



## PLANNING COMMISSION AGENDA

**Wednesday, April 15, 2026**

NOTICE IS HEREBY GIVEN that the Herriman Planning Commission shall assemble for a meeting in the City Council Chambers, located at  
5355 WEST HERRIMAN MAIN STREET, HERRIMAN, UTAH

### **6:00 PM WORK MEETING (Fort Herriman Conference Room)**

#### **1. Commission Business**

- 1.1. Review of City Council Decisions – Michael Maloy, Planning Director
- 1.2. Review of Agenda Items – Planning Staff
- 1.3. Presentation on Annual “Dark Sky Month” Celebrations and Information in Utah, and Review of Herriman City Lighting Regulations – Laurin Hoadley, Planner I
- 1.4. Review and Discuss Land Development Codes, Standards, Policies, Best Practices, and Potential Amendments to Ensure Compliance with Utah State and Herriman City Regulations– Michael Maloy, Planning Director

#### **2. Adjournment**

### **7:00 PM REGULAR PLANNING COMMISSION MEETING (Council Chambers)**

#### **3. Call to Order**

- 3.1. Invocation, Thought, Reading and/or Pledge of Allegiance
- 3.2. Roll Call
- 3.3. Conflicts of Interest

5355 W. Herriman Main St. • Herriman, Utah 84096  
(801) 446-5323 office • herriman.gov

3.4. Approval of Minutes for the March 18, 2026 Planning Commission Meeting

#### 4. 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 application compliance with the ordinance.

4.1. **Review and consider approval of a Conditional Use Permit for SMPL MFG, LLC, a low-intensity product formulation, packaging, and fulfillment operation conducted entirely within an enclosed building located at 15897 S Axia Drive in the M-1 Manufacturing Zone.**

**Applicant: Judy Bodell, Axia Partners, LLC (authorized agent)**

**Acres: ±18.08**

**File No: C2026-044**

4.2. **Review and consider approval of a Conditional Use Permit for DIME Beauty, a direct-to-consumer company that offers a range of products such as skincare, cosmetics, and fragrances, to manufacture, warehouse, and distribute products within an enclosed building located at 15897 S Axia Drive in the M-1 Manufacturing Zone.**

**Applicant: Judy Bodell, Axia Partners, LLC (authorized agent)**

**Acres: ±18.08**

**File No: C2026-045**

#### 5. 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.

5.1. **Review and consider a request to recommend a Master Development Agreement for Awaken City Church to permit a “Church or Place of Worship” and related services within an existing building located approximately at 15856 S Rockwell Park Cove (aka 15856 S Porter Point Cove) in the M-1 Manufacturing Zone. (Public Hearing)**

**Applicant: Derek Duvall, Awaken City Church (authorized agent)**

**Acres: ±2.46**

**City File No: M2026-038**

#### 6. Chair and Commission Comments

#### 7. Future Meetings

7.1. Next Planning Commission Meeting: May 06, 2026

7.2. Next City Council Meeting: May 13, 2026

#### 8. Adjournment

In accordance with the Americans with Disabilities Act, Herriman City will make reasonable accommodation for participation in the meeting. Request assistance by contacting Herriman City at (801) 446-5323 and provide at least 48 hours advance notice of the meeting.

ELECTRONIC PARTICIPATION: Members of the City Council may participate electronically via telephone, Skype, or other electronic means during this meeting.

PUBLIC COMMENT POLICY AND PROCEDURE: The purpose of public comment is to allow citizens to address items on the agenda. Citizens requesting to address the Commission will be asked to complete a written comment form and present it to the City Recorder. In general, the chair will allow an individual three minutes to address the Commission. A spokesperson, recognized as representing a group in attendance, may be allowed up to five minutes. This policy also applies to all public hearings.

I, Angela Hansen, certify the foregoing agenda was emailed to at least one newspaper of general circulation within the geographic jurisdiction of the public body, at the principal office of the public body, on the Utah State Public Notice website [www.utah.gov/pmn/index.html](http://www.utah.gov/pmn/index.html) and on Herriman City's website at [www.herriman.gov](http://www.herriman.gov) Posted and dated this 9<sup>th</sup> day of April, 2026 Angela Hansen, Deputy City Recorder



# PLANNING COMMISSION MINUTES

Wednesday, March 18, 2026

Draft Pending Formal Approval

The following are the minutes of the Herriman Planning Commission meeting held on **Wednesday, March 18, 2026, 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 Commission, media, and interested citizens.

**Presiding:** Chair Andrea Bradford

**Commissioners Present at Work Meeting:** Brody Rypien, Andy Powell, Heather Garcia, Adam Jacobson, Alternate Forest Sickles, Alternate Preston Oberg

**Excused:** Darryl Fenn, Jackson Ferguson

**Staff Present:** Planner II Amanda Hamilton, Deputy Recorder Angela Hansen, Planner I Laurin Hoadley, Assistant City Attorney Matt Brooks, Communications Specialist Garret Reynolds, Staff Engineer III Josh Petersen, Planning Director Michael Maloy, and Commander-Operations Brent Adams

## **6:00 PM WORK MEETING (Fort Herriman Conference Room)**

### **1. Commission Business**

Chair Andrea Bradford called the meeting to order at 6:04 p.m.

#### **1.1. Review of City Council Decisions – Michael Maloy, Planning Director**

Planning Director Maloy reported that there were no land use items discussed at the most recent City Council meeting. He informed the commission that the City Council would be canceling their second meeting in April due to scheduling complexities but would proceed with their first April meeting as planned.

#### **1.2. Review of Agenda Items – Planning Staff**

Chair Bradford initiated the review of agenda items, beginning with item 4.1. Planning Director Maloy explained that he would provide one comprehensive presentation covering all three South Hills

subdivision items (4.1, 4.2, and 4.3), as they are all part of the same South Hills development agreement. He noted that the applicant would be present and had sent additional images to share regarding their trail network and overall project composition.

Planning Director Maloy highlighted that while there had been some movement of units within the development, these changes remained within the permissible limits of the development agreement. He emphasized that this application differed from typical subdivision reviews because the South Hills development agreement allows applicants to come before the planning commission with essentially a partial review—approximately 70% complete according to Staff Engineer Petersen—rather than requiring a full civil engineering review beforehand.

