



PLANNING COMMISSION MINUTES

Thursday, March 21, 2019

Approved April 4, 2019

The following are the minutes of the Planning Commission Meeting held on **Thursday, March 21, 2019 at 7:00 p.m.** in the Herriman City Community Center, 5355 W. Herriman Main Street (12090 South), 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 Andy Powell

Commission Members Present: Adam Jacobson, Brody Rypien, Andrea Bradford

Commission Members Absent: Jackson Ferguson, Lorin Palmer

Staff Present: City Planner Michael Maloy, Assistant City Planner Bryn MacDonald, Planner I Craig Evans, Planning Intern Samantha DeSeelhorst, Communication Specialist Destiny Skinner, City Recorder Jackie Nostrom, Staff Engineer II Josh Peterson, City Attorney John Brems, Assistant City Manager Gordon Haight, and Parks Landscape Architect Heidi Shegrud

Work Meeting *(Fort Herriman Conference Room)*

Chair Andy Powell called the work meeting to order at 6:04 pm.

1. Training

There was no training offered.

2. Review of Agenda Items

The Planning Commission reviewed the plans for the Midas Creek Bridges. Parks Landscape Architect Heidi Shegrud suggested using concrete instead of wood planks and the Commissioners agreed. They discussed the Plat Amendment for the Anthem Commercial Center, which related to the first three items on the agenda. These items would all be presented together for coherency. Chair Andy Powell asked about the lanes in and

out of Mountain View Corridor. Assistant City Planner Bryn MacDonald responded that City Engineer Blake Thomas met recently with Utah Department of Transportation (UDOT) to address the need for acceleration and deceleration lanes. The Commissioners discussed the requirements relating to the appropriate right-of-way dedication.

For Item 2.4, the subdivision had received approval but the Commissioners needed to discuss modifications for the conditional approval. It was mentioned that Teton received approval in January and was awaiting the final site plan approval that included an eight-foot trail along 11800 South. The Commissioners discussed the road width for accessing the charter school. In addition, the monument sign needed approval from the Planning Commission as the proposal was outside of City standards.

3. Review of City Council Decisions

The Planning Commission reviewed the City Council's decision to remove the shooting range once the Auto Mall rezone received approval.

Planning Commission work meeting adjourned by consensus at 6:55 p.m.

7:00 PM - Regular Planning Commission Meeting

1. Call to Order

Chair Andy Powell called the meeting to order at 7:01 p.m. and welcomed those in attendance.

1.1 Invocation/Thought/Reading and Pledge

Resident David Howe led the audience in the Pledge of Allegiance.

1.2 Roll call

Full Quorum Present.

1.3 Approval of the Minutes for February 7, 2019 and February 21, 2019

Commissioner Brody Rypien moved to approve the February 7, 2019 and February 21, 2019 Planning Commission minutes as written. Commissioner Adam Jacobson seconded the motion, and all voted aye.

1.4 Conflicts of Interest

No Conflicts were offered.

2. Administrative Items

Administrative items are reviewed based on standards outlined in the ordinance. Public comment may be taken on relevant and credible evidence regarding the applications compliance with the ordinance.

2.1 Request: Subdivision Amendment for Anthem Commercial - South (Public

Hearing)
Applicant: Trish Smith
Address: Anthem Park Blvd & Herriman Main St
Zone: C-2 (Commercial)
File Number: S2019-004

The original preliminary plat for the Anthem Commercial Center was approved by the Planning Commission in June of 2016. At the time it was configured around the expectation that Walmart would be the anchor tenant. Currently, WinCo was expected to be the anchor tenant of the commercial center. This subdivision amendment will help align the surrounding commercial lots with WinCo's building footprint.

Staff recommended the approval of the preliminary plat to add five lots, bringing the total number of lots to ten, in the southern portion of the Anthem Commercial Center, subject to the following requirements:

1. The area will include the installation of curbs, gutters, sidewalk, street lights, and park strips on all public streets. This may include a fee-in-lieu for the sidewalk on 118th South.
2. All detention need a long-term maintenance agreement; the engineering department will provide the proper form.
3. All detention needs to be landscaped, including sod, sprinklers, and trees.
4. Public Utility and Access Easements on the plat are required by engineering.
5. The roadway and right-of-way width of Denali Park Drive shall match the location and design width of the access coming off Mountain View Corridor for the Denali Park Drive, as per Utah Department of Transportation (UDOT).

