



PLANNING COMMISSION MINUTES

Thursday, November 17, 2016
Approved December 1, 2016

The following are the minutes of the Planning Commission Meeting held on **Thursday, November 17, 2016 at 5:30 p.m.** in the Herriman City Community Center, 13011 South Pioneer Street (6000 West), Herriman, Utah. Adequate notice of this meeting, as required by law, was posted in the Community Center, on the City's website, and delivered to members of the Commission and media.

Presiding: Chair Clint Smith

Commission Members Present: Chris Berbert, Adam Jacobson, Curt Noble, Robyn Shakespear

Council Members Present: Mayor Carmen Freeman, Coralee Wessman-Moser

City Staff Present: City Planner Bryn McCarty, Planner I Sandra Llewellyn, Assistant City Engineer Jonathan Bowers

5:33:45 PM 5:30 PM - Closed Meeting: *(Front Conference Room)*

Chair Clint Smith opened the meeting and noted the closed session on the agenda regarding the convenience store. He reported that a request had been received to allow public comment and asked the commission whether or not they felt public comment should be allowed. He further explained that the process had been followed and a public hearing had been held. The gentlemen requesting to speak was here at the public hearing and had also turned in emails to be considered. He asked each commission member for their opinion on the matter. Commissioner Adam Jacobson felt there was no need where there had been several opportunities already and regarding a conditional use, public comment was typically not allowed. Commissioner Chris Berbert felt that if something new was going to be shared it would be okay but it sounded like statements that had already been provided and would just be rehashed. Commissioner Robyn Shakespear felt the same. Commissioner Curt Noble felt they were well versed on the concerns and there was no need to allow further comment. Chair Smith reported with the input from the commission that no additional public comment would be taken.

5:36:20 PM *Commissioner Chris Berbert MOVED to go into a closed meeting to act in a quasi-judicial capacity concerning the determination of a compatible use for a proposed convenience store/gas station located at 5566 West Main Street, Herriman Utah (file number 49C16) pursuant to the authority identified by the Utah Supreme Court in Dairy Product Services, Inc. v. City of Wellsville, 13 P.3d 581, 595 (Utah 2000).*
Commissioner Adam Jacobson SECONDED the motion.

The vote was recorded as follows:

Commissioner Chris Berbert Yes

Commissioner Adam Jacobson Yes

Commissioner Curt Noble Yes

Commissioner Robyn Shakespear Yes

The motion passed unanimously.

1. Closed Meeting

Closed session for the Planning Commission to act in a quasi-judicial capacity concerning the determination of a compatible use for a proposed convenience store/gas station located at 5566 West Main Street, Herriman Utah (file number 49C16) pursuant to the authority identified by the Utah Supreme Court in *Dairy Product Services, Inc. v. City of Wellsville*, 13 P.3d 581, 595 (Utah 2000).

Meeting Adjourned [6:24:18 PM](#)



6:00 PM - Work Meeting: *(Front Conference Room)*

1. [6:29:15 PM](#) Review of Miller Crossing Pod 8 (Clayton Homes)

City Planner Bryn McCarty reported that pod 8 was approved a few months ago and the name for the subdivision would be Summerset Villas at Miller Crossing. There had been a couple of tweaks to the plan. All of the townhomes originally faced the road and now will be moved and there will be extra driveways. The original approved plan was shown and compared to the new proposed plan. 52 driveways were approved. A spreadsheet was shared showing original and revised information. They will still be at 99 units and have more driveways and parking. Some of the units were realigned and some of the buildings were turned to meet the natural terrain. City Planner Bryn McCarty felt that the changes were all positive and wanted to be sure that the commission did not have any concerns. Commissioner Adam Jacobson would like to see one or two additional parking spots. Applicant noted that because of the weather they have decided to create a phasing for the development and build it in three phases. Phase two will beginning during the winter and by spring they should be able to finish.

City Planner Bryn McCarty reminded the commission that the entire zoning ordinance was being reviewed and that they will be reviewing the subdivision ordinance as well to combine it as one development code. Good progress was being made.

