The following are the minutes of the Planning Commission Meeting held on **Thursday, November 21, 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, Heather Garcia, Brody Rypien, Andrea Bradford, Adam Jacobson, Jackson Ferguson, Joy Kaseke

**Commission Members Excused:** Lorin Palmer, Colby Oliverson

**Staff Present:** City Planner Michael Maloy, Assistant City Planner Bryn MacDonald, Communication Specialist Jonathan LaFollette, Deputy Recorder Wendy Thorpe, City Engineer Blake Thomas, Assistant City Engineer Jonathan Bowers, Staff Engineer I Bryce Terry, Staff Engineer II Josh Peterson, Assistant City Manager Gordon Haight, Economic Development Coordinator Sandra Llewellyn, Director of Public Works Justun Edwards, Planner I Nick Whittaker, Director of Parks, Events and Recreation Wendy Thomas

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

Chair Chris Berbert called the work meeting to order at 6:02 pm.

It was requested that the order of the agenda for the work meeting be changed. Assistant City Planner MacDonald announced that the Jordan Valley Water Conservancy District chose to change landscaping to be more water wise. Staff Engineer II Josh Peterson presented the new plans to switch from grass to rock.

1.1 **Review of City Council Decisions**

City Planner Maloy informed the Commissioners that City Council approved the moderate income housing
plan and staff would review applicants to replace alternate Colby Oliverson. Planning Commission re-
appointments for existing members of the Commission were reviewed.

1.2 Review of Agenda Items
Staff clarified item 3.7, for an exception to the definition of subdivision. Written consent was requested for the applicant to record a deed.

Commissioner Rypien arrived at 6:10.

Item 3.6 regarding a pegging station and the fencing around the item were discussed. The applicant may negotiate with the neighbor to replace the existing vinyl fence with a precast wall.

The applicant for Item 3.3 was requesting to create a flag lot and the item met all the requirements. The entire lot in the back would be fenced. Stop sign comments were reviewed. Maintenance for that section of road and access were discussed and it was offered that the item could be continued and staff would do more research at the request of the Commission.

1.3 Presentation and Discussion of the Draft Transportation Master Plan
Staff Engineer I Bryce Terry introduced Kai from Parametrix to present the draft Transportation Master Plan. Engineering department took notes and offered to review areas questioned by the Commission at a later meeting.

Existing conditions analysis, land use, growth, comparative travel statistics and safety data were all reviewed. Existing level of service and thresholds were displayed. When forecasting travel demand, daily value was more reliable than peak value.

Hot spots for accidents and peak hour level of service and potential for flex lanes were highlighted. Commissioners expressed frustration with leaving and returning to the City during rush hours. Peak hours traffic to be addressed with UDOT.

Future conditions for 2030 and 2050 projections were displayed. This was a baseline report and would be updated as property is added in the future. Future light rail extensions into Herriman were still to be decided. Existing and planned bike lanes and transit were provided.

Commissioners requested they be provided the presentation for further review. Commissioners were asked to email comments to City Planner MacDonald and she will pass them along to the Engineering department. Commissioners requested they be provided the presentation.

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.

2.1 Invocation/Thought/Reading and Pledge
Wendy Thorpe led the audience in the Pledge of Allegiance.

2.2 Roll call
Full Quorum Present.

2.3 Conflicts of Interest
No conflicts were offered

2.4 Approval of Minutes for October 3, 2019 & October 14, 2019
Commissioner Powell moved to approve item 2.4 approval of Minutes for October 3, 2019 & October 14, 2019. Commissioner Garcia seconded and all voted aye.

Chair Berbert informed all that items 4.1, 4.2 and 4.3 have been postponed and will not be on the agenda tonight.

Chair Berbert reviewed the public hearing guidelines.

3 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.

3.1 Request: Subdivision plat amendment to add one new lot to the real Salt Lake Training Facility Plat
Applicant: Reid Dickson
Address: 14787 S Academy Parkway
Zone: C-2 (Commercial)
Acres: 43
File Number: S2019-098

Assistant City Planner Bryn MacDonald offered a brief overview of the property, reviewed the elevations and location. The applicant requested preliminary plat approval of a two-lot subdivision for an existing commercial development known as Zions Bank Real Academy and Stadium. Concurrent with the recording of the
proposed subdivision plat, the applicant would record a Declaration of Covenants, Conditions, and Restrictions to manage shared easements and maintenance issues. No public hearing required.