Applicant John Gust expressed his desire to work with WinCo on this project, adding that it would benefit the community as well.

Chair Andy Powell opened the public hearing.

There were no comments offered.

Chair Andy Powell closed the public hearing.

Commissioner Adam Jacobson moved to approve item 2.1, Filoe No S2019-04, subdivision amendment for Anthem Commercial including the five staff recommendations with the inclusion of the acceleration and deceleration lanes. Commissioner Brody Rypien seconded the motion.

The vote was recorded as follows:

<i>Commissioner Adam Jacobson</i>	<i>Aye</i>
<i>Commissioner Andy Powell</i>	<i>Aye</i>
<i>Commissioner Brody Rypien</i>	<i>Aye</i>
<i>Commissioner Andrea Bradford</i>	<i>Aye</i>

The motion passed unanimously

2.2 Request: Conditional Use for a Site Plan Amendment for Anthem Commercial - South
Applicant: Trish Smith
Address: 5253 W Anthem Park Blvd
Zone: C-2 (Commercial)
File Number: C2019-021

Assistant City Planner MacDonald detailed the commercial portion of the Anthem development. The overall site plan originally received approved in September of 2016. During that time, Walmart was anticipated to locate on the site. This application was for an amendment to the original site plan to show the configuration of the commercial property around WinCo. This request was for a preliminary approval for the overall site plan. Each building would come back for a final review and approval for the site plan and building elevations. The applicant submitted a site plan that indicated how sidewalks would be connected around the site. The sidewalks on the public streets around the perimeter of the property would be constructed during the initial phase of development. The rest of the sidewalk connections would be reviewed when each site comes back for final approval.

Staff recommended granting preliminary approval of the conditional use permit for the commercial center with the following requirements:

1. Meet with the Staff for review and final approval of the site plan.
2. Receive and agree to the recommendations from other agencies.
3. Submit a landscaping plan showing types, sizes and placement of plant material to the Staff for review and final approval.
4. Adhere to approved design guidelines for all building elevations.
5. This is a preliminary approval for the site. Each building shall come back for final approval.
6. Install curb, gutter, sidewalk, park strips, and street light on all public streets. This should include trees in the park strip every 30 feet. These improvements should be completed during construction of the first building in the commercial center.
7. No signs are approved with this request, separate approval will be required.
8. The subdivision plat shall be recorded prior to a building permit being issued.
9. At least 15% of the total site must be landscaped. At least 5% of the parking lot interior must be landscaped. The area must meet all landscaping requirements found in the Herriman Land Development Code Title 10 Chapter 23.
10. The front yard area and the side yard area which faces on a public street shall be landscaped and maintained with live plant material, including shrubs, flowers and trees for a minimum distance of twenty feet (20') behind the property line.
11. Provide a minimum of 30 feet of landscaping along Mountain View Corridor.
12. Screen all outside trash and dumpster areas.

13. Provide storm drain detention to meet City standards.
14. Parking shall be provided as required by Herriman Land Development Code Title 10 Chapter 24 for each specific use. This will be reviewed at the time of final site plan approval.
15. All buildings shall be setback a minimum of 20 feet from a public right of way.
16. Adopt a design standard for interior parking lot lighting to ensure continuity of lighting style and type throughout the development.
17. Detention ponds should be landscaped per City standards.
18. Sidewalks within the commercial center shall provide connectivity between each building and streets (public and private). Connectivity shall be shown when each site comes back for final site plan approval.

Applicant John Gust referenced the lighting plan and added that installation will be completed by professionals, not the developer.

Commissioner Adam Jacobson moved to approve item 2.2 file number C2019-021 Conditional Use for a site plan amendment for Anthem Commercial South, including 18 staff recommendations and sidewalk per exhibit 100 approved as depicted in the exhibit. Commissioner Brody Rypien seconded the motion.

The vote was recorded as follows:

Commissioner Adam Jacobson Aye
Commissioner Andy Powell Aye
Commissioner Brody Rypien Aye
Commissioner Andrea Bradford Aye
The motion passed unanimously.