2. [6:41:28 PM](#) Review of Agenda Items

Item 2.1 – Lot Line Adjustment – the concern was with the location of the utilities. Applicant has provided further information.

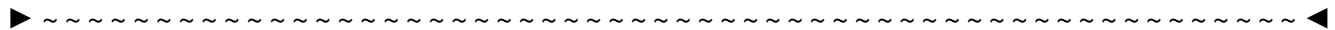
Item 2.2 – Dance Studio – the applicant sent pictures and a schedule. City Planner Bryn McCarty felt they should look at parking on the street. Chair Smith agreed but felt they should do as much as they can do to minimize the impact to the neighborhood from the business. Commissioner Curt Noble wondered about the noise and was reminded about the noise ordinance. Commissioner Adam Jacobson wondered about an additional student acting as an employee or assistant and wanted the business limited to students only. He wanted to be sure the condition matched the provided schedule. He asked staff to review the ordinance for preschools and in home businesses.

Item 2.3 & 2.4 – Wasatch South Hills – a new plan was submitted with revised elevations. The applicant was aware that the front elevations did not show front load garages. CC&R’s and design guidelines were provided to the commission. They do require 30% brick or stone on the front. Commissioner Adam Jacobson voiced concern with the driveways along 15000 South. It was reported that Academy Parkway will have a precast wall. Commissioners questioned whether or not one driveway could be used for two homes. They also felt that more detail for the amenities was needed. City Planner Bryn McCarty reminded the commission that this is a new applicant going through the process for the first time.

Item 2.5 & 2.6 – DR Horton – pod 7 – more details for the amenities in the park were provided. The applicant incorporated a traditional style in the development. Commissioner Adam Jacobson noted that the farm house style is supposed to wrap around the whole building.

Item 2.9 – Detached Garage – the ordinance was changed to allow larger garages but the commission will see this garage for the elevation. Chair Smith didn’t mind the metal building he felt that the color should match the home. City Planner Bryn McCarty felt that the ordinance may need to be adjusted to allow that type of building.

Meeting Adjourned [7:02:47 PM](#)



[7:09:18 PM](#) **7:00 PM - Regular Planning Commission Meeting:**

Presiding: Chair Clint Smith

Commission Members Present: Chris Berbert, Andrea Bradford, Adam Jacobson, Curt Noble, Robyn Shakespear

Council Members Present: Mayor Carmen Freeman, Coralee Wessman-Moser

City Staff Present: City Planner Bryn McCarty, Planner I Sandra Llewellyn, Deputy Recorder Cindy Quick, Communications Specialist Destiny Skinner, Assistant City Engineer Jonathan Bowers

1. **General Business:**

Welcome

Chair Clint Smith welcomed those in attendance.

1.1 [7:09:46 PM](#) **Invocation and Pledge**

Krisel Travis offered the invocation and Melba Taylor led us in the pledge.

1.2 [7:10:59 PM](#) **Roll call:**

Full Quorum, Andrea Bradshaw, Jeramy Burkinshaw, Jessica Morton, Wade Thompson absent

1.3 [7:11:08 PM](#) **Approval of Minutes for: November 3, 2016**

Commissioner Robyn Shakespear MOVED to approve the minutes for November 3, 2016.

Commissioner Curt Noble SECONDED the motion.

The voting was unanimous.

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 [7:12:53 PM](#) **29S16 – Argyle Homes – 7082 W Cedar Heights Dr – Proposed Subdivision Amendment for a Lot Line Adjustment – Zone: FR-1 – Acres: .71 (Public hearing held November 3, 2016)**

City Planner Bryn McCarty oriented the commission with an aerial map explaining that they are moving the lot line. The location of the existing utility boxes concerned the commissioners. An email from the property owner stated that he was fine with the location of the utilities.

