



HERRIMAN CITY PLANNING COMMISSION MEETING

MINUTES

March 6, 2014

Approved April 3, 2014

6:00 P.M. ~ Work Meeting (Open to the Public)

Chair Hill welcomes those in attendance and turns the time over to Bryn McCarty.

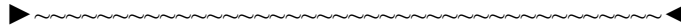
Attendance

Planning Commission Members:

Wayne Hill
Robyn Shakespear
Clint Smith
Tony DiConza
Jeremy Burkinshaw
Wade Thompson

City Staff:

Bryn McCarty; Planning Supervisor
Heather Upshaw, Planner III



7:06:07 PM 7:00 P.M. ~ Regular Planning Commission Meeting

Attendance

Planning Commission Members:

Wayne Hill
Wade Thompson
Robyn Shakespear
Clint Smith
Tony DiConza
Jeremy Burkinshaw

• City Staff:

Bryn McCarty; Planning Supervisor
Heather Upshaw, Planner III
Cindy Quick; Deputy Recorder
Gordon Haight, Assistant City Manager
Augusto Robles, Engineering
Blake Thomas, City Engineer
Tami Moody, PIO

- **Guests:** Please see the attendance sign in sheet.

1. WELCOME INTRODUCTION AND PRELIMINARY MATTERS:

Chair Hill welcomes those in attendance and thanks the City Council and Mayor for their attendance tonight.

- 1.1 [7:06:32 PM](#) Reverence / Thought: [Brock Johnson](#)
- 1.2 [7:07:31 PM](#) Pledge of Allegiance: [Seth Robertson](#)
- 1.3 [7:08:13 PM](#) Roll call: [Full Quorum](#), [Blayde Hamilton](#) and [Jessica Morton](#) absent
- 1.4 [7:08:20 PM](#) Approval of electronic minutes for: **February 20, 2014.**

[Commissioner Clint Smith](#) **MOVES** to approve the minutes for February 20, 2014.

[Commissioner Jeramy Burkinshaw](#) **SECONDED** the motion.

Chair Hill asks for a vote. The vote is as follows:

Commissioner Tony DiConza	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Clint Smith	Yes
Commissioner Jeramy Burkinshaw	Yes
Commissioner Blayde Hamilton	Yes

Vote passed.

Motion carried.

Chair Hill instructs residents about the way the meeting will run. He asks residents to please keep their comments to a couple minutes. If someone else has made your same comment you're welcome to just say "ditto."

Chair Hill asks for permission to reorder agenda items 2.9 and 2.10 below item 2.1

[Commissioner Wade Thompson](#) **MOVES** to reorder agenda items 2.9 and 2.10 below item 2.1.

[Commissioner Robyn Shakespear](#) **SECONDED** the motion.

All present voted yes.

Vote passed.

Motion carried.

2. REGULAR AGENDA:

- 2.1 [7:10:44 PM](#) **01A13** – Mascaró – 7212 W Gina Road – Decision regarding soil manufacturing as a legal nonconforming use – Acres: 5 – Zone: A-1

Chair Hill reads the decision made by the planning commission. The Planning Commission finds that Mascaró has not met the burden of proof to show that they are entitled to nonconforming use determination for the soil manufacturing/screening operations on the subject property. Decision of the Zoning Administration is upheld. The Planning Commission hereby denies Mascaró's request for

determination of nonconforming use with regard to soil manufacturing and screening on the subject property. Mascaro has six months from the date of issuance of this decision to remove all equipment related to soil manufacturing and screening operations and to remove all of the storage materials related to the soil manufacturing and screening operations. Dated today and signed by Chair Wayne Hill.

Commissioner Clint Smith **MOVES** to approve the decision as written and reviewed by members of the Planning Commission.

Commissioner Wade Thompson **SECONDED** the motion.

Chair Hill asks for a vote. The vote is as follows:

Commissioner Tony DiConza	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Clint Smith	Yes
Commissioner Jeramy Burkinshaw	Yes
Commissioner Wade Thompson	Yes

Vote passed.

Motion carried.

2.9 [7:14:01 PM](#) [04Z14](#) – Suburban Land Reserve, Inc. – 6801 W 11800 S – Proposed Rezone to R-2-10 & C-2 – Acres: 300 – Zone: Salt Lake County (HEARING)

Chair Hill asks to execute 2.9 and 2.10 together.

Bryn McCarty explains that this is a rezone for the property. This property is currently in the county and they have submitted application for annexation and rezone.

