



## PLANNING COMMISSION MINUTES

Thursday, June 17, 2021  
Approved October 7, 2021

The following are the minutes of the Herriman Planning Commission meeting held on **Thursday, June 17, 2021 at 6:00 p.m.** in the Herriman City Council Chambers, 5355 West Herriman Main Street, Herriman, Utah. Adequate notice of this meeting, as required by law, was posted in the City Hall, on the City's website, and delivered to members of the Council, media, and interested citizens.

**Presiding:** Vice Chair Andy Powell

**Commissioners Present In Person:** Lorin Palmer, Andy Powell, Forest Sickles, Brody Rypien, Darryl Fenn, Jackson Ferguson, and Heather Garcia (not voting)

**Commissioners Present Electronically:** Andrea Bradford

**Commissioners Excused:** Chris Berbert and Adam Jacobson

**Staff Present In Person:** City Planner Michael Maloy, HPD Cody Stromberg, Deputy City Recorder Wendy Thorpe, Communications Specialist Destiny Skinner, City Attorney Chase Andrizzi, Planning Manager Clinton Spencer, City Engineer Josh Petersen, Planner II Sheldon Howa, Engineer Bryce Terry, City Engineer Jonathan Bowers

**Staff Present Electronically:** Wendy Thomas

### 6:00 PM - WORK MEETING: (Council Chambers)

#### 1. Work Meeting

Vice Chair Powell called the meeting to order at 6:05 p.m. He welcomed new alternate Commissioners Darryl Fenn and Forest Sickles.

##### 1.1. Review of City Council Decisions – Michael Maloy, City Planner

Assistant City Planner Maloy informed the Commission the draft Olympia design guidelines and development agreement would be presented to the Commission soon. Code enforcement and the escalation process would be discussed at the next joint meeting.

## **1.2. Review of Agenda Items – Clint Spencer, Planning Manager**

Planning Manager Clint Spencer explained staff recommended restricting uses in the C-2 zone for item 3.1.

## **1.3. Training – Michael Maloy, City Planner**

City Planner Michael Maloy presented training.

*The work meeting was adjourned by consensus at 6:54 p.m.*

## **2. 7:00 – Regular Planning Commission Meeting**

Vice Chair Andy Powell called the meeting to order at 7:01 p.m.

### **2.1. Invocation/Thought/Reading or Pledge of Allegiance**

Jonathan Bowers led the audience in the Pledge of Allegiance.

### **2.2. Roll Call**

Full Quorum Present.

### **2.3. Conflicts of Interest**

No conflicts were offered.

## **3. Administrative Reports**

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

### **3.1. Request: Approval of preliminary plat for Copper Fields at Creek Ridge with 257 single family lots located generally at 6400 W Herriman Blvd. (Public Hearing)**

**Applicant: Spencer Llewellyn w/ Edge Homes (agent)**

**Zone: R-2-10 (Residential)**

**Acres: 45.05**

**File Number: S2020-023**

Chair Powell reviewed the public hearing guidelines.

City Planner Maloy reviewed the request for 257 single-family lots, a stormwater detention basin, open space for a large regional park, and a church site. The property was formerly owned by the LDS Church and was turned over to SLR for development. The MDA was recorded with Salt Lake County in 2014. The site plan was reviewed, and the developer planned to build fewer lots than available per the MDA. The applicant requested a deviation from city standards for roads with 42 feet of right of way. City Planner Maloy reviewed the roadway and sidewalk dimensions. Drive approaches were grouped to allow maximum street parking, which would be allowed on one side only. City Planner Maloy reviewed an additional condition #11 which was inadvertently omitted from the packet. It stated:

11. Minimum building setbacks from property line for detached single-family dwellings shall comply with the following (as shown on the preliminary subdivision plat):

- Front = 20 feet to garage, 10 feet to living area
- Side = 5 feet
- Corner side = 16 feet
- Rear = 15 feet

Commissioners reviewed the road cross sections and street parking. They expressed concern the narrow road would not allow for bicycle lanes. Commissioners stated the subdivision was very close to the Olympia subdivision.

