



## PLANNING COMMISSION AGENDA

**Wednesday, January 17, 2024**

**Approved February 21, 2024**

The following are the minutes of the Herriman Planning Commission meeting held on **Wednesday, January 17, 2024, at 6:00 p.m.** in the Herriman City Council Chambers, 5355 West Herriman Main Street, Herriman, Utah. Adequate notice of this meeting, as required by law, was posted in the City Hall, on the City's website, and delivered to members of the Commission, media, and interested citizens.

**Presiding:** Chair Andy Powell

**Commissioners Present at Work Meeting:** Brody Rypien, Andrea Bradford, Alternate Forest Sickles, Jackson Ferguson, Heather Garcia, Darryl Fenn, Alternate Terrah Anderson, and Alternate Preston Oberg (online)

**Excused:**

Adam Jacobson

**Staff Present:** Planning Director Michael Maloy, Planning Manager Clint Spencer, Planner II Sheldon Howa, Deputy Recorder Angela Hansen, Planner I Laurin Hoadley, Assistant City Attorney Matt Brooks, Community Development Director Blake Thomas, Communications Specialist Destiny Skinner, and Staff Engineer III Josh Petersen

### **6:00 PM WORK MEETING (Fort Herriman Conference Room)**

Chair Andy Powell called the meeting to order at 6:03 p.m.

#### **1. Commission Business**

Chair Powell announced UTA is working on a study that is tied in with The Point development in Draper, they are looking for a volunteer from the Planning Commission to join the

meetings. Commissioner Rypien volunteered to attend meetings with Commissioner Anderson as a backup.

#### 1.1. Review of City Council Decisions – Michael Maloy, Planning Director

Planning Director Maloy declared the Anthem Commercial MDA hotel site was approved with the modification for the height adjustment restricted to only that lot. The council also requested a cleaner digital copy of their site plans for review.

#### 1.2. Review of Agenda Items – Planning Staff

Planning Director Maloy informed the annexation declaration policy update was brought to the city's attention after the recent Kennecott annexation into Herriman and South Jordan. The state statute for updating the policy begins with this initial meeting tonight. Then noticing 14 days before for the public hearing, then a motion to recommend approval or denial to council.

#### 1.3. Presentation and discussion of proposed amendments to the South Hills Master Development Agreement by Wasatch Group – Michael Maloy, City Planner

<https://www.herriman.org/uploads/files/4086/Item-1.3-Staff-Report.pdf>

Director Maloy explained today's presentations will show where the project is now and what the big picture issues are. The developers want to hear questions and comments from the Planning Commission before the City starts the public hearing process.

Wasatch Group Developer representative Craig Martin explained the city was given the 5<sup>th</sup> amendment of the South Hills MDA (Master Development Agreement) for review. This amends a few legal definitions and some housekeeping items. They will be removing the parks, trails, and open space portions from this amendment, that portion will be amended and approved communally by Wasatch and DAI later. A land use amendment map was presented showing 1200 units on the north side of Mountain View Corridor and 1471 units on southside of Mountain View Corridor. The north side has largely been finished except pod 35A and the commercial in pods 35 and 39. A map detailing the land swaps between Wasatch and DAI shown and discussed. Developer representative Martin informed the original MDA started in 2009 with the 5th amendments application submitted in 2024. The current land use plan was shown along with the current land swap map. A comparison table was shown listing unit distribution, acreage, and dwelling units per acre. Discussion on the comparison table ensued.

The project includes a total of 1471 units on 563 acres. The project will build out at 4 units to an acre overall. Commissioner Ferguson requested clarification on the original maximum units per acre in the MDA. Community Development Director Thomas cited the original MDA allowed the applicant to add land but the total unit's distribution stays at 4.5 per acre and includes everything that is already built out. Developer representative Martin explained with the nature of the land inclines 4.5 doesn't work. They are working with DAI and the City to add trails, parks, and open spaces, but it will not be part of this amendment. Planning Director Maloy confirmed the commitment to having the open space will be represented, they are just creating something larger and allowing better uses working alongside the DAI group.

Pod phasing maps showing cottages and town homes on smaller lots presented. Pods further up the road get a lot larger. Clarification given that the hammer head (T shaped) roads in pod 16 will have pedestrian connection but not vehicular connection due to elevation changes. Home designs for pods 16 and 17 were shown for reference only.

Developer representative Martin expressed hope that all previous questions were answered tonight. Wasatch group will submit a new application and aims to be on the next planning commission meeting agenda.