Tim Soffe, Think Architecture and Planning, 5151 South 900 East. Briefly describes the proposed development. He explains that it is currently located in Salt Lake County and they feel the best place to develop at this time is in Herriman. He outlines areas in the development showing two commercial pads and the dedication of a 42 acre park. He clarifies the zoning request is to be zoned R-2-10 with a PUD overlay. However the commercial pads in the two corners which would be zoned separately. He reiterates that they are putting in a 42 acre regional park. He briefly describes that a PUD is a Planned Unit Development which will include schools, churches, open space, parks and trails, single family and multi-family units. He explains that they are not proposing 2500 apartments. PUD's allow for open space which is a large concession. The city desires a regional city park in this location between the two creeks and he is honoring that request right up front. He explains that they've talked to the school district and they plan on an elementary school if not two. He's also talked with the church and he describes churches and a stake center site planned in this area. Tim explains he is trying to be proactive and responsible and wants to hear comments and criticism even. There are no development plans yet. He recognized that what the general plan suggested is a little high; he has voluntarily eliminated 300 units. So currently they are showing a total of 2,549 and the original amount was 2,850. He feels that's more in consideration of what staff has directed. The staff is very helpful and has been great to work with. There will be an open house announced. They are ready to listen and welcome constructive criticism. They would like to meet the demand of all generations. This development will go through multiple reviews before anything happens here.

Chair Hill explains that there will be an open house here at city hall on March 18, 2014 from 5:00-7:00pm.

Clint Smith thanks and appreciates those in attendance. We would encourage you to come to the open house to allow your concerns to be heard and addressed.

[7:33:17 PM](#) Chair Hill opens it up for public comment and calls for any citizen who wishes to speak to come to the podium and address the Planning Commission members. He explains that he will leave the public comment portion open; it will remain open for the next Planning Commission Meeting on April 3, 2014.

Citizen Comments:

Jared Henderson, 12568 Heritage Hill Court. He is representing residents of Heritage Estates and Lafayette Estates, roughly 300 residents of which only 9 homes were notified of this change. He explains that he had only three days to obtain information. In the general plan the area was designated as low density single family homes. He is not opposed to growth but is concerned if this is reasonable growth. He feels that the 500 feet indicated is a very inadequate buffer. He finds the R-2-10 zone very disconcerting. This zone means two living units per 10,000 square feet or two living units per quarter acre and it's not a maximum it's an average of 8 per acre. That gives him concern for safety. He makes a suggestion of having a gradual transition of half acre, then third acre and then quarter acre explaining that the majority of the homes in this part of the community are half acre lots.

Robin Glassey, 12513 Heritage Hill Court. She is addressing traffic and safety concerns. She's concerned for the safety of their children and how they won't be able to ride their bikes in the road. The next concern is the increased noise of the traffic. She questions if there would be a sound wall to alleviate that noise. There was made mention of a bond for this road and she's concerned that residents would be paying for this road with increased taxes. She believes they can work together with the developer to make something beautiful here.

Blake Edwards, 6243 W Freedom Hill Way. Concerned that the developer wants a very specific zoning change but feels frustrated that he doesn't have a layout for this area. He's concerned that the zoning comes first before a plan or layout of the development. He quotes from the zoning page. "Look closely at the present you are constructing it should look like the future you dream of." He challenges the commission to look towards the future.

Paul Jones, 12576 Sunlight Hill Court. He is grateful for the presentation tonight and he's glad to hear there will be a process and that this developer will be a great neighbor and partner in this community. He explains that there is a perception that this council does things sneakily and underhanded. He felt like the whole community should have been made aware. He asks the commission to do a better job at making people aware. He explains that he will do a better job at looking at our website.

Chair Wayne Hill makes a comment to be involved. He encourages them coming out to the meetings. There was a joint meeting about this last month and a notice was sent. He expresses to him to check the website.

Paul continues explaining that there has to be a method outside the legal requirement. He hopes there will be some agreement and understanding about what the properties are going to look like. He is grateful for the schools and parks but is concerned about ongoing maintenance. He feels like this is a fantastic area to live in and wants to see it developed with the next 10 years in mind. Protect our heritage.

City Council Member Matt Robinson, 5896 Kidd Cabin Circle. Compliments residents on their respect and expressions of wanting to work with the developer. He requests that the commission sees that the notice is sent to the whole community. He also requests that the presentation Tim has shared tonight be put on the Herriman website.

Boyd Dansie, 7041 W 13090 S. He warns the commission that they should be concerned regarding a storm that created a lot of contamination. Lead and arsenic contaminated our property. He wants people to be aware of the contamination. It was turned out onto our farm instead of in the Herriman community. He is also concerned where this developments water will come from.

