative Items
Legislative Items are recommendations to the City Council. Broad public input will be taken and considered on each item. All legislative items recommended at this meeting will be scheduled for a decision at the next available City Council meeting.

3.1. Request: Text Change to Replace Salt Lake County with Herriman City in Regard to Animal Services (Public Hearing)
Applicant: Herriman City
File Number: Z2019-062

Assistant City Planner MacDonald explained this was a clarification to reference the recently added Herriman Animal Services in the City ordinance.
Chair Chris Berbert opened the Public Hearing.

No comments were offered.

Chair Chris Berbert closed the Public Hearing.

*Commissioner Jackson Ferguson moved to recommend approval of item 3.1 to the City Council, file number Z2019-062 Text Change to Replace Salt Lake County with Herriman City (Public Hearing). Commissioner Andrea Bradford seconded the motion.*

The vote was recorded as follows:

- Commissioner Lorin Palmer: Aye
- Commissioner Adam Jacobson: Aye
- Commissioner Brody Rypien: Aye
- Commissioner Andrea Bradford: Aye
- Commissioner Jackson Ferguson: Aye
- Commissioner Andy Powell: Aye

The motion passed unanimously.

3.2. Request: Approval of the Draft Parks, Recreation, Open Space, and Trails Master Plan (Public Hearing)

**Applicant: Herriman City/Landmark Design**

**File Number: Z2019-061**

Director Wendy Thomas offered a brief update and introduced Lisa Benson from Landmark Design to present the draft development. She provided an overview of the survey results and an amenities summary. The existing Level-of-Service (LOS) for Herriman City was 3.6 acres per thousand people. Distribution analysis recognized four gaps in the distribution area and provided proposals to reduce them. Future needs projections were defined. Based on current standards the City was lacking pavilions, restrooms and multi-purpose sporting courts and fields. Public opinion was mixed with regards to dog parks.

Commissioner expressed that private HDH and HOA parks meet community needs but were not counted as part of the LOS. Acceptable LOS standards were discussed.

Chair Chris Berberet opened the Public Hearing.

No comments were offered.

Chair Chris Berbert closed the Public Hearing.
Commissioner Andy Powell moved to recommend approval of item 3.2 to the City Council, file number Z2019-061 Approval of the Draft Parks, Recreation, Open Space, and Trails Master Plan (Public Hearing continued from May 16, 2019). Commissioner Lorin Palmer seconded the motion.

The vote was recorded as follows:

- Commissioner Lorin Palmer: Aye
- Commissioner Adam Jacobson: No
- Commissioner Brody Rypien: Aye
- Commissioner Andrea Bradford: Aye
- Commissioner Jackson Ferguson: Aye
- Commissioner Andy Powell: Aye

The motion passed with a vote of 5 to 1.

3.3. Request: Text Change to Create Planned Community (PC) Zone (Public Hearing)
Applicant: Herriman City
File Number: Z2019-064

Assistant City Planner MacDonald explained the request to create a new zone for larger scale projects. The overall concept plan draft was presented. It was explained that the City was still considering options.

Commissioners debated options with the current development agreement process and zoning standards. Delayed timelines have resulted in the loss of commercial areas.

Chair Chris Berbert opened the Public Hearing.

No comments were offered.

Chair Chris Berbert closed the Public Hearing.

Commissioner Lorin Palmer moved to recommend continuing without date item 3.3, file number Z2019-064 Text Change to Create Planned Community (PC) Zone (Public Hearing). Commissioner Adam Jacobson seconded the motion.

The vote was recorded as follows:

- Commissioner Lorin Palmer: Aye
- Commissioner Adam Jacobson: Aye
- Commissioner Brody Rypien: Aye
- Commissioner Andrea Bradford: Aye
- Commissioner Jackson Ferguson: Aye
- Commissioner Andy Powell: Aye
The motion passed unanimously.

3.4. Request: Text Change Regarding Buffering in the Technology Manufacturing (T-M) Zone (Public Hearing)
Applicant: Herriman City
File Number: Z2019-067

Assistant City Planner MacDonald explained the text change for the development standards addressed buffering with residential areas. The information was added from landscaping standards for clarification of requirements. More water-wise landscaping will be encouraged with future developments.

Chair Chris Berbert opened the Public Hearing.

No comments were offered.

Chair Chris Berbert closed the Public Hearing.

Commissioner Lorin Palmer moved to recommend approval of item 3.4 to the City Council, file number Z2019-037 Text Change to the Land Development Code to Make Various Revisions to the A-.25 (Agricultural) Zone (Public Hearing continued from May 16, 2019). Commissioner Adam Jacobson seconded the motion.

The vote was recorded as follows:

Commissioner Lorin Palmer  Aye
Commissioner Adam Jacobson  Aye
Commissioner Brody Rypien  Aye
Commissioner Andrea Bradford  Aye
Commissioner Jackson Ferguson  Aye
Commissioner Andy Powell  Aye

The motion passed unanimously.

3. Chair and Commission Comments
Commissioners requested that public hearings be positioned on the agenda to take place before approval of subdivisions.

4. Future Meetings
4.1 City Council Meeting – Wednesday, August 14, 2019 @ 7:00 PM
4.2 Planning Commission Meeting – Thursday, August 15, 2019 CANCELLED
4.3 City Council Meeting – Wednesday, August 28, 2019 @ 7:00 PM
5. **Adjournment**

Commissioner Andy Powell made a motion to adjourn the meeting at 10:23pm 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 August 1, 2019. This document constitutes the official minutes for the Planning Commission Meeting.

Wendy Thorpe