



PLANNING COMMISSION MINUTES

Wednesday, October 02, 2024

Approved November 06, 2024

The following are the minutes of the Herriman Planning Commission meeting held on **Wednesday, October 02, 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, Jackson Ferguson, Heather Garcia, Adam Jacobson, Alternate Terrah Anderson, Alternate Forest Sickles, Alternate Preston Oberg

Excused: 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, Planning Director Michael Maloy, Community Development Director Blake Thomas, Communications Specialist Mitch Davis, and Assistant City Manager Wendy Thomas

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

Chair Andy Powell called the meeting to order at 6:05 p.m.

1. Commission Business

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

Planning Director Maloy noted last week's City Council meeting didn't have any land use items on the agenda.

1.2. Review of Agenda Items – Planning Staff

Item 3.4 - Commissioner Garcia stated the packet link for the minutes did not work. The Commission agreed to move the minutes to the following meeting for approval.

Item 4.1 - Planner Howa reported the Plan Center Sign proposal has two possible locations, an on-site and off-site location. This is contingent on the Council's approval of the off-site. If they do approve the off-site location it would require a rezone. Planning will decide whether to approve the sign as designed and the council's decision will determine the location.

Item 5.1 to 5.6 - Director Maloy remarked during last week's work meeting the developers attended with a presentation of the items on tonight's agenda. Commissioner Jacobson questioned whether they needed to reference the other projects in the recommendations if they approve them. Director Maloy elaborated the Commission will approve the general plan first, the zoning second, and the Master Development Agreement (MDA) or Amended and Restated Master Development Agreement (ARMDA) last. They could state they recommend approval subject to the other parts. When the City Council reviews these items, they will have the MDA with the amended general plan map and amended zoning map included as exhibits. Commissioner Jacobson inquired if they needed to reference the agreements the developers have with each other. Commissioner Garcia expressed that she feels the agreements are not contingent with each other. Director Thomas critiqued he doesn't want to create a condition where if you amend one you would need to amend all three agreements. Commissioner Oberg assessed if any part of the agreement needs adjustment they would need to come back to the Commission even if they are not contingent with each other. Developer representative Leif Smith elaborated that the land acquisition is contingent on the MDA approvals. They can't officially close the deal until they are approved. Commissioner Oberg doubted the legality of linking the approvals of the different MDAs.

Commissioner Sickles raised the question if they recommend approval of only two of the three MDAs, and what happens to the other one. For example, If the military says it is not compatible in the one area what happens to the other MDAs. Director Maloy noted a representative from Camp Williams will be at the meeting tonight. The City Attorney reviewed their letter and understood that the property owner is aware of the military's concerns. Commissioner Anderson probed if the military had sent any similar letters before. Director Maloy responded the previous DAL agreement was sent to the military for review. The military returned a letter of approval. They did not flag any concerns for that agreement. Commissioner Anderson inquired if the military expressed a concern can the city still go through with the project. Director Maloy noted if they imposed a restriction that rises to a level of a taking then, there must be some type of compensation. In this issue they are applying for clustering. Essentially if you looked at raw zoning without the incline, they could allow 48 units. They are asking for 47 units in a clustered area due to the slope. Commissioner Sickles opined legally you have a review process through the military, but it doesn't have any teeth. Director Maloy disputed, stating he can't say that completely, they made a recommendation, and we are taking it into consideration. Commissioner Bradford sought if the recommendation for a noise notification be put on the plat. Director Maloy mentioned it might be on the closing document or on the deed. Commissioner Oberg worried about people moving in and coming to the city to complain about the noise even with the notifications. Commission discussed building upgrades, notifications, and the worry about future complaints of residents.

Commissioner Sickles wondered if you changed the landscaping, if the sound would change. Commission decided to change the landscape to help with the sound is not feasible. Commissioner

Jacobson pondered the need to require certain building materials and standards for these homes to withstand the blasts.

The Commissions main concern is if one developer falters, where can the others be held responsible. Director Maloy cited the Parks Trails and Open Spaces (PTOS) master plan would be added as an amendment to all the MDAs, requiring them to work together. The Commission agreed with the need to recommend references to the cooperation and agreements, but didn't want to tie the MDAs together. Each development stands on its own.

2. Adjournment

Commissioner Jacobson moved to adjourn the meeting at 6:45p.m. Seconded by Commissioner Ferguson and all voted aye.