2.3 Request: Conditional Use approval of a Final Site Plan for a WinCo Foods Grocery Store
Applicant: Trish Smith
Address: 5253 W Anthem Park Blvd
Zone: C-2 (Commercial)
File Number: C2019-021-01

The Anthem Commercial Center was the commercial portion of the Anthem development. The preliminary site plan was currently being reviewed by the Planning Commission. Each site in the commercial center would come back for final site plan approval. This application was for final site plan approval for a WinCo Foods grocery store. The store was proposed to be 83,588 square feet.

Staff recommended granting final site plan approval for the WinCo Foods grocery store with the following requirements:

1. Meet with the Staff for review and final approval of the site plan.

2. Receive and agree to the recommendations from other agencies.
3. Landscaping is approved as submitted. Submit final landscaping plans showing types, sizes and placement of plant material to the Staff for review and final approval as part of the engineering review.
4. All building elevations shall meet the approved design guidelines. The building elevations are approved as submitted.
5. No signs are approved with this request; separate approval will be required.
6. The amended subdivision plat shall be recorded prior to a building permit being issued.
7. At least 15% of the total site must be landscaped. At least 5% of the parking lot interior must be landscaped. Comply with the landscaping requirements of Herriman Land Development Code Chapter 23.
8. Provide a minimum of 30 feet of landscaping along Mountain View Corridor.
9. Screen all outside trash and dumpster areas.
10. Provide storm drain detention to meet City standards. Detention ponds should be landscaped per City standards.
11. Parking shall be provided at 1 space per 250 square feet of floor area.

Applicant Nathan Kunz indicated that he was available to answer any questions. Commissioner Andrea Bradford asked about the construction timeline. The applicant reported that it would be 224 days.

Commissioner Adam Jacobson moved to approve item 2.3, file number C2019-021-01 Conditional Use approval of a Final Site Plan for Winco Grocery Store with Staff Recommendations, with addition of the sidewalk being installed as depicted in rendering No. SP02. Commissioner Brody Rypien seconded the motion.

The vote was recorded as follows:

Commissioner Adam Jacobson Aye

Commissioner Andy Powell Aye

Commissioner Brody Rypien Aye

Commissioner Andrea Bradford Aye

The motion passed unanimously.

2.4 Request: Reconsideration of a Condition of Approval #11 for Beiruti Subdivision (Public Hearing)

Applicant: Marco Diaz

Address: 7336 W Rose Canyon Road

Zone: A-.25 (Agricultural)

Acres: 5.42

File Number: S2018-017-01

The original staff report for Beiruti subdivision recommended requiring a 16-foot concrete trail. During the engineering phase it was discovered that there was no trail to connect to along Rose Canyon Rd. In working with the Parks department it has been determined that the City should have required a five-foot park strip,

five-foot sidewalk, and ten feet of landscaping behind the sidewalk. The applicant would be allowed to pay a fee in lieu for those improvements, and would not have to install a 16-foot concrete trail. Staff recommended amending condition of approval #11 to read:

11. Install, or pay a fee in lieu of, a five-foot park strip, five-foot sidewalk, and ten feet of landscaping behind the sidewalk. All of this shall be dedicated to the City.

Chair Andy Powell opened the public hearing.

No comments were offered.

Chair Any Powell closed the public hearing.

Commissioner Andrea Bradford moved to approve item 2.4 file number S2018-017-01 reconsidering the condition of approval #11 for Beiruti Subdivision to read “Install, or pay a fee in lieu of, a five-foot park strip, five-foot sidewalk, and ten feet of landscaping behind the sidewalk. All of this shall be dedicated to the City.” Commissioner Adam Jacobson seconded the motion.

The vote was recorded as follows:

Commissioner Adam Jacobson Aye

Commissioner Andy Powell Aye

Commissioner Brody Rypien Aye

Commissioner Andrea Bradford Aye

The motion passed unanimously.