Dusty Argyle (applicant), Argyle Homes, explained that they had used the wrong stake to measure the lot lines. They thought they had twelve feet but it ended up being tighter. They were requesting the adjustment to make it fair. The owner was aware of the utilities and already had a site plan for the home; the utilities will not affect the layout.

Commissioner Adam Jacobson MOVED to approve the item with staff recommendations.

Commissioner Chris Berbert SECONDED the motion.

The vote was recorded as follows:

Commissioner Chris Berbert Yes

Commissioner Adam Jacobson Yes

Commissioner Curt Noble Yes

Commissioner Robyn Shakespear Yes

The motion passed unanimously.

2.2 [7:15:15 PM](#) **58C16** – McElprang – 6349 W Dillan Circle – Proposed Home Occupation for a Dance Studio – Zone: A-25 – Acres: .23 (*Continued from November 3, 2016*)

City Planner Bryn McCarty explained that at the last meeting the commission had questions regarding, traffic, parking and schedules for classes. The applicant presented a new class schedule and provided pictures showing that six to seven cars fit in the driveway.

Teresa McElprang (applicant) felt that she complied with what was asked and was hoping to start the business.

Commissioner Adam Jacobson stated that sometimes an older student helps out with the class and he wanted to make sure that the six students would include that type of a helper. Ms. McElprang reported that she does not have student teachers.

Commissioner Adam Jacobson and Chair Smith voiced appreciation to the applicant for hearing their concerns and bringing back clarifications. Chair Smith reminded the commission that item number eight would need to be adjusted.

Commissioner Adam Jacobson MOVED to approve the item with staff recommendations with an alteration to seven to say classes are limited to six students per class including any student teachers. Adjustment to item eight to say classes to be held Monday, Tuesday, Wednesday with times submitted by the applicant. (Monday's Classes 4:45-5:45 pm, 6:00-6:45 pm and 7:00-8:30pm; Tuesday's Classes 4:45-5:45 pm and 6:00-8:00 pm; Wednesday's Classes 4:00-5:00pm and 5:15-7:15pm).

Commissioner Curt Noble SECONDED the motion.

The vote was recorded as follows:

Commissioner Chris Berbert Yes

Commissioner Adam Jacobson Yes

Commissioner Curt Noble Yes

Commissioner Robyn Shakespear Yes

The motion passed unanimously.

2.3 [7:19:51 PM](#) **30S16** – Wasatch South Hills – 3200 W 15100 S – Proposed Subdivision of 282 Units (South Hills pod 2) – Zone: R-2-10 – Acres: 37 – Units: 282 (*Public Hearing held on November 3, 2016*)

Chair Smith noted that item 2.3 and 2.4 would be discussed together.

City Planner Bryn McCarty oriented the commission with an aerial map, site plan and other images prepared to show location of the proposed subdivision. Applicant included information for driveways and elevations. All single family elevations were included in the packet. Elevation colors were shown.

Reed Dixon (applicant), Infinity Consultants, was available for questions. He introduced Todd Embry

with Century Communities who was available for architectural questions.