Greg Martin approached the podium on behalf of the applicant and offered to answer questions.

**Requirement:**
1. Final plat and Declaration of Covenants, Conditions, and Restrictions shall be reviewed and approved by the City to ensure compliance with all applicable City standards before recording.

Commissioner Jacobson moved to approve item 3.1 file number S2019-098 Subdivision plat amendment to add one new lot to the real Salt Lake Training Facility Plat with staff requirements. Commissioner Garcia seconded the motion.

The vote was recorded as follows:

- Commissioner Adam Jacobson – Aye
- Commissioner Heather Garcia – Aye
- Commissioner Jackson Ferguson – Aye
- Commissioner Andy Powell – Aye
- Commissioner Andrea Bradford – Aye
- Commissioner Brody Rypien – Aye

The motion passed unanimously.

### 3.2 Request

**Request:** Conditional use approval for a mixed use commercial center known as Academy Village, including retail, office, and residential uses; and to amend the South Hills PUD to add the subject property

**Applicant:** Scott McFarland

**Address:** 14831 S Real Vista Drive

**Zone:** C-2 and MU-2; pending rezone to C-2 and R-M

**Acres:** 23.63

**File Number:** S2019-060

Assistant City Planner Bryn MacDonald explained the applicant requested preliminary site plan approval for a mixed use center, including retail, office, and residential. A conditional use is an administrative decision. The Planning Commission will make a decision based on compliance with the approval standards. Each building will return to Commission for approval based on design guidelines.

John Lindsley with Wasatch Commercial Management approached the podium and offered the location and a brief overview of the development. Residential units would include small studio and 1 bedroom apartments. He highlighted a hotel, restaurants, gas station, professional offices, bank, grocery store, pharmacy and parking structure were included in the development. It would be walkable and pedestrian friendly.

Commissioners requested that recent changes be identified. Mr Lindsley highlighted parking identified parking
standards and compliance with the current ordinance.

Requirements:
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. Design Guidelines approved as submitted.
4. All building elevations shall meet the approved design guidelines.
5. This is a preliminary approval for the site. Each building shall come back for final approval, with greater details on building elevations, landscaping, and parking.
6. No building shall exceed 75 feet in height.
7. Install curb, gutter, sidewalk, park strips, and street light on all public streets. This should include trees in the park strip every 30 feet. These improvements should be completed during construction of the first building in the commercial center.
8. No signs are approved with this request, separate approval will be required.
9. A subdivision plat shall be recorded prior to a building permit being issued.
10. Each lot shall abut on a public street.
11. Road access must be provided to Village at the Boulders (Pod 52) for second access.
12. Construct a 6 foot precast wall along Village at the Boulders (Pod 52).
13. At least 15% of the total site must be landscaped. At least 5% of the parking lot interior must be landscaped. Meet all landscaping requirements found in the Herriman Land Development Code Title 10 Chapter 23 or as approved in the commercial design guidelines.
14. Screen all outside trash and dumpster areas.
15. Provide storm drain detention to meet City standards.
16. Provide a parking study to justify the number of parking spaces provided.
17. All buildings shall be setback a minimum of 20 feet from a public right of way.
18. Adopt a design standard for interior parking lot lighting to ensure continuity of lighting style and type throughout the development.
19. Adopt a signage plan so that buildings sharing one lot may have their own signs, or to allow a larger sign along Mountain View Corridor.
20. Detention ponds should be landscaped per City standards.
21. Sidewalks within the commercial center shall provide connectivity between each building and streets (public and private). Connectivity shall be shown when each site comes back for final site plan approval.
22. Approval is subject to the City Council approved the rezone and amended Master Development Agreement.