Planning Director Maloy explained that staff still had red lines and conditions associated with all three subdivision phases, and they would continue working with the developer to ensure compliance with applicable standards and the development agreement. He noted that this developer was the same group behind the water tank development in South Hills and was eager to take advantage of that water infrastructure once completed.

Commissioner Sickles raised concerns about fire safety, noting the presence of cul-de-sacs with many units and limited egress points. Staff Engineer Petersen responded that Unified Fire Authority had reviewed the plans, with the Fire Marshal identifying only minor issues requiring no parking signs on some road cross sections and additional fire hydrants. Staff Engineer Petersen also mentioned that the developer planned to provide connections between some of the longer cul-de-sacs to address circulation concerns.

**1.3. Review and Discuss Land Development Codes, Standards, Policies, Best Practices, and Potential Amendments to Ensure Compliance with Utah State and Herriman City Regulations– Michael Maloy, Planning Director**

Planning Director Maloy discussed upcoming changes to city code following the conclusion of the state legislature session. He explained that new legislation would introduce additional specificity regarding planning commission training obligations and communication protocols.

The commission discussed recent state legislative changes, including the passage of ADU (Accessory Dwelling Unit) legislation. He confirmed that the city would be bringing updated ADU regulations back to the city council now that the state requirements were finalized.

The commission then engaged in training activities, watching educational videos about land use topics including nonconforming uses and structures, property rights foundations, and meeting procedures.

## **2. Adjournment**

*Commissioner Sickles moved to adjourn the meeting at 6:55 p.m. Seconded by Commissioner Jacobson and all voted aye.*

## **7:00 PM REGULAR PLANNING COMMISSION MEETING (Council Chambers)**

### **3. Call to Order**

Chair Andrea Bradford called the meeting to order at 7:02 p.m.

**3.1. Invocation, Thought, Reading and/or Pledge of Allegiance**

Planner Laurin Hoadley led the audience in the Pledge of Allegiance.

**3.2. Roll Call**

Full Quorum Present

**3.3. Conflicts of Interest**

No conflicts were reported.

**3.4. Approval of Minutes for the February 18, 2026 Planning Commission Meeting**

*Commissioner Garcia motioned to approve the Minutes for the February 18, 2026 Planning Commission meeting; Commissioner Sickles seconded and all voted aye.*

**4. 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 application compliance with the ordinance.

**4.1. Review and consider preliminary approval of a subdivision plat for POD 7 in the South Hills Amended & Restated Master Planned Development Agreement (ARMDA) containing 108 residential dwelling units at approximately 15590 S Mountain View Corridor in the R-2-10 Multifamily Residential Zone. (Public Hearing)**

**Applicant: Leif Smith, Wasatch Commercial (property owner)**

**Acres: ±51.37**

**City File No: S2025-145**

Planning Director Maloy provided a comprehensive presentation covering all three items on the agenda for South Hills subdivision pods. He explained that these applications were part of the South Hills Master Development Agreement, one of the city's older agreements that staff had been administering with Wasatch Commercial for several years in the south end of the valley.

Planning Director Maloy noted that the developer had been constructing water tanks to build the necessary water infrastructure for the development, which was nearing completion. The three pods under consideration were Pod 7 (108 units), Pod 16 (69 units), and Pod 17 (205 units).

He apologized for the lengthy conditions of approval, explaining that the development agreement allowed developers to come to the planning commission midway through the development review process. While this created challenges with remaining review items, it also provided flexibility for the commission to identify concerns before final engineering review.

Applicant Leif Smith from Wasatch Commercial provided additional context, explaining the project's location and design elements. He described plans for \$2 million in landscaping, signage, lighting, fencing,

gabion baskets, hundreds of trees and shrubs, and a waterfall at the entry to create a luxurious development atmosphere.

He emphasized that the development's first phases, Pods 16 and 17, would feature luxury townhomes. Pod 17 will consist of single-unit townhomes, designed to resemble traditional townhomes in structure and look, yet they are detached. The majority of these will be duplexes, complemented by a portion of single-unit homes, totaling around 40 singles. These luxury townhomes are seen as a step up from the company's earlier Soleil Lofts luxury apartments, aiming to provide an even more refined living experience.

No public comments were received, which Planning Director Maloy attributed to the raw, undeveloped nature of the area requiring notices to be sent primarily to vacant property owners.

Commissioner Powell questioned why certain roads in the development were not connecting, expressing concerns about circulation. Applicant Smith explained that the design aimed to prevent the roads from becoming through-traffic routes, preserving them as community spaces for residents, children playing, and recreational activities, while still maintaining pedestrian connections.

Chair Bradford opened the public hearing.

No comments were offered.

*Commissioner Jacobson moved to close the public hearing, Seconded by Commissioner Garcia and all voted Aye.*

*Commissioner Powell moved to approve item 4.1 **Review and consider preliminary approval of a subdivision plat for POD 7 in the South Hills Amended & Restated Master Planned Development Agreement (ARMDA) containing 108 residential dwelling units at approximately 15590 S Mountain View Corridor in the R-2-10 Multifamily Residential Zone with staff's recommendations:***

- 1. Applicant shall continue working with City staff to complete all corrections required by the South Hills ARMDA and applicable City requirements before final plat approval and recording.*
- 2. No Certificate of Occupancy shall be issued until the development has obtained adequate water service, which will be provided through an existing cooperative agreement between the applicant and the City to construct required off-site water utility improvements that will enable the City to issue a "will Serve Letter" to the applicant for water services.*
- 3. Per the MDA, work with the Engineering Department to address the following comments for final plat approval:*
  - a. Update streetlights to current Herriman City Standards.*
  - b. All roads to be private.*
  - c. Work with planning and engineering to include ADA ramps and traffic calming measures where necessary.*
  - d. Upsize 30-foot right-of-way to 32 feet, per the Master Development Agreement.*
  - e. Provide no parking signs where applicable to meet Unified Fire Standards:*
    - i. Roads 20-28 feet in width of drivable surface: Fire apparatus access roads 20-28 feet wide of drivable surface shall be posted on both sides as a fire lane.*
    - ii. Roads 28-32 feet in width of drivable surface: Fire apparatus access roads 28-32 feet wide of*

*drivable surface shall be posted on one side of the road as a fire lane. "Fire Lane" signs to be installed on fire hydrant side of the road with maximum spacing of 150'.*

*f. Provide additional fire hydrants as needed to meet Unified Fire Standards for coverage.*

