



PLANNING COMMISSION MINUTES

Wednesday, February 21, 2024

Approved March 20, 2024

The following are the minutes of the Herriman Planning Commission meeting held on **Wednesday, February 21, 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, Alternate Preston Oberg, Adam Jacobson

Excused:

Alternate Terrah Anderson, Darryl Fenn

Staff Present: Planning Manager Clint Spencer, Planner II Sheldon Howa, Deputy Recorder Angela Hansen, Planner I Laurin Hoadley, Assistant City Attorney Matt Brooks, Communications Specialist Mitch Davis, and Staff Engineer III Josh Petersen

6:00 PM WORK MEETING (Council Chambers)

Chair Andy Powell called the meeting to order at 6:02 p.m.

1. Commission Business

- 1.1. Review of City Council Decisions – Michael Maloy, Planning Directors

Planning Manager Spencer informed the commission that the Wasatch and Panorama Master Development Agreements (MDA's) were presented to the City Council. The council didn't have a lot of comments but alleged just because we are moving forward doesn't mean it's a done deal. Wasatch might come back to the Planning Commission on the March 6th meeting. Panorama MDA will come back on the second meeting in March.

1.2. Review of Agenda Items – Planning Staff

Planning Manager Spencer stated for item 4.1 keep in mind for the permitted use, this is only coming before the Planning Commission because the ordinance requires it. They meet all the standards. Staff is recommending installing a larger tree for the center tree.

Planner I Laurin Hoadley disclosed item 4.2 is straight forward with no comments needed.

1.3. Presentation and discussion of amendments to §10-12-6 of Herriman City Code that affect the Development Standards in the C-2 Commercial Zone to allow architectural metal panels, exceptions to secondary exterior building finish materials, clarifying requirements for pedestrian access, and updating site amenities on projects that encompass five (5) or more acres – Sheldon Howa, Planner II

<https://www.herriman.org/uploads/files/4372/Item-1.3-Commercial-Standards.pdf>

Planner II Howa communicated the commercial design standards amendments were presented back in 2022 to allow more additional building materials in C-2 commercial zone and update to current building trends. Since that time staff have worked on updating the ordinance. Minor Amendments included:

10-12-6(C)(6) - Clarifying that bicycle parking shall be convenient “and permanent” in all commercial developments.

10-12-6(C)(9) – Striking “single-family and multi-family” to add “all residential” developments adjacent to drive-thru lane. Requiring site plans to show the location of drive-thru menu boards.

10-12-6(C)(13) - Increase the required architectural features on building facades 100 feet or longer, adding additional architectural features, clarifying building facade standards.

10-12-6(C)(18) – Adding a reference to lighting standards (lighting ordinance in the works).

10-12-6(D)3(c)- Exterior Lighting in the OP Zone shall not be directed skyward.

10-12-6-(C)(1)-Removing the five (5) acre requirement for pedestrian connections, requiring a change in material or texture for all pedestrian connections and Permit striping only if required by ADA.

10-12-6-(C) (4) - Removing the ten (10) acre requirement for pedestrian amenities to five (5) acres or Categorizing amenities: Landscaping, Hardscape, Aesthetics

10-12-6-(C) (14) - Restricting roofing material where the roof is visible from the right of way or neighboring properties.

10-12-6-(C) (15(a) Defining “primary materials”. Prohibiting panelized materials from being used as a primary finish.

10-12-6-(C) (15(b) Defining secondary materials, adding architectural metal panels, limiting stucco to an accent feature, defining window and storefront products, Stone panel shall be of cementitious construction.

10-12-6(C)(15)(c) Allowing for “Secondary Materials” to be substituted.

1. The primary materials exceed 60% coverage on at least two (2) elevations.
2. The structure’s finish materials incorporate alternate design characteristics that are equivalent to or exceed those otherwise achieved by the strict adherence to this section.
3. The granting of an exception will not adversely affect the established character of the surrounding structure or development.
4. The granting of the exception shall be complementary or essential to the overall design of the structure.
5. The substitute material shall be of high quality, and durability, to provide a low maintenance finish.

Discussion among commissioners and staff ensued including building materials, color changes, minimum building length requirements, architectural features, texture changes, variance requests and clarifying definitions.

Commissioner Sickles vocalized that the traditionalist in him believes a building should be built of one material and the city should not be asking for different materials. Commissioner Oberg remarked the extra requirements for buildings 100 feet or longer should be a shorter length.

Commissioner Sickles is concerned that color change counts as a texture change, he doesn’t want a brick wall that is 4 different colors. Commissioner Ferguson counseled color changes whether they do 10 colors or 2 only counts as 1 element.

Planning Manager Spencer explained it’s hard to require architectural style, these are attempts to encourage better architectural features. A lot of these changes came from a DA1 project off 11800 south, they expressed wanting to use different elements. They wanted to reduce the brick and stone and increase the glaze. Commissioner Jacobson worries the window and doors would qualify as two elements. Planning Manager Spencer replied window and doors count as one. Commissioner Sickles confirmed this has a lot of what we are looking for, if we element color change as a loophole. Changing the color is an easy-out to qualify. Planning Manager Spencer clarified the city doesn’t allow painted brick

or stone. Chair Powell acknowledged applicants can always bring in a variance to the planning commission for review.

Chair Powell conveyed the next step is to bring the amendments back in a future meeting after tightening it up.

