



HERRIMAN CITY PLANNING COMMISSION MEETING MINUTES

Thursday, April 16, 2015

Approved May 7, 2015

6:06:38 PM 6:00 P.M. ~ Work Meeting (Open to the Public)

Attendance

Planning Commission Members:

Blayde Hamilton
Wayne Hill
Adam Jacobson
Jessica Morton
Robyn Shakespear
Clint Smith

Council Members:

Coralee Wessman-Moser, Mike Day, Matt Robinson, Mayor Freeman

City Staff:

Bryn McCarty, City Planner
Sandra Llewellyn, Planning Administrative Coordinator
Heather Upshaw, Planner III
Cindy Quick; Deputy Recorder
Augusto Robles, Engineering
John Brems, City Attorney

Guests:

Please see the attendance sign in sheet.

Planner, Bryn McCarty held a brief discussion regarding the Deep Lot Policy which was borrowed from the county. She explained that she would like to rewrite the policy and the ordinance. It has been removed from the website for the time being. Bryn informed the commission the staff is working on moving the density ranges to the zones along with a description of how to obtain higher density as they requested. This will be discussed further at the next work meeting. She reported that the PUD had been taken out of the FR zones. She would also like to remove the clustering of lots and planning commission concurred.

Planner, Bryn McCarty reviewed the agenda. Item 2.3 will be continued. She reminded them to leave the public hearing open. Item 2.1 and 2.2 will be discussed together. The applicant did distribute half acres throughout the subdivision. The overall density is 2.17. The applicant previously proposed 100 lots and will now propose 97 lots. A discussion about future lots took place. The lots discussed have current home owners. A discussion about tying the lots to a certain amount of homes took place. John Brems, City Attorney suggested that the city require a bond for the paving of 6600 West and put a development agreement in place on the whole parcel. The development agreement would deal with the concept of curb and gutter on that piece. The applicant wants the paving requirement to be tied to the last phase. Bryn McCarty, Planner suggested tying it to a number of lots. John Brems, City Attorney voiced the idea that the paving of 6600 West would be required after the completion of no more than 35 building permits. Item 2.3 is being continued. Item 2.4 is on the corner of 7300 and McCuiston. The applicant requested that the lots now face McCuiston.

McCuiston is currently not paved and that would be a requirement. The applicant was unable to be reached and will be hearing that requirement tonight. Item 2.5 will be the commercial design criteria. Heather Upshaw, Planner III briefly reviewed the proposed changes. This is on for a public hearing.

Meeting adjourned at [6:59:42 PM](#)



[7:06:50 PM](#) 7:00 P.M. ~ Regular Planning Commission Meeting

Attendance

Planning Commission Members:

Blayde Hamilton
Wayne Hill
Adam Jacobson
Jessica Morton
Robyn Shakespear
Clint Smith

Council Members:

Coralee Wessman-Moser, Mayor Freeman

City Staff:

Bryn McCarty, City Planner
Sandra Llewellyn, Planning Administrative Coordinator
Heather Upshaw, Planner III
Cindy Quick; Deputy Recorder
Blake Thomas, City Engineer
Augusto Robles, Engineering
John Brems, City Attorney

Guests:

Please see the attendance sign in sheet.

1. GENERAL BUSINESS:

Chair Smith welcomed those in attendance.

- 1.1 [7:07:17 PM](#) Reverence / Thought: [Jordan Taylor](#)
- 1.2 [7:07:38 PM](#) Pledge of Allegiance: [Sherrie Ricks](#)
- 1.3 [7:08:11 PM](#) Roll call: [Full Quorum, Chris Berbert, Wade Thompson and Jeramy Burkinshaw absent](#)
- 1.4 [7:08:20 PM](#) Approval of Minutes for: [April 2, 2015](#)

Commissioner Wayne Hill **MOVED** to approve the minutes for April 2, 2015.

Commissioner Jessica Morton **SECONDED** the motion.