*g. A maximum of 30 building permits may be issued until a second vehicular access to Soleil Hills Drive (alignment and material to be approved by the Fire Marshal) is provided for the subdivision.*

*Commissioner Jacobson seconded the motion.*

*The vote was recorded as follows:*

<i>Commissioner Darryl Fenn</i>	<i>Absent</i>
<i>Commissioner Jackson Ferguson</i>	<i>Absent</i>
<i>Commissioner Heather Garcia</i>	<i>Aye</i>
<i>Commissioner Brody Rypien</i>	<i>Aye</i>
<i>Commissioner Adam Jacobson</i>	<i>Aye</i>
<i>Commissioner Andy Powell</i>	<i>Aye</i>
<i>Alternate Commissioner Forest Sickles</i>	<i>Aye</i>
<i>Alternate Commissioner Preston Oberg</i>	<i>Aye</i>

*The motion passed unanimously.*

**4.2. Review and consider approval of a preliminary subdivision plat for POD 16 in the South Hills Amended & Restated Master Planned Development Agreement (ARMDA) containing 69 residential dwelling units at approximately 15590 S Mountain View Corridor Highway in the R-20-43 Multifamily Residential Zone. (Public Hearing)  
 Applicant: Leif Smith, Wasatch Commercial (property owner)  
 Acres: ±10.275  
 City File No: S2025-144**

Applicant Smith added that Pod 16 would likely be built by Hawkstone and Narwhal luxury home builders, who were currently constructing model homes further up the road. He indicated that both this pod and Pod 17 would begin construction within the year, with units potentially available by year-end. Smith emphasized that these would be high-end luxury townhomes with varied architectural designs rather than repetitive box-style construction.

Chair Bradford opened the public hearing.

No comments were offered.

*Commissioner Jacobson moved to close the public hearing, Seconded by Commissioner Garcia and all voted Aye.*

*Commissioner Garcia moved to approve item 4.2 **Review and consider approval of a preliminary subdivision plat for POD 16 in the South Hills Amended & Restated Master Planned Development Agreement (ARMDA) containing 69 residential dwelling units at approximately 15590 S Mountain View Corridor Highway in the R-20-43 Multifamily Residential Zone with staff's recommendations:***

**1. Applicant shall continue working with City staff to complete all corrections required by the South**

*Hills ARMDA and applicable City requirements before final plat approval and recording.*

*2. No Certificate of Occupancy shall be issued until the development has obtained adequate water service, which will be provided through an existing cooperative agreement between the applicant and the City to construct required off-site water utility improvements that will enable the City to issue a “Will Serve Letter” to the applicant for water services.*

*3. Work with the Engineering Department to address the following comments on the subdivision plans:*

*a. Update streetlights to current Herriman City Standards.*

*b. Provide no parking signs where applicable to meet Unified Fire Standards:*

*i. Roads 20-28 feet in width: Fire apparatus access roads that have a drivable surface of 20-28 feet wide shall be posted on both sides as a fire lane.*

*ii. Roads 28-32 feet in width: Fire apparatus access roads that have a drivable surface of 28-32 feet wide shall be posted on one side of the road as a fire lane. “Fire Lane” signs to be installed on the fire hydrant side of the road with maximum spacing of 150’.*

*c. All roads to be private.*

*d. Provide additional fire hydrants as needed to meet Unified Fire Standards for coverage.*

*e. Upsize 30-foot right-of-way to 32 feet, in accordance with the design standards of the Master Development Agreement.*

*Commissioner Sickles seconded the motion.*

*The vote was recorded as follows:*

<i>Commissioner Darryl Fenn</i>	<i>Absent</i>
<i>Commissioner Jackson Ferguson</i>	<i>Absent</i>
<i>Commissioner Heather Garcia</i>	<i>Aye</i>
<i>Commissioner Brody Rypien</i>	<i>Aye</i>
<i>Commissioner Adam Jacobson</i>	<i>Aye</i>
<i>Commissioner Andy Powell</i>	<i>Aye</i>
<i>Alternate Commissioner Forest Sickles</i>	<i>Aye</i>
<i>Alternate Commissioner Preston Oberg</i>	<i>Aye</i>

*The motion passed unanimously.*

- 4.3. Review and consider approval of a preliminary subdivision plat for POD 17 in the South Hills Amended & Restated Master Planned Development Agreement (ARMDA) containing 205 residential dwelling units at approximately 15590 S Mountain View Corridor Highway in the R-20-43 Multi-family Residential Zone. (Public Hearing)**
- Applicant: Leif Smith, Wasatch Commercial (property owner)**
- Acres: ±35.79**
- City File No: S2025-143**

The applicant had no additional comments for this pod beyond what was previously discussed.

Chair Bradford opened the public hearing.

No comments were offered.

Commissioner Powell moved to close the public hearing, Seconded by Commissioner Garcia and all voted Aye.

Commissioner Garcia moved to approve item 4.3 Review **and consider approval of a preliminary subdivision plat for POD 17 in the South Hills Amended & Restated Master Planned Development Agreement (ARMDA) containing 205 residential dwelling units at approximately 15590 S Mountain View Corridor Highway in the R-20-43 Multi-family Residential Zone with staff’s recommendations:**

- 1. Applicant shall continue working with City staff to complete all corrections required by the South Hills ARMDA and applicable City requirements before final plat approval and recording.**
- 2. No Certificate of Occupancy shall be issued until the development has obtained adequate water service, which will be provided through an existing cooperative agreement between the applicant and the City to construct required off-site water utility improvements that will enable the City to issue a “Will Serve Letter” to the applicant for water services.**
- 3. Work with the Engineering Department to address the following comments on the subdivision plans:**
  - a. Provide additional fire hydrants as needed to meet Unified Fire Standards for coverage.**
  - b. Update streetlights to current Herriman City Standards.**
  - c. All roads to be private.**
  - d. Provide no parking signs where applicable to meet Unified Fire Standards:**
    - i. Roads 20-28 feet in width: Fire apparatus access roads 20-28 feet wide of drivable surface shall be posted “No Parking” on both sides as a fire lane.**
    - ii. Roads 28-32 feet in width: Fire apparatus access roads 28-32 feet wide of drivable surface shall be posted “No Parking” on one side of the road as fire lane. “Fire Lane” signs to be installed on the fire hydrant side of the road with max spacing of 150’.**
  - e. Upsize 30-foot right-of-way to 32 feet in accordance with the design guidelines of the Master Development Agreement.**

Commissioner Sickles seconded the motion.