Applicant representative Brandon Watson with Edge Homes presented a history of the property. They purchased it from the profit arm of the LDS Church, SLR. He reviewed costs for the roads, drainage, and parks they agreed to build, with reimbursable funds. He emphasized they upfronted 2.6 million in costs. They expressed concerns 6400 West was not yet constructed and requested confirmation it would be constructed by the City. The Church would dedicate the large 45-acre park, and begin construction of a chapel immediately after completion of 6400 West. He provided a breakdown of the total homes constructed in Creek Ridge and Creek Ridge West Subdivisions. Per their calculations they would build 147 fewer homes than allowed by the MDA. He emphasized the benefits of fewer units such as less traffic and a more cohesive, quality community layout. They had neighborhood meetings, even though they were not required. Samples of xeriscape park strips were provided, to be maintained by the HOA. The road cross sections met UFA requirements. He emphasized this was a walkable community with all single-family homes and no multi-family. The trail system provided access to a small, public park, with bridge access to a playground (model number included). Commissioners discussed the need for fences along canals and requested further explanation for the lot size variety. Applicant Watson explained some home plans would be specific to certain lot sizes. They limited the number of narrow home lots to fourteen.

Chair Powell opened public hearing.

No comments were offered.

Chair Powell closed the public hearing.

Commissioners discussed MDA requirements and proposed a smaller park in lieu of wider streets. They expressed concern with the number of units and thought the city had compromised too much by allowing smaller lots and narrow roads. More trail connections were needed for adequate park connectivity. They asked if they had to allow the number of units stated in the MDA. City Attorney Andrizzi responded deviations from standards were allowed if supported by strong engineering principles. Non-conventional interior street standards were allowed with administrative support. It was emphasized the Commission may consider deviations; they were not required to allow them. Commissioners debated the pros and cons of narrow streets. Some Commissioners thought the large park was inaccessible to much of the subdivision. The addition of another subdivision access point and increased trails for park access were debated. Possible trail access connections were discussed. City Attorney Andrizzi was asked if the plat met the intent of the MDA. He responded that it did, based on information received from planning and engineering staff. City Planner Maloy offered the opinion this was a good compromise for both sides. Commissioner Rypien would like to see subdivisions with central gathering spaces, as opposed to the edge of the development.

### **Recommendations:**

1. Final subdivision plans shall comply with all applicable approval standards within Herriman City Code and Engineering Standards, except when modified by the Creek Ridge Master Development Agreement.
2. Final subdivision plans shall comply with or resolve all applicable comments provided by the Herriman Development Review Committee.
3. Provide 20-foot-wide easements for all waterlines not located in a dedicated right-of-way (ROW).
4. The project must meet State requirements to retain 80% of the average annual precipitation by using approved LID BMP detailed by the State. This can be accomplished at the engineering review phase.

5. Sidewalk, arterial streetlights, and landscaping to be installed along Herriman Parkway. All improvements to Herriman City Standards.
6. The hydraulic analysis will be performed by the City's third-party consultant (HAL). Final pipe sizing will be determined once the analysis is complete.
7. The final subdivision plat application shall identify all parcels proposed to be dedicated to the City for public use and maintenance. The city reserves the right to refuse acceptance of these parcels if unnecessary or unwanted.
8. As per Herriman City Code 10-23-7, park strip trees shall be placed equidistant on 30-foot centers. Where a driveway or other public improvement interferes with the placement of a tree, tree spacing may be minimally adjusted as needed, but the applicant should avoid "clumping" or "grouping" of trees when adjusting tree spacing.
9. As per Herriman City Code, the applicant shall submit a final fence plan to City staff for review and approval before starting the subdivision infrastructure construction.
10. The applicant shall complete a masonry wall between the commercial and residential zones before the first issuance of an occupancy permit within the subdivision.
11. Add two additional trail connections to the planned regional park.
12. Minimum building setbacks from property line for detached single-family dwellings shall comply with the following (as shown on the preliminary subdivision plat):
  - Front = 20 feet to garage, 10 feet to living area
  - Side = 5 feet
  - Corner Side = 16 feet
  - Rear = 15 feet

*Commissioner Brody Rypien MOVED to approve item 3.1 file number S2020-023 Approval of preliminary plat for Copper Fields at Creek Ridge with 257 single family lots located generally at 6400 W Herriman Blvd. (Public Hearing). (Public Hearing) with staff 10 recommendations and an additional #11 adding two trail connections to the regional park, and number 12 stating Minimum building setbacks from property line for detached single-family dwellings shall comply with the following (as shown on the preliminary subdivision plat): Front = 20 feet to garage, 10 feet to living area, Side = 5 feet, Corner Side = 16 feet, Rear = 15 feet. Commissioner Jackson Ferguson SECONDED the motion.*