Commissioner Robyn Shakespear asked whether or not there was a clubhouse and a pool. Mr. Embry explained that there would be a pool with a small changing facility, however, not a full clubhouse. The changing facility would integrate the pump house and mechanical room. Chair Smith asked about park spaces and what type of amenities would be included. The response was a tot lot in the north with benches. He reported that the detention area on the east side would be great for green space. Chair Smith would like more details provided about the amenities that would be included and would like to see it as part of the conditions moving forward. Mr. Dixon added that along the park there would be an eight foot wide asphalt path. Commissioner Adam Jacobson wondered if all the units had basements. Mr. Embry's response was yes all single family and townhomes will have basements. Commissioner Jacobson requested that the applicant show the minimum distances (10 feet) between each driveway. Mr. Dixon wanted to make sure that they are considering the development along the guidelines and requirements already in the master development agreement. He reported being very involved in preparing that document and did not remember there being a requirement of 10 feet between each driveway. He explained that the units would be 24 feet wide with two car garages. Commissioner Jacobson explained that it was an engineering standard. City Planner Bryn McCarty explained that the engineering standards are attached to the development agreement. Mr. Dixon explained that the master development agreement was intended to be superior to and supersede all other city requirements. All public right of ways had a standard; all amenity requirements, trails etc. were all pre considered in that agreement. Chair Smith explained that it needed to be verified and could be adhered to. Commissioner Jacobson requested that staff verify requirements of the master development agreement. Chair Smith voiced concern with the driveways along 15000 South due to the potential of that road eventually connecting through Bluffdale. He was concerned with the townhomes facing that main road. Mr. Dixon explained that 15000 S had a 66 foot right of way and the driveways would not be directly entering travel ways. Commissioner Chris Berbert had a concern that the pool only shows three parking stalls. Mr. Embry explained that the community was created to be walkable. He asked if there was a number that they would feel better with. Mr. Berbert suggested at least eight to ten. Commissioner Jacobson explained that this will be the last time the commission sees the development and typically the commission receives the subdivision plat with dimensions. The applicant felt that he could explain it during the meeting, however, Commissioner Jacobson explained that it needs to be noted on the plat and suggested that they could work with staff to understand what needs to be provided. Mr. Dixon explained that the process was laid out in the development agreement he reported that the same process normally required would not be required here because it's already covered in the master development agreement. Chair Smith explained that the commission is required to vet that document out in the planning meeting and that the City Council puts that responsibility on them to make sure that it does comply. Commissioner Jacobson further added that the proposed plan does not meet the intent of how the commission does business. He added that the commission does not get a copy of the development agreement and all other master plan agreement subdivisions have to go through the same process. Chair Smith explained that the elevations don't show a front loaded product. The commission needs to see the product that will be built and what those elevations will look like. He also noted that many elevations do not reflect the 30% brick or

stone and asked that the front loaded product and the single family elevations to show the 30% brick or stone. Commissioner Robyn Shakespear agreed. She explained that they need to see what will be built not something similar. Commissioner Berbert requested that they number the areas to show which elevations will be put where. Mr. Embry explained that he wanted to show concepts of other products so the commission could get a feel for what their products were. These plans will be adapted to be a front loaded product and they would be happy to provide the elevation once they are completed. He stated that all elevations will include stone. Commissioner Jacobson requested a running total for density numbers which would include the open space, what has been built and what would still remain. That will need to be provided each time a development is presented. John Lindsley (applicant) asked for further clarification because he felt it was already provided on the plan. Commissioners provided further clarification and Mr. Lindsley stated that he understood the requirement. Chair Smith thanked the applicants for their patience as they all learn together. Commissioner Jacobson asked for staff to look at the driveway spacing in the development agreement to see what was required. Chair Smith asked engineering to look at the driveways facing 15000 South and provide a recommendation. Assistant City Engineer Jonathan Bowers explained that the ordinance does not make it clear whether or not you can have a driveway onto an arterial or collector. The city has encouraged that driveways do not come off of an arterial or collector road. It is not in the ordinance or in our standards. There are driveway width requirements for driveways that face an arterial that might vet the issue. He confirmed that the road was designed to be a minor collector road. Chair Smith reiterated that he would like engineering to provide a recommendation.

Commissioner Adam Jacobson MOVED to continue the item without date.

Commissioner Robyn Shakespear SECONDED the motion.

The motion passed unanimously.

- 2.4 [7:52:49 PM](#) [44C08-03](#) – Wasatch South Hills – 3200 W 15100 S – Final PUD Approval for 282 Units (South Hills pod 2) – Zone: R-2-10 – Acres: 37 (*Continued from November 3, 2016*)

Commissioner Adam Jacobson MOVED to continue the item without date.

Commissioner Robyn Shakespear SECONDED the motion.

The motion passed unanimously.