The vote was recorded as follows:

Commissioner Darryl Fenn	Absent
Commissioner Jackson Ferguson	Absent
Commissioner Heather Garcia	Aye
Commissioner Brody Rypien	Aye
Commissioner Adam Jacobson	Aye
Commissioner Andy Powell	Aye
Alternate Commissioner Forest Sickles	Aye
Alternate Commissioner Preston Oberg	Aye

The motion passed unanimously.

**5. Chair and Commission Comments**

**6. Future Meetings**

6.1. Next City Council Meeting: March 25, 2026

6.2. Next Planning Commission Meeting: April 1, 2026

**7. Adjournment**

*Commissioner Garcia moved to adjourn the meeting at 7:17 p.m. Seconded by Commissioner Powell and all voted aye.*

*I, Angela Hansen, Deputy City Recorder for Herriman City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on March 18, 2026. This document constitutes the official minutes for the Herriman City Planning Commission Meeting.*



*Angela Hansen  
Deputy City Recorder*



## STAFF REPORT

**DATE:** April 15, 2026

**TO:** Planning Commission

**FROM:** Amanda Hamilton, Planner II

**SUBJECT:** Consideration and approval of a Conditional Use Permit request for a “Light Manufacturing” land use on property located at 15897 S Axia Drive, Suite 150, in the M-1 Manufacturing Zone.

**Applicant:** Julie Bodell, Axia Partners, LLC (authorized agent, & property owner)

**Acres:** ±18.08

**File No:** C2026-044

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### RECOMMENDATION:

Staff recommends the Commission approve the following findings:

- Subject to compliance with staff recommendations, the proposed site plan and land use comply with the following:
  - a. The proposed use complies with the Conditional Use standards.
  - b. The proposed use complies with all other zoning ordinance requirements.

Staff recommends **approval** of a Conditional Use Permit for a *Light Manufacturing* use on property located at 15897 S Axia Drive, Suite 150, in the M-1 Manufacturing Zone, with the following requirements:

1. Acknowledge and address all recommendations from other agencies.
2. Product formulation is limited to “cosmetics” as defined and in compliance with the U.S. Food and Drug Administration pursuant to the Federal Food, Drug, and Cosmetic Act (FD&C Act).
3. Continue to comply with the International Organization for Standardization (ISO) 22716 Good Manufacturing Practice (GMP) requirements (or equivalent).
4. Comply with any State and City requirements for the use of alcohol in the formulation or packaging of perfumes and colognes.

**ISSUE BEFORE COMMISSION:**

Based on the enclosed findings and recommended conditions, should the Planning Commission approve the proposed Conditional Use?

If approved by the Planning Commission with any required conditions, the applicant will continue working with staff to make all necessary corrections before any permits are issued.

**BACKGROUND & SUMMARY:**

On behalf of SMPL MFG, LLC, the applicant has requested the consideration and approval of a “Light Manufacturing” land use to formulate, manufacture, package, and utilize third-party logistics (3PL) to distribute consumer goods for the cosmetic and personal care industry.

The applicant holds a Certificate of Cosmetic Facility Registration with the FDA. This registration affirms compliance with the U.S. Food and Drug Administration pursuant to the Federal Food, Drug, and Cosmetic Act (FD&C Act), as amended by the Modernization of Cosmetic Regulation Act of 2022 (21 U.S.C. § 361 et seq.). The FD&C Act clearly distinguishes between cosmetics and cosmetics that also meet the statutory definition of a drug. The applicant’s registration is distinctly for cosmetics and does *not* include drugs or combination products as defined by the FD&C Act.

“Cosmetics” covers a range of FDA-regulated products that may be used externally and, in some instances, internally. The FD&C Act defines “cosmetics” as “articles intended to be rubbed, poured, sprinkled or sprayed on, introduced into, or otherwise applied to the human body... for cleansing, beautifying, promoting attractiveness, or altering the appearance” [FD&C Act, sec. 201(i)].

For regulatory purposes, the term “cosmetics” includes products for the eyes, face, nails, hair, skin, and mouth. This typically takes the form of products such as makeup, polishes, hair dyes, sunscreens, fragrances, shave gel, oral care (such as toothpaste), and bath products.

The applicant also holds an ISO22716 certificate issued by SGS. SGS is a nationally accredited third-party certification, testing, verification, and inspection company. The applicant works with SGS to identify and mitigate risks in production that could impact product safety and quality. Organizations undergo audits to demonstrate that the production, control, storage, and shipment of cosmetic products comply with Good Manufacturing Practices (GMP).

The ISO 22716 Good Manufacturing Practice (GMP) Certificate requirements are developed by the International Organization for Standardization (ISO). The committee’s goal is to establish global quality and safety standards for cosmetics, which the FDA has adopted.

City code defines manufacturing, light to mean “an establishment engaged in limited processing, fabrication, assembly, and packaging of products utilizing processes that have no noise, odor, vibration, or other impacts discernible outside a building”. Light manufacturing is a conditional use within the M-1 Manufacturing Zone.

The requested use will operate in Suite 150, consuming approximately 72,654 square feet of the existing 232,768-square-foot multi-tenant structure in the Axia Park Business Park ( $\pm 18.08$  acres).

## **DISCUSSION:**

### **ENGINEERING REVIEW**

*Staff Finding: The Engineering Department has reviewed the proposed site plan and identified no issues.*

### **CONDITIONAL USE REVIEW (STANDARDS FROM 10-5-10.E.1):**

“Light Manufacturing” is a Conditional Use in the M-1 Manufacturing Zone and subject to compliance with the “Approval Standards” listed in 10-5-10(E), which have been summarized and reviewed below:

#### **Consistent with the applicable objectives, goals, and policies of the General Plan**

*Staff Finding: The Future Land Use (FLU) Map in the adopted General Plan designates the subject property as Employment Campus/Business Park, which is consistent with the current zoning classification of M-1 Manufacturing Zone.*

*According to the General Plan, the objective of the Employment Campus/Business Park land use category is:*