*The vote was recorded as follows:*

<i>Commissioner Jackson Ferguson</i>	<i>Aye</i>
<i>Commissioner Lorin Palmer</i>	<i>Aye</i>
<i>Commissioner Brody Rypien</i>	<i>Aye</i>
<i>Commissioner Darryl Fenn</i>	<i>Aye</i>
<i>Commissioner Forest Sickles</i>	<i>Aye</i>
<i>Commissioner Andrea Bradford</i>	<i>Aye</i>

*The motion passed unanimously.*

**3.2. Request: Approval of Anthem Commercial 6th Amendment Subdivision at 11977 S Herriman Main Street (Public Hearing)**  
**Applicant: Cory Gust (owner)**  
**Acres: 1.80**  
**File Number: S2021-041**

Planning Manager Clint Spencer reviewed the request for an amendment to subdivide a two-lot subdivision on 1.8 acres. The plat was recorded in 2019. The area was zoned C-2 on the GP and the Anthem Commercial MDA, which had no minimum frontage requirements. The recommendations were reviewed.

Applicant Mike Maddox informed the Commission the applicant requested a smaller lot to build a dental office. The remaining lot would be restaurants.

Chair Powell opened public hearing.

No comments were offered.

Chair Powell closed the public hearing.

**Requirements:**

1. The requirements of approval from the previous subdivision approval (S2019-004) be satisfied.
2. All applicable City ordinances shall be satisfied.

*Commissioner Lorin Palmer MOVED to approve item 3.2 file number S2021-041 Approval of Anthem Commercial 6th Amendment Subdivision at 11977 S Herriman Main Street (Public Hearing). Commissioner Forest Sickles SECONDED the motion.*

*The vote was recorded as follows:*

<i>Commissioner Forest Sickles</i>	<i>Aye</i>
<i>Commissioner Darryl Fenn</i>	<i>Aye</i>
<i>Commissioner Brody Rypien</i>	<i>Aye</i>
<i>Commissioner Lorin Palmer</i>	<i>Aye</i>
<i>Commissioner Jackson Ferguson</i>	<i>Aye</i>
<i>Commissioner Andrea Bradford</i>	<i>Aye</i>

*The motion passed unanimously.*

3.3. Request: Approval of preliminary plat for Hidden Oaks Pod 1, Phase 2 with 33 single family lots at 6710 W Herriman Main Street. (Public Hearing)

Applicant: Dan Reeve (agent)

Zone: R-1-15 (Residential)

Acres: 11.82

File Number: S2020-094

Planning Manager Clint Spencer informed the Commission the request was for 34 single family lots, not 33 as stated in the packet. The transfer of one lot from the other area did not increase the maximum overall number of units for the MDA, as 64 lots were proposed of 76 maximum units allowed. Thirty adjacent lots were recorded in April 2020 and were under construction. This section would complete this pod of Hidden Oaks subdivision. A neighborhood meeting was held June 9, 2021, there were no attendees. The request complied with the General Plan and the Hidden Oaks MDA. Requirements for 8,000 square feet and 45 feet minimum lot width would be met when property lines were adjusted to increase the width of one lot. The property line for lots 201-204 extended into the dedicated Right of Way (ROW) but said lots would still meet all sizing requirements if they were reduced in size. The issue would be resolved administratively, before recordation with the County. Maintenance of the open space area was still to be resolved. Parcel A was not compliant due to small size but may be utilized for be drainage. The conditions of approval were reviewed.



Commissioner Sickles asked if the ROW area removed from lots would be moved to parcel A. Approval condition number three addressed the issue. Commissioner Fenn asked if there were plans to widen Herriman Highway, Planning Manager Spencer responded in the negative. City Engineer Bowers explained roadway improvements were tied to this project with completion anticipated end of 2021, or early 2022.

Applicant Dan Reeve with Perry homes clarified the corner improvements would be completed by Ivory Homes, as non-impact fee reimbursable open space per the MDA. The HOA would maintain the open space. City Planner Maloy added discussions were underway with Dansie to re-inventory the open space.

Chair Powell opened public hearing.

No comments were offered.

Chair Powell closed the public hearing.

