



HERRIMAN CITY PLANNING COMMISSION MEETING MINUTES

Thursday, September 17, 2015

Approved October 1, 2015

6:06:48 PM 6:00 P.M. ~ Work Meeting (Open to the Public)

Attendance

Planning Commission Members:

Chris Berbert
Jeremy Burkinshaw
Blayde Hamilton
Adam Jacobson
Robyn Shakespear
Clint Smith
Wade Thompson

Council Members:

Coralee Wessman-Moser and Mayor Freeman

City Staff:

Bryn McCarty, City Planner
Heather Upshaw, Senior Planner
Gordon Haight, Assistant City Manager
Blake Thomas, City Engineer
Jonathan Bowers, Assistant City Engineer
John Brems, City Attorney

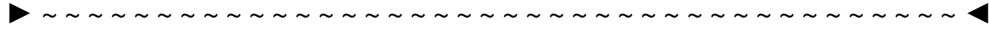
Guests:

Please see the attendance sign in sheet.

Discussion of Upcoming Text Changes. City Planner, Bryn McCarty reported that the text change on the agenda would be for flag lots. Council should approve the landscaping and curb and gutter text changes at their next meeting. The text changes coming up will be parking and sign ordinances.

Review of Agenda Items. Item 2.1 no further explanation needed – it is ready. Item 2.2 is for monopole. Staff did not receive anything further. Item 2.3 is for Rosecrest Village grass clarification for decision. A brief discussion about the applicant holding a bond for the landscaping took place. Item 2.4 is for the CCR's of The Range Subdivision. Changes made to the CCR's were for brick and stone to 30%. The elevations will need to vary every third home. Item 2.5 is for a 3000 sf detached garage. Commission was concerned about the outside of the building matching the home and wondered which way the garage would be facing. Staff heard from one neighbor saying they had no problems with the proposal. Item 2.6 are for storage units. The requirement was for the building to border the property line and there is nowhere for the water to go. Blake Thomas, City Engineer explained that the applicant has tried to work with the neighbor and they have been uncooperative. Applicant will pull building five feet from the property line and will landscape with decorative rock for drainage. Item 2.7 Henrickson, 3 single family lots. Neighboring property owner wants a fence along the property line. The text change for Flag Lots was borrowed from Taylorsville. Items discussed were

minimum driveway width of 20 feet and maximum length 220, size of each lot, public right of way vs. private street, 6:53:24



[6:59:26 PM](#) 7:00 P.M. ~ Regular Planning Commission Meeting

Attendance

Planning Commission Members:

Chris Berbert
Jeremy Burkinshaw
Blayde Hamilton
Adam Jacobson
Robyn Shakespear
Clint Smith
Wade Thompson

Council Members:

Coralee Wessman-Moser and Mayor Freeman

City Staff:

Bryn McCarty, City Planner
Heather Upshaw, Senior Planner
Cindy Quick; Deputy Recorder
Gordon Haight, Assistant City Manager
Blake Thomas, City Engineer
Jonathan Bowers, Assistant City Engineer
John Brems, City Attorney

Guests:

Please see the attendance sign in sheet.

[6:59:44 PM](#) 7:00 P.M. ~ Regular Planning Commission Meeting

1. GENERAL BUSINESS:

Chair Smith welcomed those in attendance.

1.1 [7:00:00 PM](#) Reverence / Thought: [Gordon Haight](#)

1.2 [7:00:37 PM](#) Pledge of Allegiance: [Justin Dansie](#)

1.3 [7:01:12 PM](#) Roll call: [Full Quorum, Jessica Morton absent](#)

1.4 [7:01:20 PM](#) Approval of Minutes for: [September 3, 2015](#)

Commissioner Chris Berbert **MOVED** to approve the minutes for September 3, 2015

Commissioner Jeramy Burkinshaw **SECONDED** the motion.

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

Commissioner Blayde Hamilton Yes

Commissioner Robyn Shakespear Yes

Commissioner Jeramy Burkinshaw Yes

Commissioner Adam Jacobson Yes

Commissioner Chris Berbert Yes

Vote passed.

Motion carried.