Commissioner Powell moved to approve item 3.2 file number S2019-060 Conditional use approval for a mixed use commercial center known as Academy Village, including retail, office, and residential uses; and to amend the South Hills PUD to add the subject property with staff requirements and an additional item 22 stating it is subject to the rezone and amended MDA being approved by the City Council. Commissioner Rypien seconded the motion.

The vote was recorded as follows:
Commissioner Adam Jacobson Aye
Commissioner Heather Garcia Aye
Commissioner Jackson Ferguson    Aye
Commissioner Andy Powell         Aye
Commissioner Andrea Bradford     Aye
Commissioner Brody Rypien        Aye

The motion passed unanimously.

3.3 Request: Preliminary plat for a two lot subdivision to create a flag lot (Public Hearing)
Applicant: Kevin Van Beuge
Address: 13188 S 6200 W
Zone: A-.25 (Agricultural)
Acres: 1.29
File Number: S2019-081

Chair Berbert reviewed the public hearing policy and procedures.

Assistant City Planner Bryn MacDonald offered that the applicant is requesting preliminary plat approval for a two lot subdivision to create a flag lot behind an exiting home. Because the driveway was longer than 150 feet it would be required to be 25 feet wide and include enough space for fire trucks to turn around. Existing buildings would remain. Neighborhood meeting comments had been provided to the Commissioners.

Applicant Kevin Van Beuge approached the podium and informed that he was building the new home for family members.

Chair Berbert opened the public hearing.

No comments were offered.

Chair Berbert closed the public hearing.

Commissioners requested that the engineering team review public road access along 6200 West before decision is made. Commissioners reviewed comments from neighborhood meeting that requested for the area be cleaned up. Commissioners requested further clarification on placement of driveway and UFA approval.

Commissioner Jacobson moved to continue without date item 3.3 file number S2019-081 Preliminary plat for a two lot subdivision to create a flag lot (Public Hearing) Commissioner Garcia seconded the motion.

The vote was recorded as follows:
Commissioner Adam Jacobson    Aye
Commissioner Heather Garcia    Aye
The motion passed unanimously.

3.4 Request: Conditional use approval for a Dog Park
Applicant: Herriman City (Wendy Thomas)
Address: 5075 W Herriman Main Street
Zone: MU-2 (Mixed Use)
Acres: 4.85
File Number: C2019-097

Herriman City is requesting a conditional use permit to construct a dog park to be known as Dingo’s Dog Park. The City Council has directed staff to have all new park and trail amenities go through the Planning Commission for review and approval. A conditional use is an administrative decision. The Planning Commission will hold a public meeting and make a decision based on compliance with the approval standards. Staff conducted a neighborhood meeting on November 12, 2019. There were 10 residents in attendance at the meeting. Most of them liked the proposed park. There were some questions raised about the future trax line. There were also questions about the closing of Bobcat Drive.

The applicant is proposing to construct a dog park in the Herriman Towne Center. This property has been vacant and used as detention for several years. The park is proposed to be named after Dingo, a police K-9 who was killed in the line of duty.

Timeline for asphalt path reliant on funding. Possible pay to play model would include a yearly pass to ensure dogs have vaccines and to calculate park usage. Goal was to open in August 2020, weather dependent.

Commissioners expressed appreciation to staff for identifying viable use for an odd shaped parcel.

Commissioner Ferguson moved to approve item 3.4 file number C2019-097 Conditional use approval for a Dog Park, Commissioner Bradford seconded the motion.

Commissioner Adam Jacobson  Aye
Commissioner Heather Garcia  Aye
Commissioner Jackson Ferguson  Aye
Commissioner Andy Powell  Aye
Commissioner Andrea Bradford  Aye
Commissioner Brody Rypien  Aye

The motion passed unanimously.
### 3.5 Request: Preliminary plat for a one lot subdivision for a utility substation (Public Hearing)

**Applicant:** Dominion Energy (Danny Eastburn)

**Address:** 5657 West 13000 South

**Zone:** A-.25 (Agricultural)

**Acres:** 0.63

**File Number:** S2019-095

Assistant City Planner Bryn MacDonald explained the applicant requested preliminary plat approval of a one-lot subdivision to develop a utility substation. The 0.63-acre property is located at approximately 5657 W 13000 South and is currently zoned A-.25. The vacant property location is immediately south of a new church, which is nearly complete, and accessible from Rosecrest Road.