*With frontage along the Mountain View Corridor and available land, Herriman is well-positioned to help fill a gap and facilitate employment opportunities in the growing Southwest region of the county. The Employment Campus areas will generate jobs and revenue through property and sales taxes from associated retail uses. Providing for larger clusters of job-producing uses will help facilitate efficient use of infrastructure and attract auxiliary uses. These light industrial and business park areas are important economic resources for Herriman City and the region. (Herriman NEXT, General Plan, FLU-30)*

*Whereas the proposed use is consistent with the stated purpose of the Employment Campus/Business Park designation, and the General Plan states that the M-1 Zone is consistent with the Future Land Use Map designation of “Employment Campus/Business Park,” the proposal is consistent with the General Plan.*

**The proposed conditional use and associated plans include substantial mitigation of reasonably anticipated detrimental effects arising from the conditional use, including, but not limited to:**

- a) **Detrimental effects of decreased street service levels and/or traffic patterns including the need for street modifications such as dedicated turn lanes, traffic control devices, safety, street widening, curb, gutter and sidewalks, location of ingress/egress, lot surfacing and design of off-street parking and circulation, loading docks, as well as**

**compliance with off-street parking standards, including other reasonable mitigation as determined by a qualified traffic engineer.**

*Staff Finding: Impacts related to street-level services and traffic patterns were addressed through the initial site plan approval. The proposed use does not modify or increase the impacts outlined in this subsection. Therefore, no additional impacts need to be mitigated.*

- b) Detrimental effects on the adequacy of utility systems, service delivery, and capacities, including the need for such items as relocating, upgrading, providing additional capacity, or preserving existing systems, including other reasonable mitigation as determined by the City’s engineering staff, contracted engineers, and utility service providers.**

*Staff Finding: The proposal does not require any additional demand or modifications to the existing services provided to the site. Therefore, the services provided to the site are adequate to meet the demand of the proposed uses.*

- c) Detrimental effects on connectivity and safety for pedestrians and bicyclists.**

*Staff Finding: Pedestrian access and connectivity are already available on-site, as the provision and requirements for pedestrian access were addressed during the initial site plan approval.*

- d) Detrimental effects by the use due to its nature including (1) noise that exceeds sound levels normally found within the neighborhood or surrounding zone, (2) odors beyond what is normally considered acceptable within the neighborhood or surrounding zone, and (3) environmental impacts such as dust, fumes, smoke, odor, noise, vibrations, chemicals, toxins, pathogens, gases, heat, light, electromagnetic disturbances, and radiation. Detrimental effects by the use may also include hours of operation and the potential to create an attractive nuisance.**

*Staff Finding: Based on the applicant’s Conditional Use statement, the manufacturing process will primarily consist of low-intensity product formulation, packaging, and fulfillment operations conducted entirely within the enclosed building. Operations will involve standard commercial equipment and will generally occur within normal business hours, consistent with the surrounding area. The proposed site is zoned M-1 Manufacturing, which is consistent with the surrounding properties. Zoning requirements such as setbacks and landscaping buffers help mitigate nuisances that may occur on the site. Therefore, staff have found that the proposal will have minimal (if any) detrimental effects beyond what is customarily associated with uses on surrounding properties.*

- e) Detrimental effects that increase the risk of contamination of or damage to adjacent properties and injury or sickness to people arising from, but not limited to, waste disposal, fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/topography, storm drainage/flood control, high groundwater, sensitive**

**lands, environmental health hazards, or wetlands, as determined by City Engineer, City geologist and other qualified specialists.**

*Staff Finding:* The applicant has clarified that this is a low-intensity product formulation, packaging, and fulfillment operation that is not expected to create impacts beyond those typically associated with light manufacturing. All materials used to formulate cosmetic and personal care products will be handled, stored, and disposed of in accordance with building, fire, environmental, and health department standards, as applicable. The use is not expected to impact adjacent properties, including soil, groundwater, or sensitive lands. The applicant will comply with all requirements of the City Engineer, the fire authority, and other relevant agencies to ensure safe operations and protect public health.

- f) Detrimental effects of modifications to or installation of signs and exterior lighting that conflict with neighborhood compatibility.**

*Staff Finding:* No signs or modifications to the exterior lighting of the building or site have been proposed.

- g) Detrimental effects arising from incompatible designs in terms of use, scale, intensity, height, mass, setbacks, character, construction, solar access, landscaping, fencing, screening, and architectural design and exterior detailing/finishes and colors within the neighborhood in which the conditional use will be located.**

*Staff Finding:* The proposal limits the additional uses to Suite 150, and the tenant improvement will only impact the structure's interior space. Therefore, there are no impacts on the existing design or site characteristics.

- h) Detrimental effects on the tax base and property values.**

*Staff Finding:* Approval of the proposal will not impact the City's tax base or property values. However, the approval of this proposal will provide new jobs within the City.

- i) Detrimental effects on the current level of economy in governmental expenditures.**

*Staff Finding:* The City is not providing any economic incentives for the proposed use, and the use will not impose any negative impacts on governmental expenditures.

- j) Detrimental effects on emergency fire service and emergency vehicle access.**

*Staff Finding:* The appropriate agencies have reviewed the proposed use and found no detrimental impacts on the site for emergency and fire services and access.

- k) Detrimental effects on usable open space.**

*Staff Finding:* The proposal will not impact any usable open space on or near the site.

**l) Inadequate maintenance of the property and structures in perpetuity including performance measures, compliance reviews, and monitoring.**

*Staff Finding: Upon review of City records, staff have not identified any outstanding compliance issues related to the site or the existing structure.*

**In conclusion, staff determined that the applicant's request (with conditions) is consistent with applicable standards and recommends Planning Commission approval, subject to conditions.**

**ALTERNATIVES:**

The Planning Commission may consider the following alternatives:

Alternatives	Recommendation	Considerations for Alternative	Considerations against Alternative
Approve proposal as submitted		Approval facilitates additional manufacturing uses and job creation in the area	Without staff recommendations, the proposal may have an increased impact on traffic
Approve proposal with conditions	<b>Yes</b>	Approval with conditions facilitates the expansion of manufacturing uses and job creation in the area	Staff has not identified any issues that warrant additional conditions
Postpone proposal (with or without date)		Commission may identify additional issues that warrant further research and review. A motion to postpone should identify any additional information required	Staff has not identified any issues that warrant postponement
Deny proposal		Commission may deny the proposal based on findings relative to the applicable standards	Staff has not identified any findings that warrant denial