- 2.5 [7:53:14 PM](#) [31S16](#) – DR Horton – 12200 S 5100 W – Proposed Subdivision of 230 Townhome Units (Miller Crossing Pod 7) – Zone: R-2-10 – Acres: 18.38 (*Public Hearing held on November 3, 2016*)

Chair Smith noted that item 2.5 and 2.6 would be discussed together.

City Planner Bryn McCarty oriented the commission with an aerial map, site plan and other images prepared. Additional information was requested for the ally loaded units and park amenities. Plans were shown that provided the requested details. They do have CC&R's that require brick and stone. The applicant asked for an exception for a building that does not have brick or stone. Elevations were

shown.

Krisel Travis (applicant), DR Horton, felt that she did her best to provide requested information. She explained the layout and where each style was located on the plan. She reported that they added a traditional style to comply with the brick or stone requirement. Chair Clint Smith asked about the play areas. Ms. Travis pointed out the notes showing a tire swing, balancing blocks (tubes at various sizes and heights) and boulders. Chair Smith asked what type of structure the tot lot would include. The response was that a tot lot would include structured play equipment and pavilion. Commissioner Chris Berbert wondered what the material was for the farm house style. The response was a hardy board product. Commissioner Adam Jacobson questioned the rear product rendering. He wondered if the sides of the units were white and whether or not there was variation in color along the back of the units. Ms. Travis responded that the sides would be white and there would be variation in color along the back of the units. She was happy to make a condition that states the farm house elevation be four sided wrapped. She reported that there were more craftsman and traditional styles in the development than the farmhouse style. Commissioner Jacobson requested being able to see the traditional product mixed into the development. Ms. Travis explained that there are six color schemes used on any style and that they will never have the same color across the street from each other. The vimeo was shown again.

Commissioner Berbert felt the farm house style needed to be wrapped. City Planner Bryn McCarty suggested that the back of the units not be solid white. Commissioner Jacobson wanted that elevation to come back for final approval. Commissioner Noble originally was concerned deviating from the brick or stone requirement, however, he really likes the introduction of the traditional style.

Commissioner Chris Berbert MOVED to approve the item with subdivision requirements.

Commissioner Curt Noble SECONDED the motion.

The vote was recorded as follows:

Commissioner Chris Berbert Yes

Commissioner Adam Jacobson Yes

Commissioner Curt Noble Yes

Commissioner Robyn Shakespear Yes

The motion passed unanimously.

2.6 [8:14:13 PM](#) [38C14-07](#) – DR Horton – 12200 S 5100 W – Final PUD Approval of 230 Townhome Units (Miller Crossing Pod 7) – Zone: R-2-10 – Acres: 18.38 (*Continued from November 3, 2016*)

Commissioner Chris Berbert MOVED to approve the item with a change on number six in PUD requirement where the farm house style will be completely wrapped with the hardy board and they will need to bring that back for final approval on the color contrast of the elevations.

Commissioner Adam Jacobson SECONDED the motion.

The vote was recorded as follows:

Commissioner Chris Berbert Yes

Commissioner Adam Jacobson Yes

Commissioner Curt Noble Yes

Commissioner Robyn Shakespear Yes

The motion passed unanimously.

2.9 [8:15:39 PM](#) **61C16** – Taylor – 5936 W Kidd Cabin Circle – Request for an Exception to Elevations for a Detached Garage – Zone: A-50 – Acres: .57

City Planner Bryn McCarty oriented the commission with an aerial map, site plan and other images prepared. She reported the change to the ordinance for accessory buildings stating that it has to match the material and colors of the house, however, agricultural buildings can ask for an exception. Pictures of the proposed building and existing home were shown. The garage will face east and will be completely behind the rear of the home. Commissioner Adam Jacobson asked about which side shows the gable. Drawings of the garage to show the gable were provided.