Chair Smith asked for a vote. The vote was as follows:

Commissioner Jessica Morton	Yes
Commissioner Blayde Hamilton	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Wayne Hill	Yes
Commissioner Adam Jacobson	Yes

Vote passed.
Motion carried.

Chair Smith reported that Item 2.3 Bach Investments will be continued. The public hearing will take place and comments received but the item will be continued. He then reviewed the public comment policy and procedure.

2. **REGULAR AGENDA:**

- 2.1 [7:10:19 PM](#) **20S14** – RDM Land & Development – 6769 W 14600 S – Proposed Subdivision of Single Family Lots (The Ridge at Herriman Phase 1) – Zone: A-.25 – Acres: 32.38 Units: 75 (Public Hearing was held February 19, 2015 and March 19, 2015)

Chair Smith explained that item 2.1 and 2.2 are tied together so they will be discussed together.

City Planner, Bryn McCarty oriented the commission with site plans, aerial maps and other images prepared. She reported that half acres have been dispersed throughout the subdivision instead of just along the edge. There are 97 units in this development. There had been a discussion about paving 6600 West.

Chair Smith asked Planner McCarty to confirm that a trail will also be constructed along 6600 West. She confirmed that park impact fees and a fee in lieu will go towards a trail along 6600 West with connections from the cul-de-sacs. The connections are not easements they have been dedicated to the city.

James Horsely (applicant), 10942 S. Scotty Dr, took time to explain that the half acre lots were dispersed throughout the subdivision to parcels that are flatter which made more sense for horse property. He reported that the planning commission made a request for multiple lots sizes and they were able to incorporate that request in the plan. It was noted that there will be multiple phases in the subdivision which will take place as economy allows. He understands that the cove has set a precedent in this area and felt like this development will enhance the area. With the tearing down of some existing homes and redevelopment in the area this proposal will provide a great improvement. He asked for an approval tonight so that he can move forward.

Applicant responded to Commissioner Blayde Hamilton's question of the amount of half acre lots, there are 19; 15 outside of the existing four phases.

- 2.2 **08S15** – RDM Land & Development – 6622 W 14600 S – Proposed Subdivision of Single Family Lots (The Ridge at Herriman Phase 2) – Zone: A-.25 – Acres: 12.42 Units: 22 (PUBLIC HEARING)

[7:19:46 PM](#) Chair Smith opened the public hearing and called for any citizen who would like to speak on this item to come to the podium, fill out a comment form and state their name and address for the record.

Citizen Comments:

Scott Alden, 6968 W. Boulder Ridge Cir., felt like the builder had been working well through this process and thanked him for the changes made. He felt the traffic study did not bring into account the intersections that should have been included. He felt that the intersection at Spring Canyon and Rose Canyon, as well as, the intersection at Spring Canyon and Butterfield Parkway should have been included in the study. He'd like the traffic study enhanced. He stated that the study was done for 75 lots and not for 97. He also expressed concern about not having enough road ways in the event of a fire. He liked that the builder will pave 6600 West and would like to see that paved at the start of the development not in phase 2. He would still like a half acre lot buffer on the south side.

Martin Ricks, 14331 S. Palo Alto Dr, felt that after multiple meetings with the developer, there has not been enough movement on this development. He cited that the larger lots are all in the final phase and was concerned that would be a risk. He worried that the project would get half way through with only higher density

homes complete and the development would stop. He would like 6600 West paved at least midway through the project to alleviate traffic problems.

Tamara Jensen, 6756 W. Clear Water Dr, acknowledged that RDM has worked towards creating a better development. She explained that she was representing 10 home owners. They are most concerned with lots 16-20, they would like to see those lots larger to provide a buffer and nice transition along 14000 South.

Eric Johnson, 6708 W. Temecula Ln, he felt the traffic study should have been done on Temecula Ln instead of Palo Alto Dr. He felt the developer should develop in a way that will not degrade his home. He believes 6600 West should be a priority. He asked the planning commission to only allow the lowest density.

Shelly Parry, 14431 S. Valle Vista Dr, is worried with the size of lots in this area. The general plan calls for development to encourage estate homes in the area and she felt that estate homes are not built on quarter acre lots.