Loyd Riddle, 12541 Heritage Hill Court. Asks commission if the request is to rezone the entire area to R-2-10 and C-2. Response was yes. He feels this would be a huge mistake. Wonders if there is anyway to leave the zoning the way it is.

Blaine Bowles, 12641 Starlite Hill Lane. He feels very emotional about this development. He asked the commission to get back to some common sense. He feels we've moved from a small town feel in the past few years to a city who's trying to see how many residents they can get into the least amount of a space. Feels Herriman needs a proper mix of developments and compares it to concrete and how important it is to have a

proper mix. He describes criminal activity that's been brought here. He loves the feel of the old Herriman. He asks the commission to make this a place we are all proud of.

David Hadley, 12529 S Liberty Hill Court. He knew there was going to be growth here and he wants our city to have growth and wants our city to have this land and keep it in Herriman.

Kiip Ware, 6282 W Heritage Hill Drive. Questions regarding the ownership of this land. Has the School District and the Last Holdout, LLC been told about this development. It was explained that staff has been working with them. He's concerned with the access point.

Michelle Jones, 6337 Heritage Hill Drive. Sees the importance of obtaining this land. When someone enters Herriman from the Daybreak side their first impression is the apartments surrounding the high school. She is concerned about what the first impression of our city will be when this development comes here. She wants more of a balance in regards to housing for Herriman not just in this plot.

Brett Atkinson, 12659 S Starlite Hill Lane. His concern is that they commission comments of not knowing about the details of developments of the city. He is concerned that they don't have the details regarding this contract. He's glad the developer is open to discussions. He asks the commission to please make sure we know the details before a change gets approved so that we'll know what the end result will be.

Bart Place, 6389 W Heritage Hill Drive. Last home built in Heritage Place Estates and the first home that will border the proposed road of 6400 West. His impression of the city was significantly impacted by which road he came in on. He likes the appeal of the smaller community feel. He's concerned with the amount of high density residential. Concerned with crime going up and property value going down. Concerned with the impact on the schools. He's worried about the set backs and what beautification will be required. Concerned about traffic. Asks for a wall instead of a connecting street.

Ryan Sorenson, 5638 W. Sunset Meadow Circle. He lives just east of Heritage Place. His concern is the feeling of being surrounded by high density. Concerned that the open space available in the city is all going towards high density.

Robert Bradfield, 12531 Moonlite Hill Court. He asks the commission what the zoning south of the high school is. The commission was not sure. Robert expresses that he believes the commission should know the zoning in the area before they make decisions for rezoning. I bought here because he feels it's a town that was small enough that it makes you feel like you could know people. He believes high density brings crime. If this is zoned to R-2-10 he's moving. He'd like to stay. He's also concerned about speeding due to traffic through the subdivision.

Aaron Slagowski, 5942 Grandpere Avenue. He's lived here for seven years and loves it. He's concerned about creating a place where people will want to stay.

Josh Burt, 12994 S. Sparrow Hawk Lane. He moved here two months ago and suggests that Herriman is different from the rest of Utah and asks us to stay that way and keep the elbow room. Concerned that apartments will bring a different breed of people with domestic problems and he doesn't want that.

David Watts, 14461 S. Windom Road. He commends this community here today. Worries about there being a lot of R-2-10 zoning. Why are large pieces of land being allowed to be zoned with one single type of zoning. Why do we not zone specific areas to show low density and high density. He requests zoning specific areas and specific places to give the community the assurance that's what going in there.

Tiffany Cameron, 12588 Starlite Hill Lane. She's concerned with having high density right next to the high school. She feels that there is proof that there is drug trafficking going on there, right next to the high school. She would like to have police coverage.

Molly Hoskin, 12703 Starlite Hill Lane. Concerned about high school and high density there. She's been told

that they aren't safe to walk through that area from middle school to high school. Safety is a big concern here.

Jason Money, building a home in Lafayette Estates on nearly a half acre. He's concerned about the high density zoning. Feels like we have enough high density right now. Right now we have to drive outside the city to get services here. He feels the city owes the residents more restaurants here in the city. We need more commercial here so we don't have to leave the city. Get rid of high density and bring in commercial.

8:52:00 PM Chair Hill leaves the public comment period open.

Commissioner Clint Smith **MOVES** to continue these two items 2.9 and 2.10 to the next regularly scheduled meeting on April 3, 2014.

Commissioner Tony DiConza **SECONDED** the motion.

Chair Smith asks for a vote. The vote is as follows:

Commissioner Tony DiConza	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Clint Smith	Yes
Commissioner Jeremy Burkinshaw	Yes
Commissioner Wade Thompson	Yes

Vote passed.