Melba Taylor (applicant) explained that this was her second meeting and she appreciated the concern regarding new home construction, traffic and what will be seen from main roads. Staff sent out a notice and she also sent out pictures and drawings to her neighbors, as well, and did not receive any concerns. She described the look and feel of the proposed garage. The color will be similar to her home. She did get all waivers that were required by the city and it all came back approved. She explained that the garage will be in the back of her home and you would only be able to see the roof of the building. It will store a boat, ATV's and RV. She pointed out a building that sits by the community garden and explained that she'd like her garage to be similar to that building, however, the roof of their building would be brown instead of green.

Commissioners were fine with the exception for the elevation as long as the colors match the home. They voiced appreciation for the information provided by the applicant. They thanked her for engaging with her neighbors. Chair Smith felt that the proposed building was a good looking building and would be maintained well.

Commissioner Adam Jacobson MOVED to approve the item with adjustment to item two to say that the accessory building shall be the same color scheme, or as close as possible, to the existing home.

Commissioner Curt Noble SECONDED the motion.

The vote was recorded as follows:

Commissioner Chris Berbert Yes

Commissioner Adam Jacobson Yes

Commissioner Curt Noble Yes

Commissioner Robyn Shakespear Yes

The motion passed unanimously.

2.10 [8:27:14 PM](#) **07S16** – Rosecrest Communities, LLC – 4700 W Juniper Crest Road – Proposed Subdivision of 66 Single Family Lots – Zone: R-1-15 – Acres: 19.27

(Public Hearing held on March 3, 2016)

Chair Smith noted that item 2.10 and 2.11 would be discussed together.

City Planner Bryn McCarty oriented the commission with an aerial map, site plan and other images prepared. She reported that the Juniper Crest Road issues had been worked through. Commissioners

did not want the lots to have access on the west side. It was noted that there are design guideline requirements for the single family homes.

Matt Watson (applicant), Rosecrest Communities, provided updates for the overall numbers. Changes were made for a U shaped road instead of two cul-de-sacs. Lot averages are larger. Single family lots approved are 1,765 to date. The project would be for 66 single family lots; 2,888 lots remain; 28% open space. A 20 foot wide trail access was pointed out. A primitive trail would run along the south side of Juniper Canyon. There would be a temporary trail access along the west side which would be dedicated to the city.

Commissioner Adam Jacobson MOVED to approve the item with staff recommendations.

Commissioner Robyn Shakespear SECONDED the motion.

The vote was recorded as follows:

Commissioner Chris Berbert Yes

Commissioner Adam Jacobson Yes

Commissioner Curt Noble Yes

Commissioner Robyn Shakespear Yes

The motion passed unanimously.

2.11 [8:35:15 PM](#) [56C07-12](#) – Rosecrest Communities, LLC – 4700 W Juniper Crest Road – Final PUD Approval for 66 Single Family Lots – Zone: R-1-15 – Acres: 19.27

Commissioner Adam Jacobson MOVED to approve the item with staff recommendations.

Commissioner Curt Noble SECONDED the motion.

The vote was recorded as follows:

Commissioner Chris Berbert Yes

Commissioner Adam Jacobson Yes

Commissioner Curt Noble Yes

Commissioner Robyn Shakespear Yes

The motion passed unanimously.

2.12 [8:35:46 PM](#) [25S15-01](#) – Blomquist – 7347 W 4164 Hi Country Road – Proposed Subdivision Amendment to the Ivie’s Place Subdivision to add 2 lots for a Total of 4 Single Family Lots – Zone: A-1 – Acres: 2.12 **(Public Hearing)**

City Planner Bryn McCarty oriented the commission with an aerial map, site plan and other images prepared. She explained that the item was also on the agenda for a rezone. The property was on High Country Road (7300 W) zoned A-1 and subdivided into three lots. They would like to rezone for half acre lots with two flag lots in the back. All lots would be half acres. The site plan was shown and City Planner McCarty explained that the property would need to be rezoned first. The council will need to approve that zoning before any final motion would be done on the subdivision. She requested that the commission provide any feedback to the applicant. It was explained that the flag lot ordinance does require that each lot would own their own 20 foot driveway. She requested that they have the public hearing and continue the item. Once council makes decision on zoning it will be brought back for final decision on the subdivision. Commissioner Chris Berbert wondered if there would be a fence down the two driveways. City Planner Bryn McCarty said that a fence would technically be required. Commissioner Adam Jacobson wondered if the access was complicated. Assistant City Engineer Jonathan Bowers explained that there was a concept floating around based on development pressure but nothing was pushing that concept right now. City Planner Bryn McCarty explained that the plan was to block off the road and then it go around. Assistant City Engineer Bowers explained that he felt fine with the way it sits right now based on the information he has and that the development was not pressuring a change.