Planning Manager Spencer encouraged creating the twin and triplex homes to look like one large home instead of separate homes along with not having the emphasis on the garages. Conversation continued including adjusting lots to add green space, driveway coverage in the front yard, and deck encroachments.

*Commissioner Garcia moved to temporarily recess the Planning Commission work meeting to convene in the Planning Commission general meeting at 6:57 p.m. Commissioner Sickles seconded the motion, and all voted aye.*

*The Commission reconvened the work meeting at 7:23 p.m.*

#### 1.4. Presentation and discussion of a proposed Master Development Agreement known as Panorama by DAI Utah – Michael Maloy, City Planner

<https://www.herriman.org/uploads/files/4085/Item-1.4-Staff-Report.pdf>

Director Maloy expressed appreciation for the work that has been done to get this agreement together with all the property owners.

DAI Utah developer representative Chase Andrizzi points out the Planning Commission is very familiar with the Panorama site, having toured the area and meetings previously held. Some minor changes are being made to account for the swaps with Wasatch. A slide show detailing original master plan shown, with clarifications that pods are now called villages. The current MDA layouts vs proposed MDA layouts were shown. 180 acres not previously included in any MDA will become part of the Panorama MDA. The current vs proposed general plan and zone maps were shown. Currently the Rosecrest MDA has 1377 units left remaining in their 398 acres, Wasatch has 305 units on 59 acres, and unentitled land would

add 589 units on 185 acres for a total of 2271 units over 643 acres with an overall density of 3.52. With the land swap, commercial acreage could go up to 16 acres plus the possibility of more in the mixed-use areas. Panorama has been working with the Parks Department to develop a better park system in this area. Improvements to Juniper Canyon Park have been changed, a few things have been pulled out of Juniper Canyon to add to Panorama and South Hills Parks. Juniper Canyon Park will include a paved trail, mountain bike trail and circuit training trail. Panorama Park would include a skate park, a pavilion, a playground, pickleball courts, a dog park with groomed area, and native landscape. South Hills Park will add mountain bike specific trails, sledding hills, and parking. The Juniper Crest Road connection to the Mountain View Corridor will be finished in phase one along with the off-site landscaping. The developer has worked with the city engineers to design a backbone road. They worked with 14 different landowners to give them access to their properties with this backbone road. They will build the road to build out dimensions and full capacity at the beginning. A trail system to connect the properties, open space, trails, and properties will be built.

Director Maloy is concerned with the elimination of the park strip on one side of the street on layouts. He inquired how this is better than having the park strips on both sides? Discussion on park strips, asphalt trail system, and car street parking continued among the group.

Director Maloy noticed in the general planning amendment the M-U-2 use in southwest corner and R-2-and R-2-15 is consistent with the mixed-use zone but, the description for the zone is residential connected to commercial. He offered there may be an opportunity to add commercial to the corners. Developer Andrizzi disagreed stating they don't think the landscape topography is capable of commercial lots. Commissioner Ferguson inquired if the trails would connect to the existing trail to the west. Developer Andrizzi confirmed the trails will connect to the existing biking trail. Director Maloy communicated the need to avoid double frontage housing within the city. He summarized the need to limit it or justify it when it must be done.

Commissioner Bradford questioned if Juniper Canyon Park area is moving some of the funding to other areas, is there more amenities coming to Juniper or will it stay how it is today. Director Thomas provided only a few things got moved out, there is still improvements coming to Juniper. They are also trying to make the trails connect to the other side of Juniper Crest. Moving some of the features away from Juniper Canyon to other areas will make the completed features available sooner. Commissioner Rypien loves that the two developers are working together to create something better. Developer Andrizzi cited the MDA draft amendment has been submitted to the City Attorney Sherran for review. The amendment can be changed based off tonight's conversations.

Commissioner Garcia requested clarification that the slopes on the roads are up to current standards. Developer Andrizzi confirmed the roads meet current standards. There is substantial cut and fill needed to make the roads work. Not huge changes to the mountain side but bench areas will need to be filled. Developer Andrizzi emphasized with general

plan and rezone amendments the Planning Commission will need to hold a public hearing. The Planning Commission asked for all the slides to be sent to them for review.

- 1.5. Presentation and Discussion of Land Use Policy Updates and Training – Michael Maloy, Planning Director

## 2. Adjournment

*Commissioner Ferguson moved to adjourn the meeting at 8:44 p.m. Seconded by Commissioner Rypien and all voted aye.*

## 7:00 PM REGULAR PLANNING COMMISSION MEETING (Council Chambers)

### 3. Call to Order

Chair Andy Powell called the meeting to order at 7:04 p.m.