Commissioner Rypien asked if lot adjustments would necessitate changes to the staff recommendations. Planning Manager Spencer responded the issue was addressed with condition of approval number two.

requirements:

1. All Engineering review comments be addressed and satisfied before the final plat is recorded.
2. The property line discrepancy at the corner of Herriman Highway and 13400 South intersection be resolved before plat is recorded.
3. Parcel A, if not being used for a public use, be either dedicated, or included in the adjacent lots with an easement.
4. An addendum to the traffic study shall be submitted with each pod. The addendum needs to address the intersection of 6400 West and Main Street. The purpose is that the original study projects that at some point there will be LOS E or worse at 6400 West and Main Street. When that occurs a traffic signal must be installed. Developer must comply with all recommendations from the Traffic Study, including additional right-of-way dedication for future traffic signals or turn lanes.
5. Install curb, gutter, sidewalk, park strip, and street lights along all public streets in accordance with city standards, including Herriman Main Street.
6. Main Street and roadway improvements, and the water system (pipes and PRV) shall be completed along the frontage to the development per the MDA.
7. Receive Planning Commission approval for the site plan for Hidden Oaks Pod 1, Phase 2.
8. All other applicable city ordinances are satisfied.

*Commissioner Brody Rypien MOVED to approve item 3.3 file number S2020-094 Approval of preliminary plat for Hidden Oaks Pod 1, Phase 2 with 34 single family lots at 6710 W Herriman Main Street. (Public Hearing) with 8 staff recommendations. Commissioner Lorin Palmer SECONDED the motion.*

*The vote was recorded as follows:*

<i>Commissioner Andrea Bradford</i>	<i>Aye</i>
<i>Commissioner Jackson Ferguson</i>	<i>Aye</i>
<i>Commissioner Lorin Palmer</i>	<i>Aye</i>
<i>Commissioner Brody Rypien</i>	<i>Aye</i>
<i>Commissioner Darryl Fenn</i>	<i>Aye</i>
<i>Commissioner Forest Sickles</i>	<i>Aye</i>

*The motion passed unanimously.*

**3.4. Request: Approval of preliminary plat for Windrose Subdivision with 11 single family lots located at 13499 S 7300 West. (Public Hearing)**

**Applicant: Russell Wilson w/ Symphony Homes (agent)**

**Zone: A-1 (Agricultural)**

**Acres: 5**

**File Number: S2021-027**

Planner Sheldon Howa informed the Commission this item was submitted concurrently with item 4.2 rezone from A-1 acre to quarter acre. This item could not be approved until after Council approved the zoning map amendment, as such, staff recommended the item be continued. At the neighborhood meeting, residents were concerned with stormwater drainage, fencing and smaller lot sizes. The applicant submitted two proposals. One had two half acre lots, with bonus density criteria. The landscape plan included a ten-foot park strip behind Bacchus sidewalk and a pond, and met city landscape requirements. The applicant requested 2.2 units per acre based on bonus density points calculations. Park strip maintenance was discussed.

Applicant Russ Wilson with Symphony homes approached the podium and provided a brief history of the subdivision. He reviewed the preferred layout. They would prefer the requirement for a second half acre lot be waived, to increase the size of the other lots. He stated they were told in 2019 by removing the cul-de-sac, that stubbing into the property to the east, would be considered a system improvement. The density bonus points were still to be revised. He explained how they calculated the bonus density. They agreed to address all drainage, grading and fencing concerns voiced at the neighborhood meeting. The City would have an access easement to the pond. They understood it would be tabled until zoning was approved.

Commissioners agreed the public hearing should be left open.

Chair Powell opened public hearing.

Jason Spendlove was concerned with losing his view of the valley and the horses that run there.

Chair Powell left the public hearing open.

Applicant Wilson responded obstruction of views would depend on the housing plans.

Commissioners Rypien preferred third acre lots. Chair Powell agreed. Commissioners debated if the pond should be a separate lot, and how many lots should be allowed and density bonuses.

*Commissioner Lorin Palmer MOVED to continue without date item 3.4 file number S2021-027 Approval of preliminary plat for Windrose Subdivision with 11 single family lots located at 13499 S 7300 West. (Public Hearing) with staff recommendations. Commissioner Jackson Ferguson SECONDED the motion.*

*The vote was recorded as follows:*

*Commissioner Andrea Bradford Aye*

*Commissioner Jackson Ferguson Aye*

*Commissioner Lorin Palmer Aye*

*Commissioner Brody Rypien Aye*

*Commissioner Darryl Fenn Aye*

*Commissioner Forest Sickles Aye*

*The motion passed unanimously.*

3.5. Request: Approval of building elevations for Lot 35-M of Academy Village at 14713 S 4063 West.  
Applicant: Alex Dahlstrom (owner)  
Zone: C-2 (Commercial)  
Acres: 1.02  
File Number: P2021-062  
City Planner Maloy presented the elevations for the Lee's Market in 35 of Academy Village.