**ATTACHMENTS:**

- A. Application
- B. Vicinity Map
- C. Site & Floor Plan



## Conditional Use Application

PROPERTY INFORMATION			
Property Address: 15897 South Axia Drive Herriman, UT 84065			
Parcel Numbers: 33-22-104-001-0000			
Acres: 18.08 acres	Proposed building square footage: Tenant to occupy 72,654 SF of 232,708 SF total building		
Request: Approval of tenant use			
APPLICANT INFORMATION			
Name of Applicant: Axia Business Park, LLC			
Address of Applicant: [REDACTED]			
Email of Applicant: [REDACTED]	Phone: [REDACTED]		
Applicants Affiliation with the Subject Property:			
<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Engineer	<input type="checkbox"/> Architect	<input type="checkbox"/> Other
Engineer: (if not listed above) n/a			
Email of Engineer:		Phone of Engineer:	
Architect: (if applicable) Samuel J Brady Architects			
Email of Architect [REDACTED]		Phone of Architect: [REDACTED]	
Property Owner: (if not listed above)			
Email of Owner:		Phone:	
OFFICE USE ONLY			
Date Received:	Received By:	File Number:	Fee:
Zone:	Assigned Planner:		Receipt #



## Conditional Use Checklist

## City Use Only

Applicant Submitted	<b>All information should be submitted electronically to <a href="mailto:planning@herriman.org">planning@herriman.org</a></b>	Accepted	N/A Initials
Initial <u>JB</u>	Conditional Use Application, including a description of the proposed use and the appropriate fee		
Initial <u>JB</u>	A statement by the applicant demonstrating how the conditional use permit request meets the approval standards (See attached)		
	Site Plan submittal information (Land Development Code 10-5-12), which includes:		
<b>Site plan showing the following: N/A</b>			
Initial _____	All infrastructure and development facilities related to the project located within two hundred fifty feet (250') of the site boundary		
Initial _____	Layout, dimensions, and names of existing and future road rights-of-way		
Initial _____	Project name, north arrow, and tie to a section monument		
Initial _____	The boundary lines of the project site with bearings and distances		
Initial _____	Layout and dimensions of proposed streets, buildings, parking areas, and landscape areas		
Initial _____	Location, dimensions, and labeling of other features such as bicycle racks, dumpsters, trash cans, fences, signage, and mechanical equipment		
Initial _____	Location of man-made features including irrigation facilities, bridges, railroad tracks, and buildings		
Initial _____	A tabulation table, showing total gross acreage, square footage of street rights-of-way, square footage of building footprint, square footage of total building floor area, square footage of landscaping, number of parking spaces, and if any, the number and type of dwellings, and the percentage devoted to each dwelling type and overall dwelling unit density		
Initial _____	Identification of property, if any, not proposed for development		
<b>Grading and drainage plan showing the following: N/A</b>			
Initial _____	North arrow, scale, and site plan underlay		
Initial _____	Topography contours at two foot (2') intervals		
Initial _____	Areas of substantial earth moving with an erosion control plan		
Initial _____	Location of existing water courses, canals, ditches, springs, wells, culverts, and storm drains, and proposed method of dealing with all irrigation and waste water		
Initial _____	Location of any designated FEMA floodplain and/or wetland boundaries;		
Initial _____	Direction of stormwater flows, catch basins, inlets, outlets, waterways, culverts, detention basins, orifice plates, outlets to off-site facilities, and off-site drainage facilities when necessary based on adopted City standards and specifications; and		



<b>Utility plan showing the following: N/A</b>			
Initial _____	North arrow, scale, and site plan underlay		
Initial _____	All existing and proposed utilities including, but not limited to, sewer, culinary water, secondary water, fire hydrants, storm drains, subsurface drains, gas lines, power lines, communications lines, cable television lines, and street lights		
Initial _____	Minimum fire flow required by the Building Code for the proposed structures, and fire flow calculations at all hydrant locations		
Initial _____	Location and dimensions of all utility easements		
Initial _____	A letter from each utility provider, other than the City, addressing the feasibility and their requirements to serve the project;		
Initial _____	<b>Landscaping plan, consistent with the requirements of chapter 23 of this title</b>		
<b>Building elevations for all buildings showing the following:</b>			
Initial _____	Accurate front, rear, and side elevations drawn to scale		
Initial _____	Exterior surfacing materials and colors, including roofing material and color		
Initial _____	Outdoor lighting, furnishings, and architectural accents		
Initial _____	Location and dimensions of proposed signs		
Initial _____	Where one or more conditions of unusual soil, vegetation, geology, or slope exist, resulting in increased fire, flood, or erosion hazards, traffic circulation problems, sewage disposal problems, or potential property damage from extensive soil slippage and subsidence, an applicant shall, upon request of the Planning Commission or City Engineer, provide contour and drainage plans, cut and fill specifications, and soil and geologic reports. The required details of such reports and plans may vary depending on the severity of the unusual conditions, but in any event such plans and reports shall be reviewed and approved by the City prior to final approval of a site plan;		
<b>The following documents: N/A</b>			
Initial _____	Any agreements with adjacent property owners regarding development of the site		
Initial _____	Evidence of compliance with applicable Federal, State, and local laws and regulations, if requested by the Planning Commission or Community Development Director		
Initial _____	A traffic impact analysis, if requested by the Planning Commission or City Engineer		
Initial _____	Warranty deed and preliminary title report or other document showing the applicant has control of the property		
Initial _____	Parcel maps from the County Recorder's Office showing the subject property and all property located within four hundred feet (400') thereof.		