Melinda Diefenderfer, 14424 S. Valle Vista Dr., is interested in tying the paving of 6600 West to how many homes are built and requiring a bond as well as having it paved earlier in the project.

[7:34:48 PM](#) Chair Smith closed the public hearing.

Chair Smith turned time to the developer. James Horsely (applicant) felt fine about tying the paving of 6600 West to a bond.

Chair Smith turned time to the commission for further discussion. Commissioner Adam Jacobson commented on liking the layout and the mix of lot sizes. He felt that a transition from the cove to this development was needed with lots 16-19 and suggested only having three lots there instead of four. He wanted the top north east corner lot to be included in the subdivision.

Commissioner Wayne Hill agreed about the north east corner lot being included in the subdivision. He felt that they should tie the paving of 6600 West to a number of homes completed, in conjunction with when the paving would start. Chair Smith suggested including it as part of a development agreement.

Chair Smith questioned the size of the lots to the west of the development and the response was .3 - .47 which were not as big a discrepancy as he thought.

Commissioner Blayde Hamilton liked the plan and agreed with Commissioner Jacobson that the north east corner lot needs to be in the development.

Chair Smith reported that the north east parcel was not included in the overall subdivision. The commission felt that creates issues moving forward. He suggested making that parcel a single lot and part of the overall subdivision so that 3 or 4 lots aren't created on that parcel in the future. The developer has agreed to pave 6600 W and 14600 W but it wouldn't be required if it isn't part of the overall development at this time.

James Horsely (applicant) voiced acceptance of the suggestion to add the north east plot into the subdivision but only as one lot. The commission responded that they could approve it as two lots but not require it to be platted that way. James commented that making the lots bordering 14000 S larger would create very large frontages and felt like these lots already match the other lots in the immediate area.

Commissioner Blayde Hamilton commented that the developer did well to get larger lots throughout the subdivision there are no quarter acre lots on this plan. He would like the north east parcel to be two lots. Commissioner Jessica Morton would like a lot removed and Commissioner Robyn Shakespear would like a lot removed as well, to allow opportunity for estate homes.

James Horsely (applicant) expressed concern about lowering the density by removing one lot. He would like to leave the layout as it is.

Chair Smith reported that the idea of this process is to make development better and that was being accomplished with this development as they go through this process. He did recognize and appreciated that the development brings in extra properties. He report that the traffic study submitted was looked at by Herriman City Engineers and they've stated the study is adequate. He would like the fee in lieu to be looked at by city council and have them set the fee.

Commissioner Wayne Hill suggested a change in number nine to read 'provide parks and open space linked to community wide open space and trail corridors. This may be accomplished by paying a fee in lieu for a trail to be constructed along 6600 West. The fee shall be reviewed and approved by the city council.'

Chair Smith again suggested tying that to a development agreement.

Commissioner Adam Jacobson **MOVED** to approve this item and item 2.2 that they are approved contingent upon each other with staff's recommendations. He asked staff to consolidate statements for each item to be consistent as a project. He would like to have the same requirements on both items for consistency. He would like to add a new requirement to create a development agreement for the entire project which will discuss the fee in lieu for the parks as well as the 6600 West and bond requirements of 6600 West. Another requirement is that the total lots in this entire phase is 98. The Coons Subdivision can have two lots. The final plat for that phase will come back to the planning commission and that the remainder balance will come out of lot 16, 17, 18 and 19. With an additional requirement that 16 and 20 face the developer street. Timing of the development agreement required prior to recording the plat for any phase.

Commissioner Jessica Morton **SECONDED** the motion.

James Horsely (applicant) interjected that he is not okay with that recommendation. He doesn't want to lose the lot in that area and asked to be denied if the commission is not okay.

Commissioner Adam Jacobson suggested losing a lot from phase 1 and 2 and make lots 16, 17, 18 and 19 to at least .33 or larger. A discussion between Commissioner Jacobson and James Horsely (applicant) took place.