- 2.5 **Request:** **Final Site Plan Review for Teton Village Private and Public Open Space, Fencing, and Signage**
 Applicant: **Anthem Utah, LLC**
 Address: **6100 W 12000 South**
 Zone: **R-2-10 (Residential – Medium Density)**
 Acres: **51.158**
 File Number: **P2018-04-01**

This property received approval for the Planned Development (PD) Overlay Zone in February of 2018. The preliminary site plan and density were approved at that time. The Planning Commission and City Council also reviewed and approved Design Guidelines for the development, including setbacks and architectural requirements. The PD Overlay Zone requires each phase to come back to the Planning Commission for site plan approval. Each phase also had to receive preliminary subdivision plat approval. This required two separate applications and approvals from the Planning Commission. The preliminary plat was approved by the Planning Commission on January 3, 2019.

The PD Overlay Zone had several conditions of approval placed on the development. Several of these included items needed to come back during the site plan approval phase. These are:

- a. Lot area and widths shall be shown on an approved site plan for each phase.
- b. Traffic studies will be required for each pod in compliance with the Engineering Design Standards. Each study shall be done as an addendum to the master traffic study already completed.
- c. Each pod that is adjacent to Midas Creek shall provide verification from Salt Lake County Flood Control that the top of bank line has been established and there is an additional 20-foot maintenance access outside the top of the bank. This access should be dedicated to the City. No lots can be located within the top of the bank or 20-foot access. The access can be combined with the trail.
- d. A detailed grading and drainage plan shall be submitted as part of a site plan application.
- e. Landscaping, fencing and screening, related to the uses within the site and as a means of integrating the proposed development into its surroundings, shall be submitted as part of a site plan application.
- f. Open space that is provided in each pod shall demonstrate any unbuildable area that counts as 25-percent. The overall open space acres required shall be adjusted accordingly.

The applicant submitted landscaping plans for all of the open space area along the major streets, private parks, detention, and trail areas. The large park in the middle of the development would be built and maintained by the City.

The approved design guidelines show where fencing was required around the perimeter of the development. Interior fencing is to be reviewed with each phase. A pre-cast wall will be built along 6000 West. There would also be a pre-cast wall required adjacent to the commercial property at the northeast corner of the property. The applicant submitted a detail on the design of the wall. It was confirmed the road dedication would be a 60-foot right-of-way. A short discussion ensued regarding the necessity of a turn-around at the gated location. Assistant City Planner Bryn MacDonald explained that the problems had not been brought to her attention. The gates would not be installed until there would be access to 6400 West. As the gates would not be installed for a couple of years, the Planning Commission decided against approving or reviewing the gate in detail. Commissioner Adam Jacobson did, however, recommend that it be a requirement. Applicant Rob Donnigan mentioned that he had worked with Staff previously work through various issues.

Staff recommended final site plan approval of the landscaping, fencing, and signage with the following requirements:

1. At least 20-percent of the planned unit development shall be preserved as permanent open space. At least one-half of the open space required shall be maintained in single contiguous lot, not including any unbuildable property, configured in a usable size and shape. Open space that is unbuildable because of, among other things, slope, wetlands, flood drainage, or contamination, shall be counted at 25-percent of the acreage required to satisfy applicable open space requirements. Detention basins may count as open space only if they provide recreational amenities, including, but not limited to, playgrounds, gazebos, exercise stations, or sports fields with parking lots. Park strips adjacent to a street shall not count as open space.
2. The developer shall incorporate the designated open space in each pod. With each phase submitted,

the applicant shall submit an open space summary.

3. Trails between lots shall be at least a 20 feet wide with an eight-foot hard surface trail and landscaping approved by the Parks Department.
4. Provide a 20-foot wide trail along the south side of Midas Creek. The trail shall be outside the top of bank. The trail should include an eight-foot paved trails and an eight-foot unpaved/aggregate trail.
5. Construct a six-foot precast wall along 6000 West. The walls shall be installed when the adjacent pod is being constructed. The wall should maintain the clear view at all intersections.
6. Construct a six-foot precast wall on the north side of the property, adjacent to the future commercial. The fence should maintain the clear view at all intersections.
7. Lots that back onto the trail shall have a six-foot vinyl fence installed. This can be private or semi-private, as long as it's consistent the length of the fence. This shall also include the lots that back onto the large City park. Fencing shall be installed by the builder prior to certificate of occupancy on each home.
8. Setbacks shall be as approved in the Teton Ranch Design Guidelines.
9. All building elevations shall meet the requirements of the Teton Ranch Design Guidelines and receive approval from the Teton Ranch ARC.
10. Building elevations shall come back to the Planning Commission for final approval and to ensure compliance with the Teton Ranch Design Guidelines.