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

Chair Andy Powell called the meeting to order at 7:00 p.m.

3. Call to Order

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

Chase Andrizzi 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 September 4, 2024 Planning Commission Meeting

Chair Powell announced the link in the packet for the minutes did not work. The will be moved to the next meeting for approval.

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. Consideration of approval for a Conditional Use of a Planned Center Sign located at 12488 S Rosecrest Road in the C-2 Commercial Zone.

Applicant: Craig Barlow/Isignz (authorized agent)

Acres: ±3.24

File No: C2024-116

<https://www.herriman.gov/uploads/files/4915/Item-4.1.pdf>

Planner Howa showed the vicinity map. The proposal was for a Planned Center Sign. The proposal has two different location options, one on-site and one off-site for signage. The Planned Center sign is 12'x16'x3' and 192 square feet and will be internally illuminated. The on-site location would comply with the city ordinance. The off-site location would require approval from the City Council

and require a rezone of that property. The off-site location allows for better street view. The sign meets zoning standards. Engineering has no concern regarding the on-site location. If it is approved for the off-site it will be determined based on engineering requirements and Council's approval. Staff recommends approval with conditions.

Applicant Craig Barlow had no additional comments.

Commissioner Jacobson moved to approve item 4.1 Consideration of approval for a Conditional Use of a Planned Center Sign located at 12488 S Rosecrest Road in the C-2 Commercial Zone with staff's recommendations. 1. Receive and agree to all recommendations from other agencies. 2. The Planned Center Sign shall maintain a 2-foot setback from all property lines and shall not exceed a height of 16 feet above sidewalk grade. 3. If the City agrees to allow the placement of a Planned Center Sign on City property located at 5651 W Herriman Boulevard, the following additional conditions must be satisfied: a. With the City's consent, the applicant must apply for and obtain a Zoning Map Amendment for the property from A-1-43 Single Family Agricultural to C-2 Commercial. b. The revocable encroachment agreement shall contain a fully bonded maintenance agreement and stipulate that all costs associated with any request to remove or relocate the sign shall be at the owner's expense, regardless of the purpose or reason of the request. 4. The Planned Center Sign shall not be placed within the "clear view zone" of any drive approach or street intersection.

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>
<i>Commissioner Andrea Bradford</i>	<i>Aye</i>
<i>Alternate Commissioner Forest Sickles</i>	<i>Aye</i>
<i>Alternate Preston Oberg</i>	<i>not voting</i>
<i>Alternate Terrah Anderson</i>	<i>not voting</i>

The motion passed unanimously.

5. 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.

- 5.1. Review and consider a proposed fourth amendment to the Rosecrest Amended and Restated Master Development Agreement (ARMDA) to reduce the project acreage from ±1,082.12 to ±254.6, and reduce the maximum dwelling units from 4,288 to 321, which is an average gross density of ±1.26 dwelling units per acre, for property located approximately at 15310 S Mountain View Corridor Highway and zoned R-2-15 Multi Family Residential, R-1-15 Single Family Residential, and FR-2.5 Forestry Recreation. (Public Hearing)**

Applicant: Charles Anderson, Manager, South Bench Investments, LLC (property owner)
Acres: ±254.6 acre

File No: M2024-111

<https://www.herriman.gov/uploads/files/4917/Item-5.1.pdf>

Planning Director Maloy remarked these developments have been presented multiple times prior to this meeting. The subject property map was shown. This is a reduced area for the Rosecrest Amended and Restated Master Development Agreement (ARMDA). The land reduction map was shown. The proposal reduced the acres by 254.6 acres and the residential dwelling units will be reduced to 321 units. This will amend the land use plan and modify the terms for “Open Space” dedication, in the past it was natural space, water shed, and improved park space. The amendment states they have satisfied the terms of their agreement for open space in previously developed parks. It maintains the design standards and the expiration date in the current agreement. The reduced land use plan was shown. Staff recommends sending a positive recommendation to City Council.

Applicant Charles Anderson noted it was great presentation.

Chair Powell opened the public hearing.

No comments were offered.

Commissioner Garcia moved to close the public hearing, Seconded by Commissioner Sickles and all voted Aye.