Comissioner Adam Jacoson amended his motion to state. . . .still 98 lots. Two lots counted on north east property, make lot 16, 17, 18 and 19 larger than .33 and bring the final plat back to the commission for review. Still wants 16 and 20 to face the development.

Commissioner Jessica Morton seconded the motion.

Chair Smith asked for a vote. The vote was as follows:

Commissioner Jessica Morton	Yes
Commissioner Blayde Hamilton	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Wayne Hill	Yes
Commissioner Adam Jacobson	Yes

Vote passed.

Motion carried.

- 2.3 **8:12:19 PM 03S15** – Bach Investments, LLC – 13300 S 7300 W – Proposed Subdivision of 42 Single Family Lots – Zone: A-.25 and R-1-15 – Acres: 15 – Units: 42 (PUBLIC HEARING was opened on April 2, 2015)

Chair Smith reported that this item will be continued but allowed the public hearing.

[8:12:35 PM](#) Chair Smith opened the public hearing and called for any citizen who would like to speak on this item to come to the podium, fill out a comment form and state their name and address for the record.

Citizen Comments:

None

Commissioner Jessica Morton **MOVED** to continue this item without date with the hearing still open.

Commissioner Robyn Shakespear **SECONDED** the motion.

Chair Smith asked for a vote. The vote was as follows:

Commissioner Jessica Morton	Yes
Commissioner Blayde Hamilton	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Wayne Hill	Yes
Commissioner Adam Jacobson	Yes

Vote passed.

Motion carried.

2.4 [8:13:31 PM](#) **o7S15** – Hamilton – 7271 W McCuiston – Proposed Plat Amendment – Zone: A-.25 Acres: 2.05 – Units: 2 (**PUBLIC HEARING**)

Planner, Bryn McCarty oriented the commission with a site plan and aerial map. Partial road dedication will be required along with improvements on McCuiston.

Sheldon Hamilton (applicant) asked Commissioner Blayde Hamilton to withdraw. Commissioner Hamilton explained that he has nothing to gain from this proposal. He did however agree to withdraw because the applicant requested it but confirmed that he has nothing to gain from this proposal.

[8:16:11 PM](#) Commissioner Blayde Hamilton left the stand.

Sheldon Hamilton (applicant) explained to the planning commission that he went to Salt Lake County to approve this subdivision for a five acre piece. He has now sold two pieces and the buyers have asked that those pieces be changed to front McCuiston. He asked for further explanation on what they commission was asking and whether or not they want him to dedicate more road.

Chair Smith read the requirements “dedication of 30 feet from center line of McCuiston Avenue to the city for street right of way. McCuiston Avenue shall be paved according to city standards along the entire frontage of this subdivision. Install curb, gutter and sidewalk on the public streets adjacent to the subdivision. These improvements do not need to be installed on the other side of the street.” He further explained that by changing the lot line adjustment to have the lots front McCuiston, these requirements are now in play; curb and gutter is required before development of the two lots.

[8:20:16 PM](#) Chair Smith opened the public hearing and called for any citizen who would like to speak on this item to come to the podium, fill out a comment form and state their name and address for the record.

Citizen Comments:

Marion Mott, 7225 McCuiston, would like to buy lot 105. He reported that he is not planning to build on the lot, it's going to be a horse pasture. He asked the commission if he doesn't develop the lot then would curb and gutter no longer be required. Planner, Bryn McCarty stated that curb and gutter would probably not be required if he is not developing the property because it's usually tied to a building permit and mentioned that the city council could waive the requirement.

[8:23:49 PM](#) Chair Smith closed the public hearing.

Chair Smith turned to the commission for further discussion. Planner, Bryn McCarty mentioned to the commission that curb and gutter had been tied to building permits in the past and could be a requirement here as well.

Blake Thomas, City Engineer commented that the road is not a capital development road. The triangular piece on the site map is not owned. The city would require a fee in lieu from the developer/owner before it's subdivided to cover the cost of half the road, curb, gutter and sidewalk. The money would be in the general fund to pave that road.