- 3.1. Invocation, Thought, Reading and/or Pledge of Allegiance

Planner I Hoadley led the audience in the Pledge of Allegiance.

- 3.2. Roll Call

Full quorum present

- 3.3. Conflicts of Interest

No conflicts were reported.

- 3.4. Approval of Minutes for the December 20, 2023, Planning Commission Meeting

<https://www.herriman.org/uploads/files/4083/Item-3.4-Approval-of-Minutes-for-the-December-20-2023.pdf>

*Commissioner Garcia motioned to approve the Minutes for the December 20, 2023, Planning Commission meeting; Commissioner Rypien seconded, and all voted aye.*

### 4. 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.

- 4.1. Discussion and consideration of a proposed amendment to the Herriman City Annexation Declaration Policy – Michael Maloy, Planning Director (Public



**Hearing)**

<https://www.herriman.org/uploads/files/4084/Item-4.1-Staff-Report.pdf>

Planning Director Maloy presented the City is updating the annexation declaration policy. The state code requires today’s public meeting as the first step. A map showing the city lines and surrounding areas was presented. The state code lists the processes that need to be followed. Notices for affected entities were mailed prior to this meeting, after today’s public meeting the City will allow 10 days of comments, notices to affected entities will be mailed again, then the Planning Commission will hold a public hearing, notices to affected entities will be mailed again, then the City Council will also need hold a public hearing before approving the policy.

Director Maloy clarified there is no annexation happening, this is just a policy update. The city owns land outside of Herriman City limits, that land could bring on a city-initiated annexation in the future. Commissioner Rypien questioned if fire and police responsibilities affect the annexation policy. Director Maloy conveyed this doesn’t have any operational impact at all. Most annexations are initiated by private property owners. The city would review whether the property is within the declaration area and what the potential zoning designation would be. At that point they would look at the effects on services management. Commissioner Rypien inquired whether the annexation policy allow islands that don’t touch the current city limits now? Director Maloy communicated the state code updates are working to avoid islands. The past has shown cities cherry-picking certain areas due to the value of that property. Commissioner Bradford requested clarification that the blue area of the map is the declaration area and that it is all in Salt Lake County. Director Maloy confirmed the blue area is the declaration area and inside Salt Lake County. Commissioner Fenn pointed out the previous map shows a small sliver of property on the Utah County side. Director Maloy conveyed he hadn’t noticed that detail and would need to research it. Commissioner Anderson queried is it common to own property outside your own city? Director Maloy responded it is common, especially for operational purposes such as water wells.

Director Maloy directed this item will need to be continued to the February 7 meeting for the public hearing.

*Commissioner Rypien moved to continue to February 7, 2024, item 4.1 Discussion, and consideration of a proposed amendment to the Herriman City Annexation Declaration Policy.*

*Commissioner Garcia seconded the motion.*

*The vote was recorded as follows:*

<i>Commissioner Darryl Fenn</i>	<i>Aye</i>
<i>Commissioner Jackson Ferguson</i>	<i>Aye</i>

<i>Commissioner Heather Garcia</i>	<i>Aye</i>
<i>Commissioner Brody Rypien</i>	<i>Aye</i>
<i>Commissioner Adam Jacobson</i>	<i>Absent</i>
<i>Commissioner Andrea Bradford</i>	<i>Aye</i>
<i>Alternate Terrah Anderson</i>	<i>Aye</i>
<i>Alternate Commissioner Forest Sickles</i>	<i>Not voting.</i>
<i>Alternate Preston Oberg</i>	<i>Not voting.</i>

*The motion passed unanimously.*

## 5. Chair and Commission Comments

No comments

## 6. Future Meetings

6.1. Next City Council Meeting: January 24, 2024

6.2. Next Joint City Council and Planning Commission Meeting: January 31, 2024

6.3. Next Planning Commission Meeting: February 7, 2024

## 7. Adjournment

*Commissioner Garcia moved to adjourn the regular meeting at 7:17 p.m. and reconvene the work meeting. Commissioner Ferguson seconded and all voted aye.*

*I, Angela Hansen, Deputy City Recorder for Herriman City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on January 17, 2024. This document constitutes the official minutes for the Herriman City Planning Commission Meeting.*



Angela Hansen  
Deputy City Recorder