Commissioner Garcia proffered Assistant City Manager Thomas for her thoughts on the open space. Manager Thomas related the city will be updating the Parks, Trails and Open Spaces (PTOS) Master Plan next year. They have been working with the developers in this area. They want trails, trailheads, and unique parks. The PIDs and ongoing maintenance have changed their thoughts on ways the city spends its money. They don't want a lot of fields we can't use but also know these are not going to be football fields with the topography.

Commissioner Ferguson moved to forward a positive recommendation of approval to City Council of item 5.1 Review and consider a proposed fourth amendment to the Rosecrest Amended and Restated Master Development Agreement (ARMDA) to reduce the project acreage from ±1,082.12 to ±254.6, and reduce the maximum dwelling units from 4,288 to 321, which is an average gross density of ±1.26 dwelling units per acre, for property located approximately at 15310 S Mountain View Corridor Highway and zoned R-2-15 Multi Family Residential, R-1-15 Single Family Residential, and FR-2.5 Forestry Recreation.

Commissioner Rypien 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	Aye
Alternate Preston Oberg	Not Voting
Alternate Terrah Anderson	Not Voting

The motion passed unanimously.

5.2. Review and consider a proposed General Plan Amendment to align the Herriman City Future Land Use Map with the Panorama Master Development Agreement and facilitate the development of ±1,716 dwelling units on ±330.3 acres of vacant property, including ±36.8 acres of commercial uses, located approximately at 15202 S Mountain View Corridor Highway. (Public Hearing)

Applicant: Chase Andrizzi, DAI Utah (authorized agent)

Acres: ±330.3 acres

File No: G2024-006

<https://www.herriman.gov/uploads/files/4916/Item-5.2.pdf>

Director Maloy presented items 5.2, 5.3, and 5.4 with a single presentation with individual public hearings and motions following for each item.

Director Maloy explained the application was a new MDA known as Panorama. Some of the property came from the Rosecrest MDA. They also purchased some unentitled land to add into this agreement. The general plan and zoning map will need to be aligned with all this property. There is a disconnected island to the northeast of the corridor that is part of this project. The list of the proposal was shown and includes the completion of Juniper Crest Road to Mountain View Corridor (MVC). The development has committed to deferring the expenditure of their PTOS's as the city sees fit. The current general plan and the amended general plan maps were shown. The general plan amendment is consistent with their zoning map amendment request. They do have a hillside overlay area that limits the development of areas with a 30% or greater slopes. This has no effect on the Panorama development. The land use map and density were shown. Their design guidelines are included in the MDA. Staff recommends a positive recommendation to the City Council.

Applicant Chase Andrizzi showed the application overview of the Rosecrest, Panorama, and South Hills developments. The general plan amendment and the proposal was shown. The topography, ownership, and the backbone road layout were reviewed first to choose an appropriate zone and general plan amendment. The A-1-43 zone land was unentitled originally and will need a zone change. If you look at the number of units entitled previously in what used to be the Rosecrest MDA, we will be adding about 660 units to the area. The units will be added to the entire area not just the new land.

Chair Powell opened the public hearing.

Resident Andrea Lee reported she lives in the neighbourhood that abuts this new development. She disliked the change from open space to town homes. The area is very close to already existing town homes. The area also collects a lot of drainage water. She doesn't feel it will be beneficial to the people that already live there. The area is a weird place to put in housing away from the other

housing. She also requested the timeline for the mining to be finished in this area.

Commissioner Sickles moved to close the public hearing, Seconded by Commissioner Jacobson and all voted Aye.

Applicant Chase Andrizzi responded to the question about the timing of the mining area. Staker is one of the property owners, once it is approved it will go right through that area. As for the open space, they tried to facilitate the trails and cooperated with the Rosecrest developers to have a dedicated open space. They will not take away from the open space in this area. The drainage issues get alleviated by the development of areas. They will take away some open space access, but they have planned open space improvements to the southwest with the trails.

Commissioner Rypien sought if they reduced the commercial area. Applicant Andrizzi aired the area previously was mixed use and was not defined commercial or residential. There is now more confirmed commercial acreage since it is defined. Commissioner Powell disclosed this map shows more open space than what is in the packet. Commissioner Garcia noticed a difference in the number of units 1,716 in the presentation and the MDA shows a max in 1,630 units. Applicant Andrizzi confirmed the MDA should show a maximum of 1,716 units. Commissioner Rypien clarified the apartment next to commercial will have 158 units. Assistant Manager Thomas explained a trail will be added along those apartments with the drainage piped. There will also be a trail along MVC into Panorama Park and eventually connecting into Juniper Canyon and into the foothills. The developers have been great to work with and she believes their visions are very similar.