Marion Mott asked for clarification of the suggested requirement from Blake Thomas, City Engineer. Chair Smith explained that the owner would be required to submit a fee in lieu to the city for the paving of half the road, curb, gutter and sidewalk in front of this subdivision.

Commissioner Adam Jacobson **MOVED** approve this item with staff recommendations changing four and five to require a fee in lieu of required road improvements prior to recorded plat.

Commissioner Wayne Hill **SECONDED** the motion.

Chair Smith asked for a vote. The vote was as follows:

Commissioner Jessica Morton	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Wayne Hill	Yes
Commissioner Adam Jacobson	Yes

Vote passed.

Motion carried.

[8:29:39 PM](#) Commissioner Blayde Hamilton returned.

2.5 [8:29:45 PM](#) **o8Z15** – Herriman City – Text Change to add Design Criteria to the Commercial/Manufacturing Zones (**PUBLIC HEARING**)

Commissioner Blayde Hamilton stated that he will not recuse himself from any of Sheldon's future proposals because he has nothing to gain. He commented that his is an honest man and will do his best to vote in an honest way.

Planner, Bryn McCarty explained that this change will clean up the commercial design criteria ordinance. She reviewed the changes made. There was added vegetation next to utility boxes, color changes along the elevation, 35% requirement for brick or stone and the remainder of stucco 20%. Also added franchises to the C1 and M1 zones all required with the same criteria.

[8:33:02 PM](#) Chair Smith opened the public hearing and called for any citizen who would like to speak on this item to come to the podium, fill out a comment form and state their name and address for the record.

Citizen Comments:

None

[8:33:15 PM](#) Chair Smith closed the public hearing.

Chair Smith turned to commission for discussion. Commissioner Robyn Shakespear suggested 40% requirement of brick or stone. Commissioner Adam Jacobson questioned the landscaping requirement, as well as the 20% stucco requirement. He suggested tying the 40% decorative brick or stone to something that is not

support structure and the balance of the wall shall be a minimum of two or more materials (not including windows). Planner Bryn McCarty reviewed what was discussed amongst the planning commission and suggested the text change should read, 'shall be constructed with a minimum 40% brick or stone which is not part of the support structure. The balance of the wall shall consist of a minimum of two other materials consisting of where she'll list examples.

Commissioner Wayne Hill questioned letter V.- he felt it shouldn't be national. He suggested the removal of the statements before the colon in that section.

Commissioner Wayne Hill **MOVED** to approve this item with all recommendations included in discussion (shall be constructed with a minimum 40% brick or stone which is not part of the support structure. The balance of the wall shall consist of a minimum of two other materials and that the removal of verbiage before the colon on letter "v.") and a recommendation to the city council.

Commissioner Jessica Morton **SECONDED** the motion.

Chair Smith asked for a vote. The vote was as follows:

Commissioner Jessica Morton	Yes
Commissioner Blayde Hamilton	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Wayne Hill	Yes
Commissioner Adam Jacobson	Yes

Vote passed.

Motion carried.

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

[8:47:20 PM](#) None

4. **ADJOURNMENT:**

Chair Clint Smith called for a motion to adjourn.

Commissioner Jessica Morton **MOVED** to adjourn the meeting.

Commissioner Robyn Shakespear **SECONDED** the motion.

The voting was unanimous.

Motion carried.

The meeting adjourned at [8:47:58 PM](#) .

5. **FUTURE MEETINGS:**

5.1 City Council Meeting - Wednesday, **April 22, 2015** @ 7:00 PM

5.2 Joint City Council/Planning Commission Work Meeting – Thursday, **April 30, 2015**
@ 6:00 PM

5.3 Next Planning Commission Meeting - Thursday, **May 7, 2015** @ 7:00 PM

I, Cindy Quick, Deputy Recorder of Herriman City hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on April 16, 2015. This document constitutes the official minutes for the Herriman City Planning Commission Meeting.



Cindy Quick, CMC
Deputy Recorder