Commissioner Adam Jacobson moved to approve item 2.5 file number P2018-004-01 approving the Final Site Plan for Teton Village Private and Public Open Space, Fencing and Signage with staff recommendation, including item Number 11 to have the gate design and location approved through City Staff. Commissioner Brody Rypien seconded the motion.

The vote was recorded as follows:

Commissioner Adam Jacobson Aye

Commissioner Andy Powell Aye

Commissioner Brody Rypien Aye

Commissioner Andrea Bradford Aye

The motion passed unanimously.

2.6 Request: Final Site Plan Review for Jackson Village Private and Public Open Space, Fencing, and Signage
Applicant: Anthem Utah, LLC
Address: 6300 W 11900 South
Zone: R-2-10 (Residential – Medium Density)
Acres: 68
File Number: P2018-04-02

This property received approval for the Planned Development (PD) Overlay Zone in February of 2018. A preliminary site plan and density was approved at that time. The Planning Commission and City Council also reviewed and approved Design Guidelines for the development, including setbacks and architectural

requirements.

The PD overlay zone required each phase to come back to the Planning Commission for site plan approval. Each phase also had to receive preliminary subdivision plat approval. This required two separate applications and approvals from the Planning Commission.

Staff recommended final site plan approval of the landscaping, fencing, and signage with the following requirements:

1. Receive and agree to the recommendations from other agencies, including those included in the Development Review Committee comments dated September 12, 2018.
2. Meet with staff to review compliance with all requirements of the Master Development Agreement when each phase is submitted for final engineering review.
3. At least 20-percent of the planned unit development shall be preserved as permanent open space. At least one-half of the open space required shall be maintained in single contiguous lot, not including any unbuildable property, configured in a usable size and shape. Open space that is unbuildable because of, among other things, slope, wetlands, flood drainage, or contamination, shall be counted at 25-percent of the acreage required to satisfy applicable open space requirements. Detention basins may count as open space only if they provide recreational amenities, including, but not limited to, playgrounds, gazebos, exercise stations, or sports fields with parking lots. Park strips adjacent to a street shall not count as open space.
4. The developer shall incorporate the designated open space in each pod. With each phase submitted for final engineering, the applicant shall submit an open space summary and details on the amenities being provided.
5. Trails between lots shall be at least a 20 feet wide with an eight-foot hard surface trail and landscaping approved by the Parks Department.
6. Provide a 20-foot wide trail along the south side of Midas Creek. The trail shall be outside the top of bank. The trail should include an eight-foot paved trail and an eight-foot unpaved/aggregate trail.
7. Construct a six-foot precast wall along 11800 South and 6400 West. The walls shall be installed when the adjacent pod is being constructed. The wall should maintain the clear view at all intersections.
8. Construct a six-foot precast wall on the east side of the property, adjacent to the future commercial. The walls shall be installed when the adjacent pod is being constructed. The wall should maintain the clear view at all intersections.
9. All single family dwellings shall provide basements.
10. Lots that back onto the trail shall have a six-foot vinyl fence installed. This can be private or semi-private, as long as it's consistent the length of the fence. This shall also include the lots that back onto the large City park. Fencing shall be installed by the builder prior to certificate of occupancy on each home.
11. The size, location, design, and nature of entry monument signs, and the intensity and direction of area floodlighting, shall be detailed in a separate site plan application.
12. Setbacks shall be as approved in the Teton Ranch Design Guidelines.

13. All building elevations shall meet the requirements of the Teton Ranch Design Guidelines and receive approval from the Teton Ranch ARC.
14. Building elevations shall come back to the Planning Commission for final approval and to ensure compliance with the Teton Ranch Design Guidelines.

Commissioner Adam Jacobson moved to approve item 2.6 file number P2018-004-02 approving the final site plan for Jackson Village Private and Public Open Space, Fencing and Signage including staff recommendations with the addition future school road access will be 60 feet wide. Commissioner Andrea Bradford seconded the motion.