2. **Administrative Items:**

Administrative items are reviewed based on standards outlined in the ordinance. Public comment is taken on relevant and credible evidence regarding the application's compliance with the ordinance.

Chair Smith reviewed the public comment policy and procedure.

2.1 7:03:02 PM **02P15** – Demie – 13727 S Rocky Point Drive – Reasonable Accommodation for a Residential Recovery Facility – Zone: A-1 – Acres: 1.4

City Planner, Bryn McCarty reminded the commission that this has been on the agenda for several weeks now and there has been a written decision.

Chair Smith reported that there is a written decision prepared tonight for action and asked if planning commission had a chance to review it and if there is anything further.

Commissioner Adam Jacobson **MOVED** to deny the item in accordance with the written decision.

Commissioner Jeramy Burkinshaw **SECONDED** the motion.

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

Commissioner Blayde Hamilton Yes

Commissioner Robyn Shakespear Yes

Commissioner Jeramy Burkinshaw Yes

Commissioner Adam Jacobson Yes

Commissioner Chris Berbert Yes

Vote passed.

Motion carried.

Chair Smith took time to sign copies of the written decision and provided the written decision to the applicant.

2.2 7:06:02 PM **25C15** – Verizon Wireless – 11917 S Mustang Trail Way – Proposed Monopole (Communication Facility) – Zone: R-2-10 – Acres: 0.018

City Planner, Bryn McCarty explained that the applicant was asked to provide stealth options for the monopole. Staff did not receive anything new from the applicant. The applicant was not present.

Commissioner Chris Berbert **MOVED** to continue the item without date.

Commissioner Blayde Hamilton **SECONDED** the motion.

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

Commissioner Blayde Hamilton	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Jeramy Burkinshaw	Yes
Commissioner Adam Jacobson	Yes
Commissioner Chris Berbert	Yes

Vote passed.

Motion carried.

2.3 [7:07:50 PM](#) **17C05-03** – DR Horton – 5200 W Armada Way – Clarification on Condition of Approval for the Amendment to Rosecrest Village Plat 3 – Zone: R-M

Chair Smith acknowledged a comment form that was provided he reported that there will be no public comment tonight and hoped that the questions would be answered.

City Planner, Bryn McCarty explained that there was a condition that grass would be installed along the trail.

Blake Thomas, City Engineer presented pictures to illustrate where the trail is located and where the grass should be installed. The landscaping is currently along the owner property line only. He showed pictures of sloped areas that were landscaped and some that were not. He mentioned that Herriman City Park Manager requested that a foot buffer be kept to allow for snow plowing. Mr. Thomas reiterated that the agreement was to landscape the portion described along the trail. Chair Smith questioned if there were any areas that could not be landscaped. The response was no and reminded of the one foot buffer and requested that the area landscaped with a rock wall be left.

Commissioner Adam Jacobson commented that he had opportunity to listen to the audio for that meeting and felt it was very clear that it would be installed to the trail and that the grass would be provided by the developer and other entities would install the area. Sprinklers would be installed as well. Commissioner Chris Berbert agreed and added that sprinklers would be installed to adequately cover sod to be installed. Commissioner Jeramy Burkinshaw added that sprinklers would be expected to be installed to keep the grass growing. Commissioner Blayde Hamilton commented that the motion stated that if the applicant received extra density they would add the grass.

Commissioner Jeramy Burkinshaw **MOVED** to clarify approval for the item that sod and a sprinkling system needs to be extended within one foot of the trail along the back of the fence line from Rosecrest Road to the furthest south property line (to the rip rap/rocks). Work with Herriman City Engineering on proper bonding amounts. He reiterated that it would include both city owned and private owned land in the area.

Commissioner Adam Jacobson **SECONDED** the motion.

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

Commissioner Blayde Hamilton	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Jeramy Burkinshaw	Yes
Commissioner Adam Jacobson	Yes
Commissioner Chris Berbert	Yes

Vote passed.

Motion carried.

2.4 [7:20:41 PM](#) [14S13](#) – Kehl Homes – 7530 W 13600 S – Proposed CCR’s for The Range Subdivision Zone: A-.25

City Planner, Bryn McCarty reported that commission approved the subdivision a couple of years ago and the item is on for CCR’s. Typical requirements staff noticed that the percentage of stucco, brick or stone has been changed to 30%.