*Commissioner Rypien left at 8:55 pm*

City Planner Maloy stated the materials met all requirements.

Applicant Alex Dahlstrom was not present.

*Commissioner Rypien returned at 8:58 pm*

*Commissioner Jackson Ferguson MOVED to approve item 3.5 file number P2021-062 Approval of building elevations for Lot 35-M of Academy Village at 14713 S 4063 West with staff recommendations. Commissioner Lorin Palmer SECONDED the motion.*

*The vote was recorded as follows:*

<i>Commissioner Forest Sickles</i>	<i>Aye</i>
<i>Commissioner Darryl Fenn</i>	<i>Aye</i>
<i>Commissioner Brody Rypien</i>	<i>Aye</i>
<i>Commissioner Lorin Palmer</i>	<i>Aye</i>
<i>Commissioner Jackson Ferguson</i>	<i>Aye</i>
<i>Commissioner Andrea Bradford</i>	<i>Aye</i>

*The motion passed unanimously.*

#### 4. 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.

4.1. Request: Approval of the Draft Active Transportation Plan. (Public Hearing)  
Applicant: Herriman City (Bryce Terry - Engineering)

Planner Sheldon Howa reviewed the history of the plan and previous comments from the Commission. Engineer Bryce Terry distributed copies of the plan and offered to answer questions.

Chair Powell opened the public hearing.

No comments were offered.

Chair Powell closed the public hearing.



*Commissioner Lorin Palmer MOVED to recommend approval to City Council of item 4.1 Approval of the Draft Active Transportation Plan. Commissioner Jackson Ferguson SECONDED the motion.*

*The vote was recorded as follows:*

<i>Commissioner Andrea Bradford</i>	<i>Aye</i>
<i>Commissioner Jackson Ferguson</i>	<i>Aye</i>
<i>Commissioner Lorin Palmer</i>	<i>Aye</i>
<i>Commissioner Brody Rypien</i>	<i>Aye</i>
<i>Commissioner Daryl Fenn</i>	<i>Aye</i>
<i>Commissioner Forest Sickles</i>	<i>Aye</i>

*The motion passed unanimously.*

4.2. Request: Approval to rezone property for a subdivision with 11 proposed single family lots located at 13499 S 7300 West. (Public Hearing)

Applicant: Russell Wilson w/ Symphony Homes (agent)

Zone: A-1 to A-.25 (Agricultural)

Acres: 5

File Number: Z2021-026

Planner Sheldon Howa stated the subject property was discussed with item 3.4. The applicant requested a rezone from A-1 to A-.25.

Chair Powell opened public hearing.

No comments were offered.

Chair Powell closed the public hearing.

Commissioners said it tied in well with the property to the west, and encouraged the developer to work with staff for possible bonus density.

*Commissioner Brody Rypien MOVED to recommend approval to City Council of item 4.2 File # Z2021-026 Approval to rezone property for a subdivision with 11 proposed single family lots located at 13499 S 7300 West. (Public Hearing).*

*Commissioner Lorin Palmer SECONDED the motion.*

*The vote was recorded as follows:*

<i>Commissioner Andrea Bradford</i>	<i>Aye</i>
<i>Commissioner Jackson Ferguson</i>	<i>Aye</i>
<i>Commissioner Lorin Palmer</i>	<i>Aye</i>
<i>Commissioner Brody Rypien</i>	<i>Aye</i>
<i>Commissioner Darryl Finn</i>	<i>Aye</i>
<i>Commissioner Forest Sickles</i>	<i>Aye</i>

*The motion passed unanimously.*

4.3. Request: Kings Plaza General Plan Amendment to change the land use designation from Low Density Residential to Commercial to allow property to be zoned to the C-2 (Commercial) zone located at 6387 W 13100 South. (Public Hearing)

Applicant: Jeanette King (owner)

Zone: A-.25 (Agricultural)