Motion carried.

- 2.10 7:14:01 PM **09C14** – Suburban Land Reserve, Inc. – 6801 W 11800 S – Preliminary Planned Unit Development (PUD) Approval – Acres: 300 – Zone: Salt Lake County – Units: 2,549

Commissioner Clint Smith **MOVES** to continue these two items 2.9 and 2.10 to the next regularly scheduled meeting on April 3, 2014.

Commissioner Tony DiConza **SECONDED** the motion.

Chair Hill asks for a vote. The vote is as follows:

Commissioner Tony DiConza	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Clint Smith	Yes
Commissioner Jeremy Burkinshaw	Yes
Commissioner Wade Thompson	Yes

Vote passed.

Motion carried.

8:53:28 PM Chair Hill asks to take a five minute break.

- 2.2 9:02:48 PM **01S14-01** – Rosecrest, Inc. – 4893 W Rosecrest Rd – Proposed Subdivision Amendment of 147 Single Family Lots – Acres: 16.84 – Zone: C-2 – Units: 148 (*Public hearing was held 2/6/2014*)

Bryn orients the planning commission about this development with maps and building elevations.

Commissioner Clint Smith **MOVES** to approve this item with staff recommendations.

The motion was not seconded. Commissioners took opportunity to voice their concerns regarding density and open space.

Matt Watson describes the history with this development and the reason for the change. He explains that this area as commercial is no longer viable. The commercial areas in the Towne Center and along Mountain View Corridor are more viable and synergistic.

A lengthy discussion regarding density and open space in this development took place.

Commissioner Clint Smith **MOVES** to approve this item with staff recommendations.

Commissioner Robyn Shakespear **SECONDED** the motion.

Chair Hill asks for a vote. The vote is as follows:

Commissioner Tony DiConza	No
Commissioner Robyn Shakespear	Yes
Commissioner Clint Smith	Yes
Commissioner Jeremy Burkinshaw	No
Commissioner Wade Thompson	Yes

Vote passed.

Motion carried.

2.3 [9:39:00 PM](#) **01C99-14** – Rosecrest, Inc. – 4893 W Rosecrest Rd – Final PUD
Approval of 147 Single Family Lots – Acres: 16.84 – Zone: C-2 – Units: 148 (*Continued from 02/06/14*)

Bryn explains that with this item you'll be approving setbacks and elevations.

A discussion about elevations for this development took place.

Commissioner Jeremy Burkinshaw **MOVES** to approve this item with requirements as outlined by staff with the addition of number six with building elevations approved as presented with the removal of the contemporary.

Commissioner Wade Thompson **SECONDED** the motion.

Chair Hill asks for a vote. The vote is as follows:

Commissioner Tony DiConza	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Clint Smith	Yes
Commissioner Jeremy Burkinshaw	Yes
Commissioner Wade Thompson	Yes

Vote passed.

Motion carried.

2.4 [9:49:30 PM](#) **02Z14** – Herriman City – Text change to the MU-2 Zone to Allow Monument Signs (**HEARING**)

Bryn McCarty explains that this is a text change to allow monument signs, we neglected to add it originally.

[9:50:15 PM](#) Chair Hill opens it up for public comment and calls for any citizen who wishes to speak to come to the podium and address the Planning Commission members.

Citizen Comments: none

[9:50:32 PM](#) Chair Hill closes public comment.

Bryn comments that she has been working with Matt Watson and Mike Bradshaw to make sure it works with their design guidelines and they made great suggestions to make it even better.

Commissioner Wade Thompson **MOVES** to approve this item.

Commissioner Tony DiConza **SECONDED** the motion.

Chair Smith asks for a vote. The vote is as follows:

Commissioner Tony DiConza	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Clint Smith	Yes
Commissioner Jeramy Burkinshaw	Yes
Commissioner Wade Thompson	Yes

Vote passed.

Motion carried.

- 2.5 [9:51:58 PM](#) **07C14** – Benchmark Engineering – 5016 W 13400 S – Proposed Conditional Use Approval/Site Plan Review; Popeyes Louisiana Kitchen Restaurant – Acres: .75 Zone: MU-2 – Units: 1

Bryn orients the commission with site plans, maps and elevations for this development.

Commissioner Wade Thompson **MOVES** to approve this item adding to number three for final approval.

Commissioner Jeramy Burkinshaw **SECONDED** the motion.

Chair Hill asks for a vote. The vote is as follows:

Commissioner Tony DiConza	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Clint Smith	Yes
Commissioner Jeramy Burkinshaw	Yes
Commissioner Wade Thompson	Yes

Vote passed.