Chair Smith turned time over to the commission for further discussion. He commented that the percentage of the brick should be consistent with the current ordinance. Commissioner Blayde Hamilton added that the elevations should vary every third house and across the street. Commissioner Robyn Shakespear added that brick and stone should be at 40%.

Commissioner Chris Berbert **MOVED** to approve this item with staff recommendations with one additional requirement for elevations that the elevations have to change or cannot be the same within every three houses or across the street.

Commissioner Blayde Hamilton **SECONDED** the motion.

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

Commissioner Blayde Hamilton	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Jeramy Burkinshaw	Yes
Commissioner Adam Jacobson	Yes
Commissioner Chris Berbert	Yes

Vote passed.

Motion carried.

2.5 [7:25:35 PM](#) [28C15](#) – Butterfield – 6257 W 13100 S – Proposed 3000 SF Detached Garage Zone: A-.25 – Acres: 1

City Planner, Bryn McCarty applicant has an acre and would like to have a 3000 sf detached garage. Pictures of the home and a site plan were shown to outline placement of the garage. No elevations have been provided. Applicant was not present.

Commissioner Blayde Hamilton **MOVED** to continue without date.

Commissioner Chris Berbert **SECONDED** the motion.

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

Commissioner Blayde Hamilton	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Jeramy Burkinshaw	Yes
Commissioner Adam Jacobson	Yes
Commissioner Chris Berbert	Yes

Vote passed.

Motion carried.

2.6 [7:27:53 PM](#) [01C12](#) – Dansie – 7375 W Uone Eleven Hwy – Proposed Amendment to an Approved Condition for Storage Units – Zone: C-1 – Acres: 2.09

City Planner, Bryn McCarty advised that the storage units were approved a couple of years ago and one

condition was that the building would sit on the property line to form a wall next to the adjacent property. Engineering had an issue where there was no where for the water to drain. She showed a site plan showing placement of the building and decorative rock. Set back five feet.

Justin Dansie, 13270 S. Cocomo Ct, clarified that the neighboring property on the west was not cooperating with any offers and he has had to move the buildings back five feet to collect their rain water drainage. He will provide a weed barrier and decorative rock on the two sides to make it look nice.

Blake Thomas, City Engineer explained that this solution seemed to be the most economical and workable solution with the neighboring properties. He further added that he did not want the neighboring water coming into the storage units causing problems for the tenant in the future.

Chair Smith appreciated the clarification. Commissioner Blayde Hamilton voiced concern as to why the neighbor isn't being required to take care of his own water drainage.

Mr. Dansie added a concern of that as well. He requested that the owner should install their own fence. Commissioner Blayde Hamilton explained that if the neighboring owner does subdivide then they will need to install the fence.

Commissioner Chris Berbert **MOVED** to approve the item with staff recommendations and to clarify that the weed barrier is placed under the rock on the west and south side.

Commissioner Robyn Shakespear **SECONDED** the motion.

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

Commissioner Blayde Hamilton	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Jeremy Burkinshaw	Yes
Commissioner Adam Jacobson	Yes
Commissioner Chris Berbert	Yes

Vote passed.

Motion carried.

2.7 [7:35:30 PM](#) **23S15** – Hendrickson – 14000 S 7300 W – Proposed Subdivision for 3 Single Family Lots – Zone: A-.25 – Acres: 2.31 (PUBLIC HEARING)

City Planner, Bryn McCarty oriented the commission with aerial maps and site plans. The proposal was for three large lots next to the Prairie Oaks Subdivision and a park. It was mentioned that the fence line doesn't border the property line. There were no requirements for fencing, however, the neighboring property owner was concerned with fencing because they have animals. She mentioned that circular driveways are encouraged for these properties where their driveways will be on a collector road.

Commissioners questioned the fencing requirements for the park and the Prairie Oaks subdivision; response was that there was a requirement to fence that subdivision and the park. Chair Smith questioned the existing building on the neighboring property because it was very close to the property line.

