



HERRIMAN CITY PLANNING COMMISSION MEETING MINUTES

Thursday, February 18, 2016

Approved March 3, 2016

[6:03:35 PM](#) **6:00 PM - Work Meeting:** *(Front Conference Room)*

Attendance

Planning Commission Members:

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

Council Members:

Coralee Wessman-Moser

City Staff:

Bryn McCarty, City Planner
Sandra Llewellyn, Planner I
Heather Upshaw, Senior Planner
Blake Thomas, City Engineer



Rosecrest Pod 30

This development will be on the agenda in two weeks. Dave oriented the commission with the location and layout of the development. A brief discussion about the setbacks for the development took place. The average lot size is 9,500 and they are single family lots. A proposed reservoir in the development was briefly described. The overall density is 4.5 and the overall numbers for the development will be provided at the next meeting. A brief discussion about open space and parks took place.



Review of Agenda Items

2.1 – Jordan School District. Elementary school off of Herriman Parkway. The applicant will present the site, layout and building. The school will be in a subdivision.

2.2 & 2.3 – Clayton Homes. Pods 8, 5 & 6 will be presented. Buildings were turned and slid back to provide more driveways; 26 units will have driveways. The applicant and commission discussed fencing. The applicant would like to have a 4-rail fence along the trail and a six foot fence around the development. A discussion about parking in the development took place. The elevations and floor plans were discussed.

2.4, 2.5, 2.6 & 2.7 – Miller Crossing. Pods 5 & 6 have single family lots. Pods have 36 lots and 67 lots. The setbacks for both developments are going to be 15 feet to the house and 20 feet to the garage. There will be different builders for each pod. The trail along the creek was pointed out. A discussion about the direction of the homes took place.

2.8 – Johnson. The proposal was for a private road with three half acre lots. A discussion about the difference between this proposal and the flag lot proposal took place. When it's a flag lot, someone owns the driveway, the proposal was for a private road and it is not part of anybody's lot. There will be an HOA and there had to be half acre lots and without the hammer head. Staff requirements state no more than three lots off of the private road. Fencing would need to be discussed. This proposal meets the ordinance.

The items that would require public hearings were outlined.

Meeting adjourned [6:57:54 PM](#)



[7:03:29 PM](#)

7:00 PM - 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

City Staff:

Bryn McCarty, City Planner
Sandra Llewellyn, Planner I
Heather Upshaw, Senior Planner
Cindy Quick, Deputy Recorder
Blake Thomas, City Engineer

1. General Business:

Welcome

Chair Clint Smith welcomed those in attendance.

- 1.1 [7:03:51 PM](#) Invocation and Pledge
Brent Morgan offered the invocation and Mike Smith led us in the pledge.
- 1.2 [7:05:00 PM](#) Roll call:
Full Quorum
- 1.3 [7:05:09 PM](#) Approval of Minutes for: **February 4, 2016**
Commissioner Chris Berbert **MOVED** to approve the minutes for February 4, 2016.
Commissioner Robyn Shakespear **SECONDED** the motion.
The voting was unanimous.

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 applications compliance with the ordinance.

Chair Clint Smith reviewed the public comment policy and procedure.

2.1 [7:06:47 PM](#) **02P16** – Jordan School District – Anthem Park Blvd and Herriman Parkway – Proposed Elementary School – Zone: R-2-10 – Acres: 11.76

City Planner, Bryn McCarty oriented the commission with an aerial map, site plan and other images prepared. The elementary school is a permitted use. It is before the commission for site review and traffic circulation.

Scott Thomas (applicant), 7905 S Redwood Rd., was excited to provide the elementary school to help with the rapid growth and turned the time over to Boyd McAllister, BCB Architecture, 524 S 600 E, who introduced Dan Nielsen, Mike Smith and Brent Morgan. Mr. McAllister presented an aerial map and site plan to orient the commission with the location of the proposed school. The school will be Jordan School District's single story prototype. He pointed out two zones for bus loading and auto loading. Play areas and a play field / lawn area was also pointed out. A grading and utility plan was shown. The floor plan and exterior rendering was shown.