The vote was recorded as follows:

Commissioner Adam Jacobson Aye
Commissioner Andy Powell Aye
Commissioner Brody Rypien Aye
Commissioner Andrea Bradford Aye
The motion passed unanimously.

2.7 Request: Two Monument Signs for Aspira at Anthem
Applicant: Castlewood Development
Address: 5353 W Clouds Rest Lane
Zone: R-M (Residential)
File Number: C2017-26-01

The Aspira Apartments property would have several decorative walls on the grounds. The two proposed monument signs would attach to the existing walls. The proposed signs do not include an 18-inch brick or stone base, nor do they include stone up their sides. This is because the existing wall already contains stone. City policy states that if signs do not have an 18-inch brick, stone base or stone up the side, then the plan must come before the Planning Commission for approval. As the walls exist independently of the signs, the ordinance allowed the size calculation to derive from the footprint of the actual letters on the sign. Each sign measures approximately 48 square feet.

Staff recommended approval of the proposed monument signs with the following requirements:

1. Signs approved as submitted
2. Maximum height of six feet.
3. Maximum sign size of 64 square feet.
4. Submit building permit for approval.

Applicant Duane Rasmassum made himself available to answer any questions.

Commissioner Brody Rypien moved to approve item 2.7 file number C2017-26-01 approving two monument signs for Aspira Apartments at Anthem including staff recommendations and changing item #3 to read sign size not to exceed 64 square feet. Commissioner Adam Jacobson seconded the motion.

The vote was recorded as follows:

Commissioner Adam Jacobson Aye

Commissioner Andy Powell Aye

Commissioner Brody Rypien Aye

Commissioner Andrea Bradford Aye

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 **Request:** **Rezone 5 Lots from A-1 (Agricultural) to Auto Mall Special District & C-2 (Commercial) (Public Hearing)**
- Applicant:** **James Horsley**
- Address:** **5024 West 12500 South**
 5010 W 12560 South
 5007 W 12560 South
 5007 W 12500 South
 5008 W 12560 South
- Zone:** **A-1 (Agricultural)**
- Acres:** **4.29**
- File Number:** **Z2019-019**

The City proposed to rezone this property in order to establish an Auto Mall in this location. With this application, approximately two acres of the frontage along 12600 South is being zoned to C-2 (Commercial) to allow for retail sales and services along the street. The Auto Mall Special District was approximately 2.3 acres. Additional property would be rezoned to the Auto Mall Special District as it is assembled. The Auto Mall will be almost 90 acres when complete with about 10 acres of commercial along 12600 South.

Staff recommended approval of the rezone from A-1 to two acres of Auto Mall Special District and 2.3 acres of C-2 (Commercial).

Chair Andy Powell opened the Public Hearing.

No comments were offered.

Chair Andy Powell closed the Public Hearing.

Commissioner Andrea Bradford, asked what kind of businesses would be in the front. It was noted it would be commercial.

Commissioner Adam Jacobson moved to recommend approval to City Council item 3.1 file number Z2019-019 Rezone 5 Lots from A-1 (Agricultural) to AMSD (Auto Mall Special District) (Public Hearing). Commissioner Andrea Bradford seconded the motion.

The vote was recorded as follows:

Commissioner Adam Jacobson Aye

Commissioner Andy Powell Aye

Commissioner Brody Rypien Aye

Commissioner Andrea Bradford Aye

The motion passed unanimously.

4. Chair and Commission Comments

No comments were offered.

5. Future Meetings

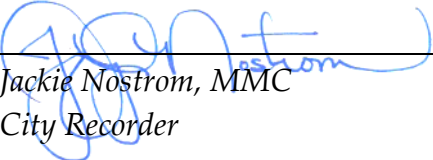
5.1 City Council Meeting – **Wednesday, March 27, 2019 @ 7:00 PM**

5.2 Planning Commission Meeting – **Thursday, April 4, 2019 @ 7:00 PM**

6. Adjournment

Commissioner Adam Jacobson moved to adjourn the meeting at 7:39 pm. Commissioner Brody Rypien seconded the motion and all voted aye.

I, Jackie Nostrom, City Recorder for Herriman City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on March 21, 2019. This document constitutes the official minutes for the Herriman City Planning Commission Meeting.



Jackie Nostrom, MMC
City Recorder