1.4. Open and Public Meeting Training – Matt Brooks, Assistant City Attorney

Assistant City Attorney Brooks presented an open and public meeting act training (OPMA) slideshow.

1.5. Presentation and Discussion of Land Use Development, Policies, and Standards – Michael Maloy, Planning Director

No Discussion was presented.

2. Adjournment

Commissioner Jacobson moved to adjourn the meeting at 7:04 p.m. Seconded by Commissioner Garcia and all voted aye.

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

Chair Andy Powell called the meeting to order at 7:09 p.m.

3. Call to Order

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

Chair Powell 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 January 17, 2024, Planning Commission Meeting

<https://www.herriman.org/uploads/files/4371/20240117-PC-MInutes-Draft.pdf>

Commissioner Garcia motioned to approve the Minutes for the January 17, 2024, Planning Commission meeting; Commissioner Rypien seconded, and all voted aye.

4. 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. Consideration of a Site Plan for a corner plaza at 12043 S Carlsbad Way in the C-2 Commercial Zone and Anthem Commercial Master Development Agreement. Applicant: Cory Gust, Anthem Retail (property owner)
Acres: ±0.21
File No: P2023-137**

<https://www.herriman.org/uploads/files/4374/Item-4.1-Commercial-Plaza.pdf>

Planning Manager Spencer presented the consideration of the corner plaza in Anthem Commercial just south of Winco and next to the Kiddie Academy. The applicant is proposing to install mostly masonry plaza with some trees, a seated wall, and water elements. The continuing street trees to be installed down Carlsbad Way, but no trees will be installed on the other side due to utilities. The Arbor with a bench, water and tree features is meant as the central gathering area. The staff’s only recommendation is to have a larger 4-inch caliper tree installed for the main tree. Staff recommends approval with conditions.

Applicant Cory Gust explained they have worked with the planning department for the last year to come up with a good design. He disagrees with the larger tree in the center but agrees with everything else. In the past when they planted bigger trees from the nursery they tended to die. Overall, the area looks great.

Commissioner Jacobson motioned to approve item 4.1 Consideration of a Site Plan for a corner plaza at 12043 S Carlsbad Way in the C-2 Commercial Zone and Anthem Commercial Master Development Agreement with staff’s recommendations. 1. Applicant shall receive and accept all remaining corrections from City Departments. 2. Applicant shall increase the minimum caliper of all trees planted in the plaza, excluding the street trees, from two (2) to four (4) inches to withstand potential abuse while “taking root.” 3. The final design and building permit application shall maintain the character of the pergola, benches, lighting, trash receptacles, and paving shown in the architectural renderings. However, to ensure compliance with the submitted plan and adopted design guidelines, the applicant shall submit product specifications for all site furnishings to the Planning Department for final approval.

Commissioner Garcia seconded the motion.

The vote was recorded as follows:

<i>Commissioner Darryl Fenn</i>	<i>Absent</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>Aye</i>

Commissioner Andrea Bradford Aye
 Alternate Commissioner Forest Sickles Not Voting
 Alternate Preston Oberg Aye
 Alternate Terrah Anderson Absent

The motion passed unanimously.

4.2. Consideration of a Preliminary Subdivision Plat Amendment located approximately at 5173 W Denali Park Drive (12065 South) in the C-2 Commercial Zone.

Applicant: Cory Gust, Anthem Retail (property owner)

Acres: ±9.499

File No: S2023-155

<https://www.herriman.org/uploads/files/4373/Item-4.2-Subdivision-Amendment.pdf>

Planner I Hoadley presented the proposed amendment to the Anthem plat. A slideshow presented the 9.499 acres that will create 4 commercial lots. The property meets all zoning requirements. A private road, Anthem Creek Lane, will be installed creating the 4 legal lots. Staff recommends approval with conditions.

Applicant Cory Gust mentioned the plot amendment is needed to build the hotel with the height adjustment approved at the last meeting. They are excited to get the hotel started.

Commissioner Jacobson motioned to approve item 4.2 Consideration of a Preliminary Subdivision Plat Amendment located approximately at 5173 W Denali Park Drive (12065 South) in the C-2 Commercial Zone with staffs’ one condition. 1. Receive and agree to the remaining corrections from all City Departments.

Commissioner Ferguson seconded the motion.

The vote was recorded as follows:

Commissioner Darryl Fenn Absent
 Commissioner Jackson Ferguson Aye
 Commissioner Heather Garcia Aye
 Commissioner Brody Rypien Aye
 Commissioner Adam Jacobson Aye
 Commissioner Andrea Bradford Aye
 Alternate Commissioner Forest Sickles Not voting.
 Alternate Preston Oberg Aye
 Alternate Terrah Anderson Absent

The motion passed unanimously.

5. Chair and Commission Comments

Chair Powell revealed Planning Commissioner terms for himself, Rypien and Ferguson are up next month. He reminded staff to work on the renewal resolution for council.

6. Future Meetings

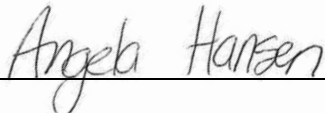
6.1. Next City Council Meeting: February 28, 2024

6.2. Next Planning Commission Meeting: March 6, 2024

7. Adjournment

Commissioner Jacobson moved to adjourn the meeting at 7:28 p.m. Seconded by Commissioner Ferguson 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 February 21, 2024. This document constitutes the official minutes for the Herriman City Planning Commission Meeting.



Angela Hansen

Deputy City Recorder