## **CONDITIONAL USE STANDARDS**

Approval Standards: A conditional use permit shall run with the land and may require the applicant to record documents to that effect. The Planning Commission and staff, in their review capacity, may impose site plan modifications and conditions to mitigate the reasonably anticipated detrimental effects of a conditional use. All conditional uses shall meet the following standards:

1. The proposed conditional use shall comply with City, State, and Federal codes as applicable to the site where the conditional use will be located.
2. The proposed conditional use is consistent with the applicable objectives, goals, and policies of the General Plan.
3. The proposed conditional use and associated plans include substantial mitigation of reasonably anticipated detrimental effects arising from the conditional use, including, but not limited to:
  - a. Detrimental effects of decreased street service levels and/or traffic patterns including the need for street modifications such as dedicated turn lanes, traffic control devices, safety, street widening, curb, gutter and sidewalks, location of ingress/egress, lot surfacing and design of off-street parking and circulation, loading docks, as well as compliance with off-street parking standards, including other reasonable mitigation as determined by a qualified traffic engineer.
  - b. Detrimental effects on the adequacy of utility systems, service delivery, and capacities, including the need for such items as relocating, upgrading, providing additional capacity, or preserving existing systems, including other reasonable mitigation as determined by the City's engineering staff, contracted engineers, and utility service providers.
  - c. Detrimental effects on connectivity and safety for pedestrians and bicyclists.
  - d. Detrimental effects by the use due to its nature including (1) noise that exceeds sound levels normally found within the neighborhood or surrounding zone, (2) odors beyond what is normally considered acceptable within the neighborhood or surrounding zone, and (3) environmental impacts such as dust, fumes, smoke, odor, noise, vibrations, chemicals, toxins, pathogens, gases, heat, light, electromagnetic disturbances, and radiation. Detrimental effects by the use may also include hours of operation and the potential to create an attractive nuisance.
  - e. Detrimental effects that increase the risk of contamination of or damage to adjacent properties and injury or sickness to people arising from, but not limited to, waste disposal, fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/topography, storm drainage/flood control, high ground water, sensitive lands, environmental health hazards, or wetlands, as determined by City Engineer, City geologist and other qualified specialists.
  - f. Detrimental effects of modifications to or installation of signs and exterior lighting

- g. that conflict with neighborhood compatibility.
  - g. Detrimental effects arising from incompatible designs in terms of use, scale, intensity, height, mass, setbacks, character, construction, solar access, landscaping, fencing, screening, and architectural design and exterior detailing/finishes and colors within the neighborhood in which the conditional use will be located.
  - h. Detrimental effects on the tax base and property values.
  - i. Detrimental effects on the current level of economy in governmental expenditures.
  - j. Detrimental effects on emergency fire service and emergency vehicle access.
  - k. Detrimental effects on usable open space.
  - l. Inadequate maintenance of the property and structures in perpetuity including performance measures, compliance reviews, and monitoring.
4. Conditions may be imposed as necessary to conform the proposed conditional use permit to the requirements set forth in subsection E of this section. Such conditions shall be expressly set forth in the approval authorizing the conditional use.

## Herriman City Conditional Use Application

Description of the proposed conditional use:

- Proposed Tenant: SMPL MFG, LLC
- Proposed Conditional Use: Manufacturing, Light
- SMPL MFG, LLC is a Utah-based contract manufacturing and fulfillment company specializing in the production, packaging, and distribution of consumer product goods. The company supports brands by providing end-to-end services including product formulation, manufacturing, packaging, and third-party logistics (3PL), allowing products to move efficiently from development through delivery to customers. Operations are conducted indoors using light manufacturing and packaging equipment in a controlled environment. The proposed tenant plans to use the space to manufacture, warehouse, and distribute their product.
- [Contract Manufacturing | Smpl Manufacturing](#)

Site Plan

- [See PDF attached](#)

Traffic Analysis

- [N/A](#)

Approval standard requirements:

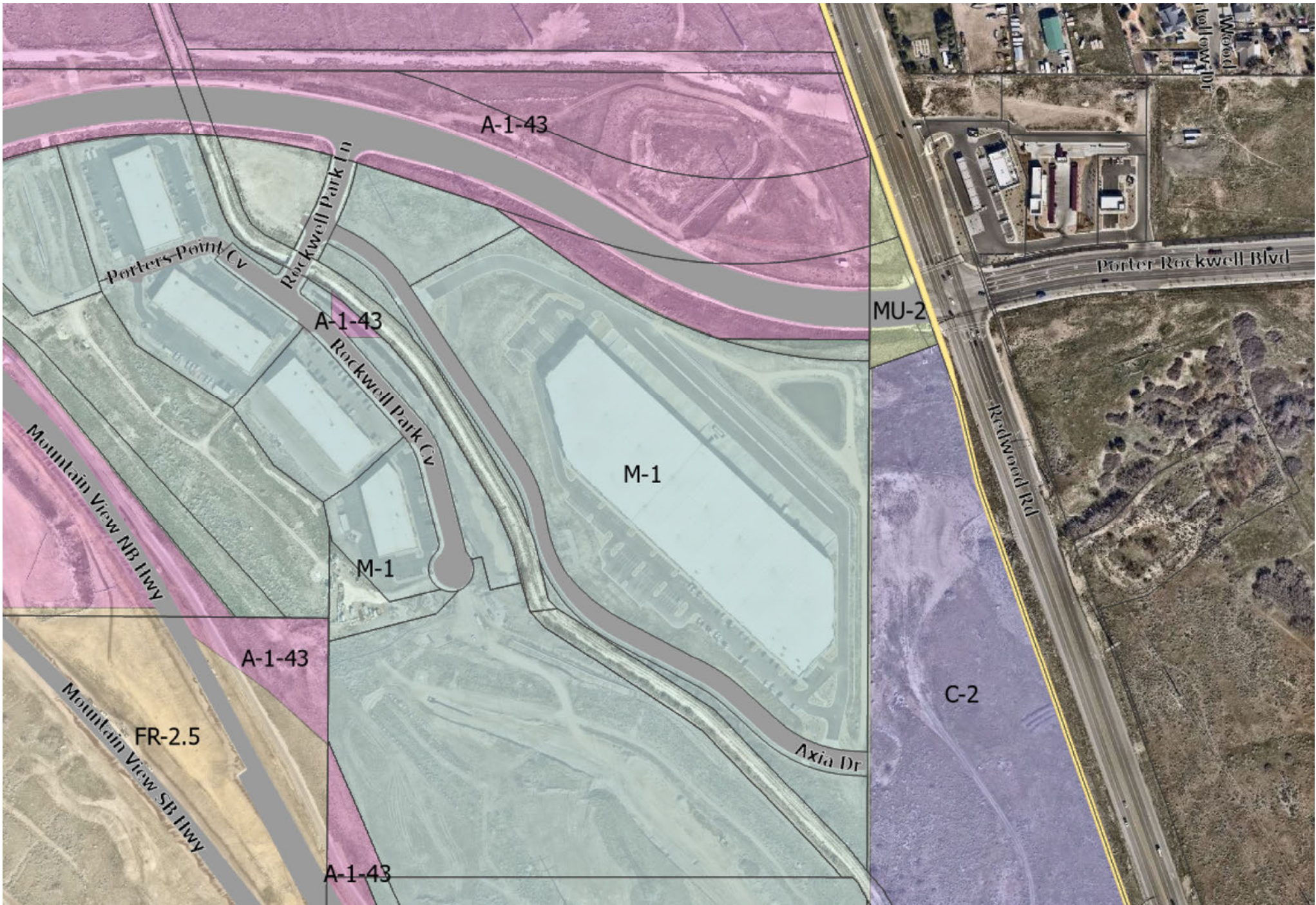
1. The proposed conditional use shall comply with City, State, and Federal codes as applicable to the site where the conditional use will be located.
  - [Yes, proposed tenant will ensure compliance with all required City, State, and Federal codes](#)
2. The proposed conditional use is consistent with the applicable objectives, goals, and policies of the General Plan.
  - [Yes – we are in an M-1 zone for light manufacturing. Prospective tenant is using the facility to manufacture, warehouse, and distribute their products.](#)