Motion carried.

- 2.6 [9:54:58 PM](#) **08C14** – DDO-Utah, LLC – 5088 W 13400 S – Proposed Conditional Use Approval/Site Plan Review; Fast Food Restaurant – Acres: .69 – Zone: MU-2 – Units: 1

Bryn orients the commission with site plans, maps and elevations for this development.

Commissioner Jeramy Burkinshaw **MOVES** to approve this item with recommendations as outlined by staff.

Commissioner Clint Smith **SECONDED** the motion.

Chair Hill asks for a vote. The vote is as follows:

Commissioner Tony DiConza	Yes
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Commissioner Robyn Shakespear	Yes
Commissioner Clint Smith	Yes
Commissioner Jeremy Burkinshaw	Yes
Commissioner Wade Thompson	Yes

Vote passed.
Motion carried.

2.7 [9:59:10 PM](#) **03Z14** – Boss – 13997 S 7300 W – Proposed Rezone from A-1 to A-.25 – Acres: 5.25 Zone: A-1 (HEARING)

Bryn orients the commission with site plans and maps for this development.

Barbara Boss, 13957 S. 7300 W. Discusses some options for the roads in this property. She explains that she's going with bigger lots next to where the road curves.

[10:04:36 PM](#) Chair Hill opens it up for public comment and calls for any citizen who wishes to speak to come to the podium and address the Planning Commission members.

Citizen Comments:

David Woodhead, 14060 S 7300 W. He is representing four family members that own this property. Concern is a triangulated intersection and overcrowding in the schools. Moved here to get away from all the people. He has animals and he's worried about problems with those animals and the people moving in next to him. Concerned that there will be only part of 7300 West that is paved with curb and gutter.

Gene Hunnewell, 14012 Sky Haven Circle. Worried about the size of these lots and it ruining his quality of life.

Sherry Ohm, 13892 S 7300 W. She feels these lots are way too small to be in harmony with the purpose of agricultural lots. She has issues with the roads and the ability to handle the traffic that will come from this development. She is worried about her well drying up because of this development.

Barbara Boss, 13957 S. 7300 W. She agrees with issues regarding schools. She ensures that she will make sure the district knows about these houses. She realizes the animals are an issue but she hasn't seen many around this area. She only knows of two animals on a five acre parcel. She explains that the water is coming from the city and she's not digging a new well. She thinks bringing in water from the city will actually be good for the wells.

[10:20:37 PM](#) Chair Hill closes public comment for both item 2.7 and 2.8.

Commissioner Clint Smith **MOVES** to recommend approval to city council for this item with staff recommendations.

Commissioner Jeremy Burkinshaw **SECONDED** the motion.

Chair Hill asks for a vote. The vote is as follows:

Commissioner Tony DiConza	Yes
Commissioner Robyn Shakespear	No
Commissioner Clint Smith	Yes
Commissioner Jeremy Burkinshaw	Yes
Commissioner Wade Thompson	Yes

Vote passed.

Motion carried.

- 2.8 [10:35:13 PM](#) ~~07S14~~ – Boss – 13997 S 7300 W – Proposed Subdivision of 13 Single Family Lots Acres: 5.25 – Zone: A-1 – Units: 13 (HEARING)

Commissioner Clint Smith **MOVES** to continue this item until our next scheduled meeting on April 3, 2014 to allow staff time to look at the road configuration in the area.

Commissioner Jeramy Burkinshaw **SECONDED** the motion.

Chair Smith asks for a vote. The vote is as follows:

Commissioner Tony DiConza	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Clint Smith	Yes
Commissioner Jeramy Burkinshaw	Yes
Commissioner Wade Thompson	Yes

Vote passed.

Motion carried.

3. **NEW ITEMS OF SUBSEQUENT CONSIDERATION (OTHER):**

4. **ADJOURNMENT:**

Chair Hill calls for a motion to adjourn.

Commissioner Clint Smith **MOVES** to adjourn the meeting at [10:36:50 PM](#)

5. **FUTURE MEETINGS:**

- 5.1 City Council Meeting - Thursday, **March 13, 2014** @ 7:00 PM
5.2 Planning Commission Meeting - Thursday, **April 3, 2014** @ 7:00 PM

I, Cindy Quick, Deputy Recorder of Herriman City hereby certify that the foregoing minutes, along with the digital recording, represent a true, accurate, and complete record of the meeting held on March 6, 2014. This document along with the digital recording constitutes the official minutes for the Herriman City Planning Commission Meeting.


Cindy Quick, Deputy Recorder