Commissioner Chris Berbert asked what the capacity for the school was. The response was up to 900 and future spots for portables were pointed out. Mr. Thomas explained that schools around this area fill up very quickly because other schools are already beyond capacity. The plan was to relieve the load on Silvercrest and Blackridge Elementary. They anticipate opening the school as a traditional school and within two years it will be a year round school with portables.

Commissioner Adam Jacobson asked how much of the road will be constructed with the school. Brent Morgan (applicant), 1000 S. 45 W. Sandy, responded that the loop road surrounding the school will be constructed as part of the development for the surrounding homes. The inside of the sidewalk will be the school districts.

City Planner, McCarty asked about the ground breaking. The response was the school will open in the fall of 2017 July or August and the ground breaking will be scheduled quickly to get the school going.

Commissioner Adam Jacobson felt concerned with approving the school without the road built yet. Chair Clint Smith added that the city engineering staff would make sure that was handled properly. He also gave thanks to the School District for going through the process when they really don't need to.

Commissioner Blayde Hamilton **MOVED** to approve the item with staff recommendations subject to the plat being recorded.

Commissioner Wade Thompson **SECONDED** the motion.

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

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

Vote passed.

Motion carried.

2.2 [7:19:36 PM](#) **02S16** – Clayton Homes, Inc – 5500 W 12100 S – Proposed Subdivision of Townhomes Zone: R-2-10 – Acres: 8.91 – Units: 100 (Public hearing was held on January 21, 2016)

City Planner, Bryn McCarty oriented the commission with an aerial map, site plan and other images prepared. She pointed out the changes made from the last layout. Buildings were shifted to allow more parking. The applicant has elevations, as well as, color and material boards. The overall layout of the development was shown and pod 8 was pointed out. A rail fence will go along the trail and Main Street will require a precast wall. She mentioned that the parking requirement has been exceeded and that there are actually 99 units due to the changes made.

John Clayton (applicant), 1623 E Woodcrest Dr., SLC, he mentioned a three rail fence along the creek and presented the color boards. Each building will be a different color and material the stucco color and stone are the same throughout but the paint color will change, making no two buildings the same.

Commissioner Chris Berbert asked about access to the trail. Mr. Clayton pointed out several areas that could connect (as many as six or seven access points). The plan is to make it accessible for everyone. There is a 20 foot wide area above the flood plain, the upper trail will be fairly flat with road base or gravel. Commissioner Blayde Hamilton reminded him that asphalt is usually required.

Commissioner Adam Jacobson voiced concern with product types C, D & E along major access roads and the safety of the residents there. Mr. Clayton responded to the concern explaining that the reason for the placement was to allow for more parking. He mentioned ways to mitigate the concern. A discussion about the units along the main road ensued. The placement of those units is of concern because there is no parking for guests. Commissioner Robyn Shakespear agreed. Chair Clint Smith agreed that there are issues in the area but did not want to dictate what type of product should be placed there. Commissioner Jeremy Burkinshaw explained that he didn't want to dictate what product type is placed there either, but he does agree that the current layout along the main road does not work and added that the proposed units do not have basements either which will just exasperate the problem.

City Planner, Bryn McCarty asked commission for clarification as to whether their concern was more to do with the parking, not the way the front doors of the units face. The response was that the concern was with parking and flow. The commission asked the applicant for clarification about parking in the area of concern. The applicant pointed out two parking spots between each unit. Commission members requested that a design be brought back with a clear description of the planned parking and flow for the development.

Commissioner Blayde Hamilton noted that staff requirement number 15 would need to change to be a 3-rail fence and number 16 needed to be an 8 foot asphalt trail. Commissioner Chris Berbert asked that number two, in the PUD requirements, be a three-rail fence and that additional direction needed to be included with number four. He suggested that the applicant provide at least a minimum of three trail connections.