Eban Blomquist (applicant) explained that he had been trying for six to eight months to sell the one acre lots but did not have a great response. He felt that half acre lots may be more appropriate. He would like to provide extra room in between the driveways to allow people to get by, before the fence starts. He reported that he would work with staff for the fences.

[8:42:45 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 for the record.

Citizen Comments:

Scott DeHaan explained that he borders lot 203. He liked the bigger lots and was grateful for no townhomes and wondered if half acre lots would have animal rights. The response was two horses. He explained that he would be 32 feet from the lot and was concerned with smells. He proposed a masonry fence and said he could contribute to the cost. He was for the change of four lots instead of two lots. Chair Smith encouraged him to get with the applicant.

[8:44:58 PM](#) Chair Smith closed the public hearing.

Chair Smith turned time to the commission for further discussion and asked that the commission provide feedback and recommend approval or continue it. Chair Smith had no issues and felt that fencing could be discussed with staff and neighbors.

Commissioner Curt Noble MOVED to continue the item per staff recommendations without date.
Commissioner Chris Berbert SECONDED the motion.

The motion passed unanimously.

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 [8:46:52 PM](#) [27Z16](#) – Fort Herriman Crossing, LLC – 5200 W Anthem Park Blvd - Proposed Rezone of Property from MU-2 to C-2 – Acres: 21.95 (**Public Hearing**)

City Planner Bryn McCarty oriented the commission with an aerial map, site plan and other images prepared. Anthem commercial property was rezoned a couple months ago. Final approval from council was to approve half of the property while one portion did not get approved. The applicant was now ready to rezone the entire property to C-2 commercial. Commissioner Adam Jacobson asked for clarification regarding a piece of property and whether or not it was part of the rezone. City Planner McCarty stated that the rezone was for all property owned by Fort Herriman Crossing and Anthem.

[8:49:21 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 for the record.

Citizen Comments:

Mike O Rourke attended an open house and wondered if the rezone was for the same developer of that open house. City Planner McCarty confirmed that it was the same developer. The comments made by the developer in that meeting were that he wants to exchange the residential units from this MU-2 to around 400 more units. He was acting like the exchange was already a done deal. He was wondering if the proposed rezone for this property was tied to another plan and wondered if it was the area for Walmart. He did not have problem with it being a commercial area but did not want there to be additional units in the area when linked to another development.

Derek Headquist reported living in the Anthem Community and wanted the same questions answered.

[8:52:41 PM](#) Chair Smith closed the public hearing.

City Planner Bryn McCarty explained that the area will be for Walmart and it is zoned commercial. There was a portion remaining that was mixed use and was now being proposed for a rezone to commercial. There would be no density associated with the change. There was nothing submitted along with the rezone. There was no tie with the other development. Mixed use has a residential component, however, commercial does not have a residential component. There is no development agreement. She explained that the developer is asking for a development agreement to move density but it does not have anything to do with the proposed application.

Commissioner Chris Berbert MOVED to recommend approval to the city council for the item with an understanding from city planning that this does not allow density to be moved within the entire Anthem Development.

Commissioner Adam Jacobson SECONDED the motion.

The vote was recorded as follows:

Commissioner Chris Berbert Yes

Commissioner Adam Jacobson Yes

Commissioner Curt Noble Yes

Commissioner Robyn Shakespear Yes

The motion passed unanimously.