Commissioner Jacobson moved to forward a positive recommendation of approval to City Council of item 5.2. Review and consider a proposed General Plan Amendment to align the Herriman City Future Land Use Map with the Panorama Master Development Agreement and facilitate the development of ±1,716 dwelling units on ±330.3 acres of vacant property, including ±36.8 acres of commercial uses, located approximately at 15202 S Mountain View Corridor Highway with staff's recommendation of Approval subject to the application production accurate legal descriptions and maps for the proposed General Plan amendment before City Council review.

Commissioner Rypien 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	Aye
Alternate Preston Oberg	Not Voting
Alternate Terrah Anderson	Not Voting

The motion passed unanimously.

- 5.3. Review and consider a proposed Zoning Map Amendment to change the A-1-43 Single Family Agricultural, R-1-10 Single Family Residential R-1-15 Single Family Residential, R-2-10 Multi Family Residential, R-2-15 Multi Family Residential, R-20-43 Multi Family Residential, and MU-2 Mixed Use zoning districts to align with the Panorama Master Development Agreement and facilitate the construction of ±1,716 dwelling units on ±330.3 acres of vacant property, including ±36.8 acres of commercial uses, located approximately at 15202 S Mountain View Corridor Highway. (Public Hearing)**
Applicant: Chase Andrizzi, DAI Utah (authorized agent)
Acres: ±330.3 acres
File No: Z2024-007
<https://www.herriman.gov/uploads/files/4918/Item-5.3.pdf>

Chair Powell opened the public hearing.

No comments were offered.

Commissioner Jacobson moved to close the public hearing, Seconded by Commissioner Garcia and all voted Aye.

Commissioner Rypien moved to forward a positive recommendation of approval to City Council of item 5.3. Review and consider a proposed Zoning Map Amendment to change the A-1-43 Single Family Agricultural, R-1-10 Single Family Residential R-1-15 Single Family Residential, R-2-10 Multi Family Residential, R-2-15 Multi Family Residential, R-20-43 Multi Family Residential, and MU-2 Mixed Use zoning districts to align with the Panorama Master Development Agreement and facilitate the construction of ±1,716 dwelling units on ±330.3 acres of vacant property, including ±36.8 acres of commercial uses, located approximately at 15202 S Mountain View Corridor Highway with staff's recommendation of Approval subject to applicant producing accurate legal descriptions and maps for the proposed General Plan amendment before City Council review.

Commissioner Sickles 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	Aye
Alternate Preston Oberg	Not Voting
Alternate Terrah Anderson	Not Voting

The motion passed unanimously.

- 5.4. Review and consider a proposed Panorama Master Development Agreement to facilitate the construction of ±1,716 dwelling units and ±36.8 acres of commercial uses on ±330.3 acres of vacant property located approximately at 15202 S Mountain View Corridor**

Highway. (Public Hearing)**Applicant: Chase Andrizzi, DAI Utah (authorized agent)****Acres: ±330.3 acres****File No: M2024-008**<https://www.herriman.gov/uploads/files/4919/Item-5.4.pdf>

Chair Powell opened the public hearing.

No comments were offered.

Commissioner Jacobson moved to close the public hearing, Seconded by Commissioner Garcia and all voted Aye.

Commissioner Jacobson believes a 5th recommendation needs to be added to tie the two MDAs together for their agreements on roads and PTOS. Commissioner Rypien expressed concern with tying the MDAs together. If one doesn't perform, they will have to come back to the Commission to adjust. Commissioner Ferguson advised it is tied to the general plan so if something does go south it will come back to the City. Commissioner Sickles raised one of the major concerns is the completion of Juniper Crest Road, is there a commitment to when the roads will be finished. Applicant Andrizzi elaborated there is no commitment to finish the road in the MDA. But the road needs to be finished before they can build almost anything. The developers need it built to gain access. He has no problems adding it as a recommendation. He sought clarification as to what tying the MDAs together means to the Commission. Commissioner Jacobson exclaimed he wants the wording in both MDAs to include references to the Parks and Trails master plan. Director Maloy believes the wording in both agreements could be beefed up to stand on their own. Commissioner Jacobson clarified he is asking to clear up the references to the regional roads and parks and that it needs to be in both MDAs. He believes if it is referenced in both developments, it protects the city for the roadway and parks/trails. He requested they create an exhibit that can be referenced in both agreements. Applicant Andrizzi believed it's a reasonable request to provide before the Council sees the MDAs.