Commissioner Adam Jacobson **MOVED** to continue the item, and he would like to see (a plan) come back showing all of the walk ways, trail entrances, parking areas on the plan; including the fences that were discussed and the eight foot asphalt trail. He would like to see how the units work (wants to see the public sidewalk as well as the fence and how it happens behind the fence). He would like to see the entire flow.

Commissioner Jeremy Burkinshaw **SECONDED** the motion.

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

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

Vote passed.

Motion carried.

- 2.3 [7:47:41 PM](#) **38C14-03** – Clayton Homes, Inc – 5500 W 12100 S – Final PUD Approval for 100 Townhomes – Zone: R-2-10 – Acres: 8.91 – Units: 100 (Continued from January 21, 2016)

Commissioner Adam Jacobson **MOVED** to continue with the same requirements. (he would like to see (a plan) come back showing all of the walk ways, trail entrances, parking areas on the plan; including the fences that were discussed and the eight foot asphalt trail. He would like to see how the units work (wants to see the public sidewalk as well as the fence and how it happens behind the fence). He would like to see the entire flow).

Commissioner Jeremy Burkinshaw **SECONDED** the motion.

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

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

Vote passed.

Motion carried.

- 2.4 [7:48:17 PM](#) **04S16** – Miller Crossing – 12200 S 5100 W – Proposed Subdivision of Single Family Lots Zone: R-2-10 – Acres: 8.63 – Units: 37 (PUBLIC HEARING)

Chair Smith commented that item 2.4 and 2.5 will be discussed together and that the proposal was for 36 units.

City Planner, Bryn McCarty oriented the commission with an aerial map and site plan. The single family lot layout was shown. The development will have public streets with all public standards. CCR's were approved with the original PUD. Home elevations will be brought back. Setback changes are 15 to the house and 20 to the garage.

Lynn Bowler (applicant), 7095 S 5490 W, overall approved units are 1,049 and 779 of those are west of Main Street. Currently approved 198 units and asking for 203 units with the previous application and the two tonight. That is 38% of the overall density, already approved. The open space is 39.15 acres and the anticipated open space dedication in 2016 will be 19.84 acres.

[7:53:30 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

[7:53:52 PM](#) Chair Smith closed the public hearing.

Commissioner Chris Berbert **MOVED** to approve the item and change one thing where it said units 37 to units 36.

Commissioner Wade Thompson **SECONDED** the motion.

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

Commissioner Wade Thompson	Yes
Commissioner Blayde Hamilton	Yes
Commissioner Robyn Shakespear	Yes

Commissioner Jeremy Burkinshaw	Yes
Commissioner Chris Berbert	Yes
Commissioner Adam Jacobson	Yes

Vote passed.
Motion carried.

2.5 [7:55:41 PM](#) **38C14-04** – Miller Crossing – 12200 S 5100 W – Final PUD Approval for 37 Single Family Lots – Zone: R-2-10 – Acres: 8.63 – Units: 37

Commissioner Chris Berbert **MOVED** to approve the item but with a change in item number 4a, to where there will be 20 feet to the garage and 15 feet to the house; and again just 36 units instead of 37.

Commissioner Jeremy Burkinshaw **SECONDED** the motion.

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

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

Vote passed.
Motion carried.

2.6 [7:56:38 PM](#) **05S16** – Miller Crossing – 12200 S 5100 W – Proposed Subdivision of Single Family Lots Zone: R-2-10 – Acres: 13.87 – Units: 67 (PUBLIC HEARING)

Chair Smith noted that item 2.6 and 2.7 will be discussed together.