Acres: 1.7

File Number: G2021-030

Planning Manager Clint Spencer reviewed the request to change land use from residential to commercial use, for a possible convenience store, and/or professional offices. The phases of development, and property line were identified. Pictures of the site were displayed. Attendees at the neighborhood meeting June 7, 2021 had concerns with lighting, noise, drainage, and existing tree preservation. The commercial section would not cover the entire property and would be separated by a masonry wall. The rezone proposal included staff recommendation to rezone to C-2 with zoning conditions to promote public interest, conserve property value and encourage appropriate use. Staff recommended limiting uses to convenience stores, professional office, athletic club, or similar. The subject property was neighborhood commercial in the draft general plan. The future of the existing home had not been determined but it may stay, as a legally nonconforming property. Any change of use would need to comply with landscaping and setback requirements and be ADA compliant.

Applicant representative Steve Tobias with KW Commercial stated the plan was for the family to remain in the home with a residential exclusion for property tax. The property would likely include a gas station / convenience store to the north of the property and possible office space. Specific site plan issues would be addressed with development. He reviewed the types of businesses allowed in the C-2 neighborhood commercial zone. No tenant was under contract.

Chair Powell opened the public hearing.

Herb Butterfield stated he represented Herriman City Irrigation and Rose Creek Irrigation companies. He said they maintained a right of way through the property, and pipeline went down the north side. They intend to maintain it to provide irrigation. His stockholders company feeds from Rose Creek. He wanted to make sure his right of way was protected.

Kevin Matthews said his backyard bordered this development. He did not despise commercial but was concerned about the type of use. He did not want a car wash there as he did not want to hear the blow dryers.

Adam Ross said there was a gas station just south of this location and the intersection was very dangerous. He was worried his property would lose value.

Michael Inman had the same concerns. He opposed the rezone, lived near a car wash before, the noise was horrible and did not want to live near another car wash. It would also bring extra traffic and that side of Main Street had no sidewalks. The trees have been there a long time and should be preserved. A masonry wall should be taller than six feet tall.

Chair Powell closed the public hearing.

Planning Manager Spencer stated the irrigation right of way would be resolved with a subdivision plat. A car wash could be excluded from permitted uses in this zone. Staff recommended the only uses be gas station and office. Noise ordinances, nuisance stuff included, public safety. Nuisance issues would be discussed during conditional use approval and then mitigated by the city.

Commissioners was in favor of more sales tax for the city, but the homes were there first. City Engineer Bowers said road expansion was dependent on funding and this area was at the top of the priorities list. Bidding was anticipated to take place next year, with construction likely the following year. The lights at the intersection were currently being installed. Commissioners debated increased traffic flow, ideal zones and best use of the intersection.

*Commissioner Lorin Palmer MOVED to recommend approval to City Council of item 4.3 File # G2021-030 Kings Plaza General Plan Amendment to change the land use designation from Low Density Residential to Commercial to allow property to be zoned to the C-2 (Commercial) zone located at 6387 W 13100 South. (Public Hearing) Commissioner Jackson Ferguson SECONDED the motion.*

*The vote was recorded as follows:*

*Commissioner Forest Sickles Aye*

*Commissioner Darryl Fenn Aye*

*Commissioner Brody Rypien Aye*

*Commissioner Lorin Palmer Aye*

*Commissioner Jackson Ferguson Aye*

*Commissioner Andrea Bradford Aye*

*The motion passed unanimously.*

4.4. Request: Kings Plaza Zoning Map Amendment to rezone property from the A-.25 (Agricultural 1.8 - 2.5 units per acre) to the C-2 (Commercial) zone for future commercial uses located at 6387 W 13100 South. (Public Hearing)

Applicant: Jeanette King (owner)

Zone: A-.25 (Agricultural) to C-2 (Commercial)

Acres: 1.7

File number: Z2021-031

Planning Manager Clint Spencer reviewed the request. He reviewed appropriate uses for neighborhood commercial centers. C-1 zones were less impactful and provided a list of C-2 uses not allowed in C-1, such as alcoholic establishments, breweries, equipment rental, car washes, mortuaries, food trucks, thrift stores, auto repair and rentals and laundry service. All of which would not be allowed, per zoning conditions. C-1 allowed a gas station with specific restrictions. The staff recommendation for the specific site allowed only for a convenience store / gas station (restricted to 5,000 square feet), and then a professional office, with zoning conditions. Commissioners debated ideal uses, and the current need for commercial. They requested future road projections for 6400 West. The definition for convenience store was read. City Engineer Bowers informed the Commission 6400 West would be a major collector road with 8,000 foot right of way.