Commissioner Rypien expressed his appreciation of the coordination between the two MDAs and all the landowners. Commissioner Garcia requested legal's advice if it is typical for the MDA to auto renew after 10 years. Assistant City Attorney Brooks remarked he is not aware of the answer. He will come back with that answer before the Council reviews it. Commissioner Garcia remarked she believes it should come back to the city and both parties would review. Applicant Andrizzi responded they need to look at the size and scope of the project in consideration. They proposed what they believe it will take but are allowing for an auto renewal if they have not defaulted. If they are defaulting it would nullify the agreement.

Commissioner Jacobson moved to forward a positive recommendation of approval to City Council of item 5.4. Review and consider a proposed Panorama Master Development Agreement to facilitate the construction of ±1,716 dwelling units and ±36.8 acres of commercial uses on ±330.3 acres of vacant property located approximately at 15202 S Mountain View Corridor Highway with staff's recommendations 1. Applicants shall produce accurate legal descriptions and maps for the proposed General Plan amendment before City Council review. 2. Applicant

shall provide assurance that an alternative street and lot layout plan will be provided in the event that additional property is not acquired from the Rosecrest ARMDA. 3. The applicant shall provide assurance that the architectural review committee (ARC) process will comply with approved design guidelines and that any modifications shall be approved by the City and may require an independent party to review the proposed modifications. 4. The applicant shall work with City staff to provide a fiscal impact analysis that evaluates the anticipated cost and revenue impacts to the City. The timing of each phase of the development should be considered when preparing this analysis. Adding 3 new recommendations 1. Addressing the timely for Juniper Crest Road construction completion. 2. MDA references a regional roadway transportation plan between all of the developments in this area. 3. MDA references a trail Master Plan between all of the developments in this area.

Commissioner Garcia 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	Aye
Alternate Preston Oberg	Not Voting
Alternate Terrah Anderson	Not Voting

The motion passed unanimously.

- 5.5. Review and consider a proposed General Plan Amendment to align the Herriman City Future Land Use Map with the South Hills Master Development Agreement to facilitate the construction of ±1,306 dwelling units on ±555.3 acres of vacant property located approximately at 15590 S Mountain View Corridor Highway. (Public Hearing)**
Applicant: Craig Martin, Wasatch Commercial, LLC (authorized agent)
Acres: ±555.3 acres
File No: G2024-112
<https://www.herriman.gov/uploads/files/4920/Item-5.5.pdf>

Director Maloy presented items 5.5, 5.6, and 5.7 with a single presentation with individual public hearings and motions following for each item.

The city recently approved a 5th amendment to the South Hills MDA. The proposed amendment will be for an ARMDA. This will clean up the document, reference the current general plan, reference the current zoning map, and update the boundary changes. The subject vicinity map was shown. The proposal amendments list was shown. The general plan and zoning map changes were shown. The hillside overlay zone area affects this area. They are asking for an exception to the overlay. The community plan conceptual map was shown. The area owned by Staker was pointed out. They are clustering the units to stay out of the buffer zones of Camp Williams. This proposed plan was sent to Camp Williams. They responded today with some concerns about the zoning

amendments. The sound zone military compatibility map was shown. The map shows neutral weather conditions affecting up to 220 lots. During adverse weather conditions it will expand the very loud perceptibility area even further affecting up to 450 homes. Staff recommendations were shown. Staff recommends not removing the hillside overlay area over the entire area but keep it for any area that has natural topography that exceeds 30% slope. Due to the military concerns received today staff also suggests attaching to the MDA a real estate disclosure for homes located within military “impacted areas” in pods 12, 13, & 20. Commissioner Sickles requested the pods affected by the sound in adverse weather conditions. Manager Spencer explained it shows up to 700 homes almost all the pods are affected. Commissioner Oberg observed the maps shown tonight for the layout lots are different then then those in the packets. What’s preventing them from going back to the old map? Director Maloy informed council they will make the clean-ups with the MDA for consistency in all these agreements. These will all be in one document for the City Council’s review.