City Planner, Bryn McCarty oriented the commission with an aerial map and site plan for the location. Plot 5 does have single family lots. There are some issues related to the creek that will need to be worked out with engineering. There will be a precast fence along Main Street. Set back changes 15 feet to the house 20 feet to the garage. The layout was shown. Building elevations will be approved through CCR's so they don't have to come back. If the commission would like to see the elevations then they will need to ask for those to come back. Commissioner Adam Jacobson asked if equestrian was defined in the ordinance. City Engineer, Blake Thomas responded that **they (the 55 and better community)** set the trail standard. It is a 20 foot wide section. There is 8 feet of asphalt and 8 feet of wrap, which is the equestrian portion.

Lynn Bowler (applicant), 7095 S 5490 W, made one suggestion that they would be happy to keep the three rail fence going through this pod as well, except for the back of the homes or only in the designated creek area. Along the back of the homes would be the six foot privacy fence.

[8:03:21 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

[8:03:32 PM](#) Chair Smith closed the public hearing.

Chair Clint Smith turned time to the commission for further discussion or action. City Planner, Bryn McCarty noted that condition number three, in the PUD, would be for the fencing along the trail if they chose to modify that. Chair Smith noted that a modification to item four would be needed for the setbacks. Commissioner Adam Jacobson requested access for certain lots and that would be number 13 on the subdivision requirements (lot 429 & 501) he would also like to require that 502, 535, 565, 566 and 567 have no rear access.

Commissioner Adam Jacobson **MOVED** to approve the item with staff recommendations with some adjustments; lot 567 shall front to the west and have no driveway access to the south and carve off a small triangle for the clear zone like we discussed; lots 567, 566 and 565 do not have access to Anthem Main Street; lot 535 does not have access to Copers Lane and also lot 530 does not have access to Copers Lane; lot 502, there is no access to the south and lot 501 must access to the north; and would like that all to be noted on the plat.

Lyn Bowler asked for clarification on the access request for lot 501. He suggested that access could be to the east, as well. Commissioner Adam Jacobson responded that he was concerned with the driveway being so close to the intersection.

Commissioner Jeramy Burkinshaw **SECONDED** the motion.

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

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

Vote passed.

Motion carried.

2.7 [8:09:02 PM](#) **38C14-05** – Miller Crossing – 12200 S 5100 W – Final PUD Approval for 67 Single Family Lots – Zone: R-2-10 – Acres: 13.87 – Units: 67

Commissioner Adam Jacobson **MOVED** to approve the item with staff's recommendations and three alterations. Item 3, that the fencing along the trail shall be six foot, tan vinyl fence, except for the portion that is against open space and the road, should be three-rail fence; modify 4a to be 20 foot set back to the garage and 15 to the building; and an additional number 8, for the elevations for this PUD to come back to the planning commission.

Commissioner Chris Berbert **SECONDED** the motion.

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

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

Vote passed.

Motion carried.

2.8 [8:10:35 PM](#) **03S16** – Johnson – 5734 W 12900 S – Proposed 3 Lot Subdivision
Zone: A-.50 – Acres: 2.23 – Units: 3 (PUBLIC HEARING)

City Planner, Bryn McCarty oriented the commission with an aerial map and site plan. The proposal was for three lots on a 25 foot private road with a hammer head. The access does meet UFA's requirements. The road will need to be paved and there will be CCR's required and recorded with a maintenance agreement for the road. The road will be signed 'no parking.' There will be a maximum of three lots with no future lots accessing the road.

Marie Pestana (applicant), 714 E Emerald Hills Drive, Bountiful UT, explained that engineering was done previously as a flag lot and some changes will need to be redone. Commissioner Jeremy Burkinshaw asked about fencing plans. The response was that there is a farm fence already there but they are looking at vinyl fencing. She mentioned that the homes sit quite a bit away from other lots and the road. She noted that there is a chain link fence along both sides of the private lane. They have no plan for fencing along the private road.

[8:15:54 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:

Charlene Johnson, 5734 W 12900 S, reported that originally the trucking company talked about putting a fence in if they put a roadway through. She stated that she saw no need for fencing because there isn't anyone around and to her, it didn't seem logical.