Applicant representative Steve Tobias agreed to take away the carwash.

Chair Powell opened public hearing.

Jeanette King stated the request was for changing her parents' property to commercial. She thought Kennecott traffic would generate lots of visits and the tax money would help Herriman City.

Chair Powell closed the public hearing.

Commissioners confirmed the request was for the property to be C-2 with zoning conditions, for convenience store with professional office and other similar uses. Commissioners requested a specific list of other similar uses. Planning Manager Spencer read a list of other similar uses, which included animal care services, bank, business services, daycare, preschool, fireworks stand, medical lab, general retail and personal care service and others.

*Commissioner Brody Rypien MOVED to recommend approval to City Council of item 4.4 File #Z2021-031 Kings Plaza Zoning Map Amendment to rezone property from the A-25 (Agricultural 1.8 - 2.5 units per acre) to the C-2 (Commercial) zone for future commercial uses located at 6387 W 13100 South. (Public Hearing) with the following uses convenience store and professional office, and also allow C-1 with the following uses, animal care, bank or financial business services, daycare, medical or dental, personal care service, and/or general retail, with a restriction to not allow a car wash. Commissioner Jackson Ferguson SECONDED the motion.*

*The vote was recorded as follows:*

*Commissioner Andrea Bradford Aye*

*Commissioner Jackson Ferguson Aye*

*Commissioner Lorin Palmer Aye*

*Commissioner Brody Rypien Aye*

*Commissioner Darryl Fenn Aye*

*Commissioner Forest Sickles Nay*

*The motion passed with a vote of five to one.*

**4.5. Request: Approval for a Zoning Text Amendment to 10-16-1 to remove Dwelling Groups as a conditional use in the FR (Forestry Recreation) zone. (Public Hearing)**

**Applicant: Herriman City**

**Zone: FR (Forestry Recreation)**

**Acres: N/A**

**File Number: Z2021-056**

City Planner MM reviewed the request to make a correction to the zoning code. He explained hotels and condominiums were a in separate land use, due to density limitations. Clustering of units was not allowed in the FR zone. Commissioners talked about the importance of protecting forestry areas and preservation of open space.

Chair Powell opened the public hearing.

No comments were offered.

Chair Powell closed the public hearing.

*Commissioner Darryl Fenn MOVED to recommend approval to City Council of item 4.5 File # Z2021-056 Approval for a Zoning Text Amendment to 10-16-1 to remove Dwelling Groups as a conditional use in the FR (Forestry Recreation) zone. (Public Hearing). Commissioner Brody Rypien SECONDED the motion.*

*The vote was recorded as follows:*

*Commissioner Forest Sickles Aye*

*Commissioner Darryl Fenn Aye*

*Commissioner Brody Rypien*                      *Aye*

*Commissioner Lorin Palmer*                      *Aye*

*Commissioner Jackson Ferguson*                      *Aye*

*Commissioner Andrea Bradford*                      *Aye*

*The motion passed unanimously.*

## 5. Chair and Commission Comment

Commissioner Rypien expressed confusion with the number of units approved per the MDA being higher than what can be built out. Commissioner Garcia expressed frustrated with deviation from standards. The City had parking issues in the area, and they could not stop it. Chair Powell thought the Commission could rely on Staff opinion for recommendations. Commissioner Palmer said the City should benefit from all deviations. City Planner Maloy mentioned two of the latest deviations and the MDA allowed alternate design consideration. City Attorney Andrizzi said the outcome was arrived at by negotiation between the parties to reach a middle ground. Multiple design changes happen between MDA and development of the site plan. City Engineer Bowers added some deviations were due to engineering discretion and Commission awareness and approval provided valuable feedback.

## 6. Future Meetings

Wednesday, June 30, 2021 – Joint City Council / Planning Commission Meeting

Thursday, July 1, 2021 – Planning Commission Meeting

Wednesday, July 14, 2021 - City Council Meeting

## 7. Adjournment

*Commissioner Lorin Palmer MOVED to adjourn the meeting at 10:34 p.m. and all voted aye.*

*I, Wendy Thorpe, Deputy Recorder for Herriman City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on June 17, 2021. This document constitutes the official minutes for the Planning Commission Meeting.*

Wendy Thorpe