Staff mailed notices on November 8, 2019, to 35 property owners within 300 feet of the subject property. At this time, the City had not received any comments on the request.

A subdivision is an administrative decision. The Planning Commission will hold a public hearing and make a decision based on compliance with the applicable ordinances. If the applicant receives preliminary plat approval, the next step will be obtaining final plat approval from the Engineering Department. Staff recommends preliminary plat approval for the proposed one-lot subdivision with the following condition:

1. Final plat—and civil engineering plans—shall be reviewed and approved by the City to ensure compliance with all applicable City standards before recording the location and briefly reviewed the precast wall and infrastructure.

Applicant Danny Eastburn with Dominion Energy included that a staff engineer was present and they offered to answer questions. He identified that the lot would be an inline pipeline inspection system. Staff Engineer Justin H Holly explained that this pigging facility would be utilized for inline inspection to identify corrosion and pipeline issues. The pipeline would be inspected every four to seven years and some noise would occur at time of inspection.

No lighting was proposed, and an 8 foot precast wall for security was included in the proposal. The applicant would coordinate with the adjacent property owner regarding plans for removal of the vinyl fence and installation of the precast wall.

Chair Berbert opened the public hearing.

No comments were offered.
Chair Berbert closed the public hearing.

Commissioners expressed opinion that this would not provide commercial tax benefit to the City and that area should be reserved for commercial development. Concerns with it being seen from the road were expressed, which may be remedied with landscaping. Commissioners discussed highlighting zoning issues with City Council.

City Planner Maloy offered the proposal was allowed in the current zone.

*Commissioner Jacobson moved to approve item 3.5 file number S2019-095 Preliminary plat for a one lot subdivision for a utility substation (Public Hearing). Commissioner Powell seconded the motion.*

The vote was recorded as follows:

- Commissioner Adam Jacobson  Aye
- Commissioner Heather Garcia  Aye
- Commissioner Jackson Ferguson  Aye
- Commissioner Andy Powell  Aye
- Commissioner Andrea Bradford  Aye
- Commissioner Brody Rypien  Aye

The motion passed unanimously.

### 3.6 Request:  Conditional use approval for a natural gas pipeline inspection station  
Applicant:  Dominion Energy (Danny Eastburn)  
Address:  5657 West 130 South  
Zone:  A-.25 (Agricultural)  
Acres:  0.63  
File Number:  C2019-094

The applicant is requesting approval of a conditional use permit to develop a utility substation, as discussed with item 3.5.

**Recommendations:**

1. The applicant shall submit a final plat application, obtain final plat approval, and record a subdivision plat to create the subject property before obtaining a building permit to construct the utility substation.
2. Final landscape plans must provide a minimum of 75% live vegetation coverage of the front yard and park strip along Rosecrest Road. Final landscape plans, including an irrigation plan, shall be submitted to and approved by Heidi Shegrud, Herriman City Landscape Architect, before obtaining engineering approval or building permit issuance.
3. To mitigate reasonably anticipated negative impacts of the proposed land use on vehicular and pedestrian safety, the applicant shall reduce each drive approach width to the minimum distance...
necessary to support safe vehicle ingress and egress. To address this issue, the applicant shall submit an “autoturn” study to the City Engineer to determine the minimum widths required.

4. Applicant shall submit material and design specifications for all precast walls and entrance gates to the City for final review to ensure compliance with City Code and Engineering Standards.

5. The applicant shall prevent light glare through use of cut-off shields and avoiding floodlights. To ensure compliance, applicant shall provide specifications of all outdoor lighting for the site.

Commissioner Jacobson moved to approve item 3.6 file number C2019-094 Conditional use approval for a natural gas pipeline inspection station with staff requirements Commissioner Powell seconded the motion.