3.2 [8:57:05 PM](#) **29Z16** – Blomquist – 7347 W Hi Country Road - Proposed Rezone of Property from A-1 to A-5 – Acres: 2.12 (**Public Hearing**)

City Planner Bryn McCarty oriented the commission with an aerial map, site plan and other images prepared. The request was to rezone from A-1 to A-.5. The general plan shows the area as 1.8 to 3 units per acre so it meets the general plan.

The applicant was present and complimented staff.

[8:58:15 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 for the record.

Citizen Comments:

None

[8:58:27 PM](#) Chair Smith closed the public hearing.

Commissioner Curt Noble MOVED to recommend approval to city council for the item.

Commissioner Robyn Shakespear SECONDED the motion.

The vote was recorded as follows:

Commissioner Chris Berbert Yes

Commissioner Adam Jacobson Yes

Commissioner Curt Noble Yes

Commissioner Robyn Shakespear Yes

The motion passed unanimously.

3.3 [8:59:21 PM](#) **31Z16**–Scenic Development – 15400 S 3200 W - Proposed Rezone of Property from R-2-15 to RM and C-2 – Acres: 10.85 (**Public Hearing**)

City Planner Bryn McCarty noted that item 3.3 and 3.4 will be discussed together. She oriented the commission with an aerial map, site plan and other images prepared. There are two properties adjacent to each other; a portion would be commercial and a portion would be R-M. The density the applicant

was looking for would be 11.6 to 12 it could be given a zoning condition for townhomes. The applicant was recommending office and townhomes. It was reported that there was a large slope in the area. Commissioner Adam Jacobson questioned the ability to provide parking in the sloped area of the property. City Planner McCarty explained that there may be a lot of retaining required. The proposal will meet the new draft of the general plan. Site plans will come back in the future.

[9:04:21 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 for the record.

Citizen Comments:

None

[9:04:31 PM](#) Chair Smith closed the public hearing.

Commissioner Robyn Shakespear was concerned with the density and felt it was too high. Commissioner Curt Noble recommended adding a zoning condition. Commissioner Chris Berbert was not opposed to townhomes behind an office building. Commissioner Adam Jacobson felt the proposed plan would be tough to accomplish. Chair Smith suggested that the commission could recommend it with a lower zoning condition. Commissioner Noble suggested a density of eight. City Planner Bryn McCarty explained that the zoning condition was part of the zone and if the applicant wanted to change it, it would require a rezone for different density. Commissioner Jacobson recommended a lower density and a discussion ensued. He made the suggestion for the density of six to eight to provide more of a transition. Chair Smith suggested an R-2-10 instead of R-M.

Commissioner Chris Berbert MOVED to continue the item without date.

Commissioner Adam Jacobson SECONDED the motion.

The motion passed unanimously.

3.4 [9:15:50 PM](#) **30Z16** – Scenic Development – 15400 S 3200 W - Proposed Rezone of Property from A-1 to C-2 – Acres: 7.71 (**Public Hearing**)

City Planner Bryn McCarty oriented the commission with an aerial map, site plan and other images prepared to illustrate the location.

[9:16:15 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 for the record.

Citizen Comments:

None

[9:16:26 PM](#) Chair Smith closed the public hearing.

Commissioner Chris Berbert MOVED to continue the item without date.

Commissioner Robyn Shakespear SECONDED the motion.

The motion passed unanimously.

4. Chair and Commission Comments:

None

5. Future Meetings:

5.1 City Council – Wednesday, December 14, 2016 @ 7:00 PM

5.2 Planning Commission Meeting – December 1, 2016 @ 7:00 PM

6. Adjournment:

Chair Smith called for a motion to adjourn.

Commissioner Adam Jacobson MOVED to adjourn the meeting and Commissioner Robyn Shakespear SECONDED the motion. The motion passed unanimously. The meeting adjourned at [9:17:32 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 November 17, 2016. This document constitutes the official minutes for the Herriman City Planning Commission Meeting.



Cindy Quick, CMC
Deputy Recorder