Amy Johnson, 4741 W Copper Mine Dr, she reported that she, her sister and brother are looking to build homes on the property. She stated that they plan to put up vinyl fencing around the homes. She reported that there is currently a fence along both sides of the the private road. It goes about half way down; along the Timothy's portion it is also chain link with privacy slats. The fencing change would need to be along Timothy's property.

[8:18:01 PM](#) Chair Smith closed the public hearing.

Chair Clint Smith turned to the commission for further discussion or action. Commisisoner Blayde Hamilton agreed with the applicant that the fence should have been taken care of with the Timothy's business and the fencing should not be a requirement for the Johnson's. Commissioner Chris Berbert felt that because they are putting in a subdivision there should be fence around the subdivision, but he saw no need for fencing along the private road. Commissioner Jeremy Burkinshaw would require the subdivision to be fenced around the lots. Commissioner Adam Jacobson wanted a requirement of vinyl fencing around the subdivision lots and along the front of a public street. He clarified that it should go up the lane and around the subdivision unless it was required along the other property. A discussion about fencing ensued with varying opinions offered.

Commissioner Jeremy Burkinshaw **MOVED** to approve the item with staff recommendations; with the addition of a ninth condition that we fence with six foot privacy fence around the perimeter of the subdivision including the lots and the private road.

Commissioner Adam Jacobson **SECONDED** the motion.

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

Commissioner Wade Thompson	No
Commissioner Blayde Hamilton	No
Commissioner Robyn Shakespear	Yes
Commissioner Jeremy Burkinshaw	Yes
Commissioner Chris Berbert	No
Commissioner Adam Jacobson	Yes
Chair Clint Smith	No

Chair Smith commented that he knows the history of the development and felt that there needed to be consistency with fencing, however, there are times for exceptions and he felt that valid arguments had been made on both sides and that this time there could be an exception made.

Vote failed.
Motion rejected.

Chair Clint Smith requested an alternate motion to provide a resolution.

Commissioner Blayde Hamilton **MOVED** to approve the item with staff recommendations.

Commissioner Wade Thompson **SECONDED** the motion.

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

Commissioner Wade Thompson	Yes
Commissioner Blayde Hamilton	Yes
Commissioner Robyn Shakespear	No
Commissioner Jeramy Burkinshaw	No
Commissioner Chris Berbert	No
Commissioner Adam Jacobson	No

Vote failed.
Motion rejected.

Commissioner Chris Berbert **MOVED** to approve the item with fencing required around the perimeter of the homes, everything but the private road. If the other development was required to put in fencing, then only the three sides would be required.

Commissioner Blayde Hamilton **SECONDED** the motion.

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

Commissioner Wade Thompson	Yes
Commissioner Blayde Hamilton	Yes
Commissioner Robyn Shakespear	No
Commissioner Jeramy Burkinshaw	No
Commissioner Chris Berbert	Yes
Commissioner Adam Jacobson	No
Chair Clint Smith	Yes

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

Commissioner Blayde Hamilton commented that issues are issues and people are people and he appreciated the process. Chair Clint Smith took time to commend the commission for the work that they do. He too appreciates the work and discussion that takes place on the commission; it's healthy and we may not always agree but that's part of the process. City Planner, Bryn McCarty was in agreement.

4. **Future Meetings:**

4.1 City Council Meeting – Wednesday, **February 24, 2016 @ 7:00 PM**

4.2 Planning Commission Meeting – Thursday, **March 3, 2016 @ 7:00 PM**

5. **ADJOURNMENT:**

Chair Clint Smith called for a motion to adjourn.

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

The meeting adjourned at 8:36:36 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 February 18, 2016. This document constitutes the official minutes for the Herriman City Planning Commission Meeting.



Cindy Quick, CMC
Deputy Recorder