Applicant Representative Leif Smith thanked staff and adjacent developers for working together. They are open to any recommendations from the Commission. They want to be good partners. Commissioner Powell verified there was no concerns with adding a reference to a Parks, Trail Open Space Master Plan into their agreements.

Chair Powell opened the public hearing.

No comments were offered

Commissioner Jacobson moved to close the public hearing, Seconded by Commissioner Garcia and all voted Aye.

*Commissioner Jacobson moved to forward a positive recommendation of approval to City Council of item 5.5. **Review and consider a proposed General Plan Amendment to align the Herriman City Future Land Use Map with the South Hills Master Development Agreement to facilitate the construction of ±1,306 dwelling units on ±555.3 acres of vacant property located approximately at 15590 S Mountain View Corridor Highway with staff’s recommendation of approval subject to submittal of Future Land Use Plan amendment with Open Space designations (to be determined).***

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	Aye
Alternate Preston Oberg	Not Voting
Alternate Terrah Anderson	Not Voting

The motion passed unanimously.

- 5.6. Review and consider a proposed Zoning Map Amendment to change the A-1-43 Single Family Agricultural, R-1-15 Single Family Residential, R-2-15 Multi Family Residential, R-20-43 Multi Family Residential, C-2 Commercial, and MU-2 Mixed Use zoning districts and remove the Hillside Overlay Zone to align with the South Hills Amended and Restated Master Development Agreement (ARMDA) and facilitate the construction of ±1,306 residential dwelling units on ±555.3 acres of vacant property located approximately at 15590 S Mountain View Corridor Highway. (Public Hearing) Applicant: Craig Martin, Wasatch Commercial, LLC (authorized agent)**

Acres: ±555.3 acres

File No: Z2024-113

<https://www.herriman.gov/uploads/files/4921/Item-5.6.pdf>

Chair Powell opened the public hearing.

Army Compatible Use Buffer (ACUB) Coordinator for Camp Williams Ryan Becker- He appreciated working with the city and the changes the developer has made. Their concern is the proximity of the residential development to the boundary of Camp Williams. Their largest concern is the artillery live fire training. The hillside above pods 12 and 13 is what they call the 500 series firing point where artillery fires from. The map that was shown with the favourable conditions shows the sound waves and vibrations from these trainings. In unfavourable weather conditions the cloud cover and higher humidity allows the sound to carry and amplify. They realize the developer has entitlement to develop this area. They do not recommend changing the agricultural single-family zone to residential zoning and increase the density and impact of the area.

Commissioner Jacobson moved to close the public hearing, Seconded by Commissioner Garcia and all voted Aye.

Applicant Representative Leif Smith expounded he believes pods 12 and 13 are the concern. He clarified Camp Williams doesn't want the zone changed from A-1-43. They are willing to notify the property deed owner of the sound issues in the area. They are open to any suggestions from the Commission.

Commissioner Jacobson requested Coordinator Becker to return to the podium. The map of the unfavorable weather conditions was shown. He requested clarification on what homeowners in the noticeable and distinct noise area will experience. Coordinator Becker stated it is usually described as very noticeable but distant, when you hit about 120 amplitude it starts to have windows or things on the wall shake. Above 130 above is described as very noticeable, startling, and windows shaking. Based on historical data from 2019 to 2023 the training fired about 65 to 75 large caliber rounds off per year. He is unsure how many of those were fired in unfavorable weather conditions, creating further disturbance. Commissioner Rypien clarified notice is given out in advance for the affected areas. Commissioner Jacobson probed if Camp William's concern is primarily with pod 20 or with the entire development. Coordinator Becker responded they would like to add a real estate disclosure to the entire community. Their concerns are pods 12, 13, 14, 20, 21 with their noise study showing the higher decibel. Commissioner Jacobson inquired if this

development moves forward, does the camp have any guidance for any type of hardening for the buildings. Coordinator Becker reported he has not read anything on those guidelines. He's never seen this level of noise cause actual structure damage

Applicant Smith relayed the City Manager Cherpeski has forwarded some sound continuation mitigation materials that he has used in the past that they would be happy to add in those pods. Applicant Craig Martin proposed they are willing to create disclosure materials notification for anyone in the area. Coordinator Becker reflected the new state statute went in effect recently, this is the first land use notification they have received and have appreciated working through this together. The Commission agreed they wanted to keep the hillside overlay zone.