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

3.7 Request: Request for an exception to the definition of a subdivision under Utah Code Section 10-9a-103(64)(a) for property located 15101 Mountain View Corridor, a portion of parcel number 33-17-400-020

Assistant City Planner MacDonald informed the Commission that the applicant was requesting an exception to the definition of a subdivision under Utah Code Section 10-9a-103(64)(a) for property located at 15101 Mountain View Corridor, a portion of parcel 33-17-400-020.

The odd shaped parcel was located at 15101 Mountain View Corridor and is 22.39 acres. The Planning Commission would make a decision based on compliance with the statute.

10-9a-103(64)(c)
(c) "Subdivision" does not include:
(v) a bona fide division or partition of land by deed or other instrument where the land use authority expressly approves in writing the division in anticipation of further land use approvals on the parcel or parcels;

This property was being purchased for future commercial development. The parcel was currently 84.2 acres, however the developer was only purchasing 22.39 acres. State statute allowed a division of land in “anticipation of further land use approvals on the parcel”. The exception must be approved in writing by the Land Use Authority, which would be the Planning Commission.
This exception did not require any notice or a neighborhood meeting.

Applicant Daniel Thomas with St John properties approached the podium and offered to answer questions.

Commissioner Jacobson moved to approve item 3.7 Request for an exception to the definition of a subdivision under Utah Code Section 10-9a-103(64)(a) for property located 15101 Mountain View Corridor, a portion of parcel number 33-17-400-020 with staff requirements, Commissioner Jackson seconded the motion.

The vote was recorded as follows:

- Commissioner Adam Jacobson  Aye
- Commissioner Heather Garcia  Aye
- Commissioner Jackson Ferguson  Aye
- Commissioner Andy Powell  Aye
- Commissioner Andrea Bradford  Aye
- Commissioner Brody Rypien  Aye

The motion passed unanimously.

4. 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.

Chair Berbert reminded all present that items 4.1, 4.2, and 4.3 had been removed from the agenda.

4.1—Request: General Plan Amendment to change property from Commercial and Low Density Residential to Medium Density Residential (Mountain Ridge) (Public Hearing)

Applicant: Edge Homes – Steve Maddox

Address: 14000 S Sentinel Ridge Boulevard

Zone: Current: A-1, Base Rezone: R-2-10, Overlay Rezone: PUD

Acres: 105

File Number: G2019-074

4.2—Request: Rezone from A-1 to R-2-10 for a proposed development known as Mountain Ridge (Public Hearing)

Applicant: Edge Homes – Steve Maddox

Address: 14000 S Sentinel Ridge Boulevard

Zone: A-1

Acres: 105

File Number: Z2019-072
4.3. Request: Rezone to apply the Planned Development Overlay Zone for a project known as Mountain Ridge (Public Hearing)
Applicant: Edge Homes – Steve Maddox
Address: 14000 S Sentinel Ridge Boulevard
Zone: Current: A-1, Base Rezone: R-2-10
Acres: 105
File Number: Z2019-073

4. Chair and Commission comments

Commissioner Jacobson requested more guidance from City Council regarding preservation of commercial development areas and types of commercial desired. Commissioner Ferguson added that some types of commercial, such as assisted living facilities, were needed and commercial areas should be preserved in the City to allow for them. Commissioners added that specific types of commercial needed to be identified on the General Plan to increase accuracy of transportation models. The General Plan issues should be addressed at a meeting with Council, Commission and City staff, with no developers present. Commissioner Bradford requested to know if staff had a plan for types of commercial being sought and attracted to certain areas. Consultant input from the community was an essential element to identify needed commercial. Commissioner Garcia requested a zone to allow affordable, single family homes with standards that allow for smaller sizes. Commissioner Jacobson offered that certain ordinances needed to be addressed with City Council.

5. Future Meetings
5.1 Planning Commission Meeting - Thursday, December 5, 2019 @ 7:00 PM -
5.2 City Council Meeting – Wednesday, December 11, 2019 @ 7:00 PM
5.3 Planning Commission Meeting – Thursday, January 2, 2020 @ 7:00 PM

6. Adjournment

Commissioner Adam Jacobson made a motion to adjourn the meeting at 8:09 pm 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 21, 2019. This document constitutes the official minutes for the Planning Commission Meeting.

Wendy Thorpe