Marv Hendrickson (applicant), 4914 Ester Circle, he reported that each lot has a frontage of 122 feet and the lots have animal rights.

[7:40:14 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:

Joseph Ohrn, 13892 S 7300 W, was concerned with the fencing because of his horses. He noted that his fence does not follow the property line and currently goes into the neighboring property. He was concerned about the fence along the road back to his property as well.

[7:42:26 PM](#) Chair Smith closed the public hearing.

Chair Smith turned time to commissoin for further discussion.

City Planner, Bryn McCarty explained that fencing was not required because of the animal uses. However, due to the property line issue the fence may need to be moved.

Commissioner Blayde Hamilton felt that the neighboring fence for the horses should be maintained by the neighbor and felt that there should be a six foot vinyl fence should be installed around the subdivision. Chair Smith agreed with Commisisoner Hamilton. Planner McCarty felt concern with the fencing requirement here due to the use of each lot and a brief discussion ensued. Commissioner Adam Jacobson felt that a six foot, vinyl fence should be a standard requirement for a subdivision.

Commissioner Adam Jacobson **MOVED** to approve the item with staff's four requirements and an addition of a fifth requirement to have a six foot, solid, vinyl fence on the west and north side of the property lines.

Commissioner Blayde Hamilton **SECONDED** the motion.

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

Commissioner Blayde Hamilton	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Jeremy Burkinshaw	Yes
Commissioner Adam Jacobson	Yes
Commissioner Chris Berbert	Yes

Vote passed.

Motion carried.

3. **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.

3.1 [7:49:45 PM](#) **21Z15** – Herriman City – Text Change to Chapter 10-19-10, Lots on a Private Right of Way (PUBLIC HEARING)

City Planner, Bryn McCarty explained that the ordinance is for flag lots. She briefly reviewed the verbiage for the ordinance pointing out flag lots being on a public street or private street. She noted the maximum length of the driveway and the square footage including or not including the driveway, that no more than one lot would be serviced by the driveway and no multi-family allowed for a flag lot. Planner McCarty was looking for comments and direction from the commission and will then bring the item back in a couple of weeks.

[7:52:00 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

[7:52:23 PM](#) Chair Smith closed the public hearing.

Turned time to the commission for further discussion. Commissioner Adam Jacobson commented about it needing to be on a public street. He felt concern allowing larger developments the ability to have a flag lot in a new development and a discussion about predevelopment size took place. Commissioner Jacobson suggested a maximum lot size for flag lots, the suggestion was five acres. Chair Clint Smith suggested defining how small the back lot of the flag lot would be and suggested a third acre (not including the staff). A discussion about the length of the staff and possible sizes for both front and back lot took place. Councilwoman Moser suggested using Fire Department instead of UFA. Commissioners do want the staff/road to be a public street not a private street. Commissioner Chris Berbert suggested that the ordinance require fencing and paving of the road. The road is required to be 20 feet with 12 feet of that road paved.

Commissioner Adam Jacobson **MOVED** to continue the item without date.

Commissioner Jeremy Burkinshaw **SECONDED** the motion.

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

Commissioner Blayde Hamilton	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Jeremy Burkinshaw	Yes
Commissioner Adam Jacobson	Yes
Commissioner Chris Berbert	Yes

Vote passed.

Motion carried.

4. **New Items of Subsequent Consideration:**

None

5. **Future Meetings:**

5.1 City Council Meeting - Wednesday, **September 23, 2015** @ 7:00 PM

5.2 Next Planning Commission Meeting - Thursday, **October 1, 2015** @ 7:00 PM

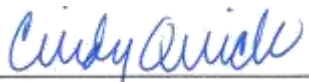
6. **ADJOURNMENT:**

Chair Clint Smith called for a motion to adjourn.

Commissioner Blayde Hamilton **MOVED** to adjourn the meeting and Commissioner Robyn Shakespear **SECONDED** the motion. The voting was unanimous. Motion carried.

The meeting adjourned at [8:12:33 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 September 17, 2015. This document constitutes the official minutes for the Herriman City Planning Commission Meeting.



Cindy Quick, CMC
Deputy Recorder