Commissioner Jacobson moved to forward a positive recommendation of approval to City Council of item 5.6. Review and consider a proposed Zoning Map Amendment to change the A-1-43 Single Family Agricultural, R-1-15 Single Family Residential, R-2-15 Multi Family Residential, R-20-43 Multi Family Residential, C-2 Commercial, and MU-2 Mixed Use zoning districts ~~and remove the Hillside Overlay Zone~~ to align with the South Hills Amended and Restated Master Development Agreement (ARMDA) and facilitate the construction of ±1,306 residential dwelling units on ±555.3 acres of vacant property located approximately at 15590 S Mountain View Corridor Highway with staff's recommendation of approval subject to maintaining the Hillside Overlay where natural topography meets or exceeds 30% slope.

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	Aye
Alternate Preston Oberg	Not Voting
Alternate Terrah Anderson	Not Voting

The motion passed unanimously.

5.7. Review and consider a proposed South Hills Amended and Restated Master Development Agreement (ARMDA) to facilitate the construction of ±1,306 residential dwelling units on ±555.3 acres of vacant property located approximately at 15590 S Mountain View Corridor Highway. (Public Hearing)

Applicant: Craig Martin, Wasatch Commercial, LLC (authorized agent)

Acres: ±555.3 acres

File No: M2024-114

<https://www.herriman.gov/uploads/files/4922/Item-5.7.pdf>

Chair Powell opened the public hearing.

Commissioner Jacobson referenced the previous public comments from Coordinator Becker are

also applicable to this item.

Commissioner Jacobson moved to close the public hearing, Seconded by Commissioner Rypien and all voted Aye.

Commissioner Garcia raised the question if clustering is allowed in that zone. Director Maloy reviewed the old zone does not allow it, but the new zone just recommended for approval does allow the clustering. Commissioner Rypien suggested adding a recommendation to require materials to help minimize the noise and notify the homeowners. The Commission debated requiring noise reducing building materials, notifications, plat disclaimers, and the effects of owning a home in the area the military deems incompatible. Discussion of how often the military does sound studies, and how they are calculated ensued. Applicant Martin pointed out we live in a world full of loud noises.

*Commissioner Jacobson moved to forward a positive recommendation of approval to City Council of item 5.7. **Review and consider a proposed South Hills Amended and Restated Master Development Agreement (ARMDA) to facilitate the construction of ±1,306 residential dwelling units on ±555.3 acres of vacant property located approximately at 15590 S Mountain View Corridor Highway with staff's recommendations approval subject to (1) minor revisions to numerical values and exhibits to ensure accuracy and consistency within the agreement and (2) requirement for real estate disclosures for homes located within military "impacted areas" in PODs 12, 13, & 20.** With three additional requirements. 1. A reference to the regional roadway transportation plan between all the developments in this area added to the MDA. 2. The MDA references a trail Master Plan between all the developments in this area. 3. Developer works with Camp Williams and staff to create a sound overlay area to address the yellow and purple area in their sound impact study in the worst conditions for the yellow area to add signage and plat requirements, for the purple area to add signage, plat requirements, and develop a reasonable Sound Transmission Class (STC) rating for that structure.*

Commissioner Rypien 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>
<i>Commissioner Andrea Bradford</i>	<i>Aye</i>
<i>Alternate Commissioner Forest Sickles</i>	<i>Aye</i>
<i>Alternate Preston Oberg</i>	<i>Not Voting</i>
<i>Alternate Terrah Anderson</i>	<i>Not Voting</i>

The motion passed unanimously.

6. Chair and Commission Comments

7. Future Meetings

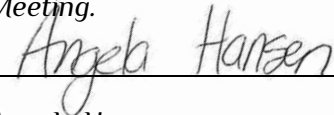
7.1. Next City Council Meeting: October 9, 2024

7.2. Next Planning Commission Meeting: October 16, 2024

8. Adjournment

Commissioner Jacobson moved to adjourn the meeting at 9:04 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 October 02, 2024. This document constitutes the official minutes for the Herriman City Planning Commission Meeting.



Angela Hansen

Deputy City Recorder