3. The proposed conditional use and associated plans include substantial mitigation of reasonably anticipated detrimental effects arising from the conditional use, including, but not limited to:
  - A. Detrimental effects of decreased street service levels and/or traffic patterns including the need for street modifications such as dedicated turn lanes, traffic control devices, safety, street widening, curb, gutter and sidewalks, location of ingress/egress, lot surfacing and design of off-street parking and circulation, loading docks, as well as compliance with off-street parking standards, including other reasonable mitigation as determined by a qualified traffic engineer.
    - No additional parking spaces or roadways will be introduced to the site, ensuring that traffic levels remain consistent with those previously approved in the Fehr & Peers traffic study for the building project.
  - B. Detrimental effects on the adequacy of utility systems, service delivery, and capacities, including the need for such items as relocating, upgrading, providing additional capacity, or preserving existing systems, including other reasonable mitigation as determined by the City's engineering staff, contracted engineers, and utility service providers.
    - The proposed tenant will use their pro rata share of utilities, including power, gas, water/sewer, trash, phone, and data services serving the leased premises. No upgrading required.
  - C. Detrimental effects on connectivity and safety for pedestrians and bicyclists.
    - N/A
  - D. Detrimental effects by the use due to its nature including (1) noise that exceeds sound levels normally found within the neighborhood or surrounding zone, (2) odors beyond what is normally considered acceptable within the neighborhood or surrounding zone, and (3) environmental impacts such as dust, fumes, smoke, odor, noise, vibrations, chemicals, toxins, pathogens, gases, heat, light, electromagnetic disturbances, and radiation. Detrimental effects by the use may also include hours of operation and the potential to create an attractive nuisance.
    - The proposed use is a low-intensity product formulation, packaging, and fulfillment operation conducted entirely within an enclosed building and is not expected to create detrimental effects beyond those typical of standard office or light industrial uses. Operations will involve standard commercial equipment and will generally occur during normal business hours, resulting in noise levels consistent with the surrounding area. All activities will take place indoors, and the use is not expected to create off-site impacts related to odor, dust, smoke, fumes, or vibrations. Any materials associated

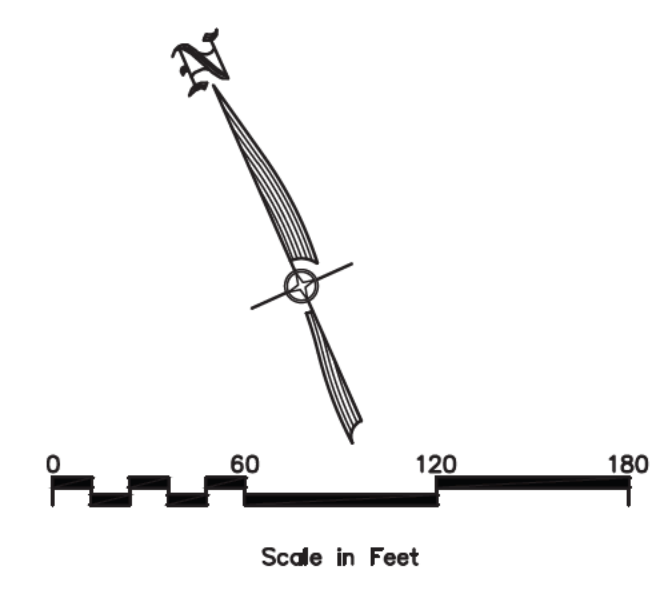
with the operation will be stored, handled, and disposed of in accordance with applicable building, fire, safety, and environmental regulations. The use does not present conditions that would create an attractive nuisance, as all operations occur within a controlled indoor environment with no exposure to the public.

- E. Detrimental effects that increase the risk of contamination of or damage to adjacent properties and injury or sickness to people arising from, but not limited to, waste disposal, fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/topography, storm drainage/flood control, high ground water, sensitive lands, environmental health hazards, or wetlands, as determined by City Engineer, City geologist and other qualified specialists.
- The proposed use is a low-intensity product formulation, packaging, and fulfillment operation conducted entirely within an enclosed building and is not expected to create impacts beyond those typical of standard office or light industrial uses. All materials associated with the operation will be stored, handled, and disposed of in accordance with applicable building, fire, safety, and environmental regulations. The use is not expected to adversely impact adjacent properties, including soil or groundwater, and no changes to site grading, drainage, or topography are proposed. The operation will not affect stormwater systems, flood control, or sensitive lands. The project will comply with all applicable requirements of the City Engineer, fire authority, and other relevant agencies to ensure safe operations and protection of public health.
- F. Detrimental effects of modifications to or installation of signs and exterior lighting that conflict with neighborhood compatibility.
- N/A – no change to exterior building. Potential for minimal building crown signage, which will be separately submitted to city for approval.
- G. Detrimental effects arising from incompatible designs in terms of use, scale, intensity, height, mass, setbacks, character, construction, solar access, landscaping, fencing, screening, and architectural design and exterior detailing/finishes and colors within the neighborhood in which the conditional use will be located.
- N/A
- H. Detrimental effects on the tax base and property values.
- N/A
- I. Detrimental effects on the current level of economy in governmental expenditures.
- N/A
- J. Detrimental effects on emergency fire service and emergency vehicle access.
- N/A
- K. Detrimental effects on usable open space.

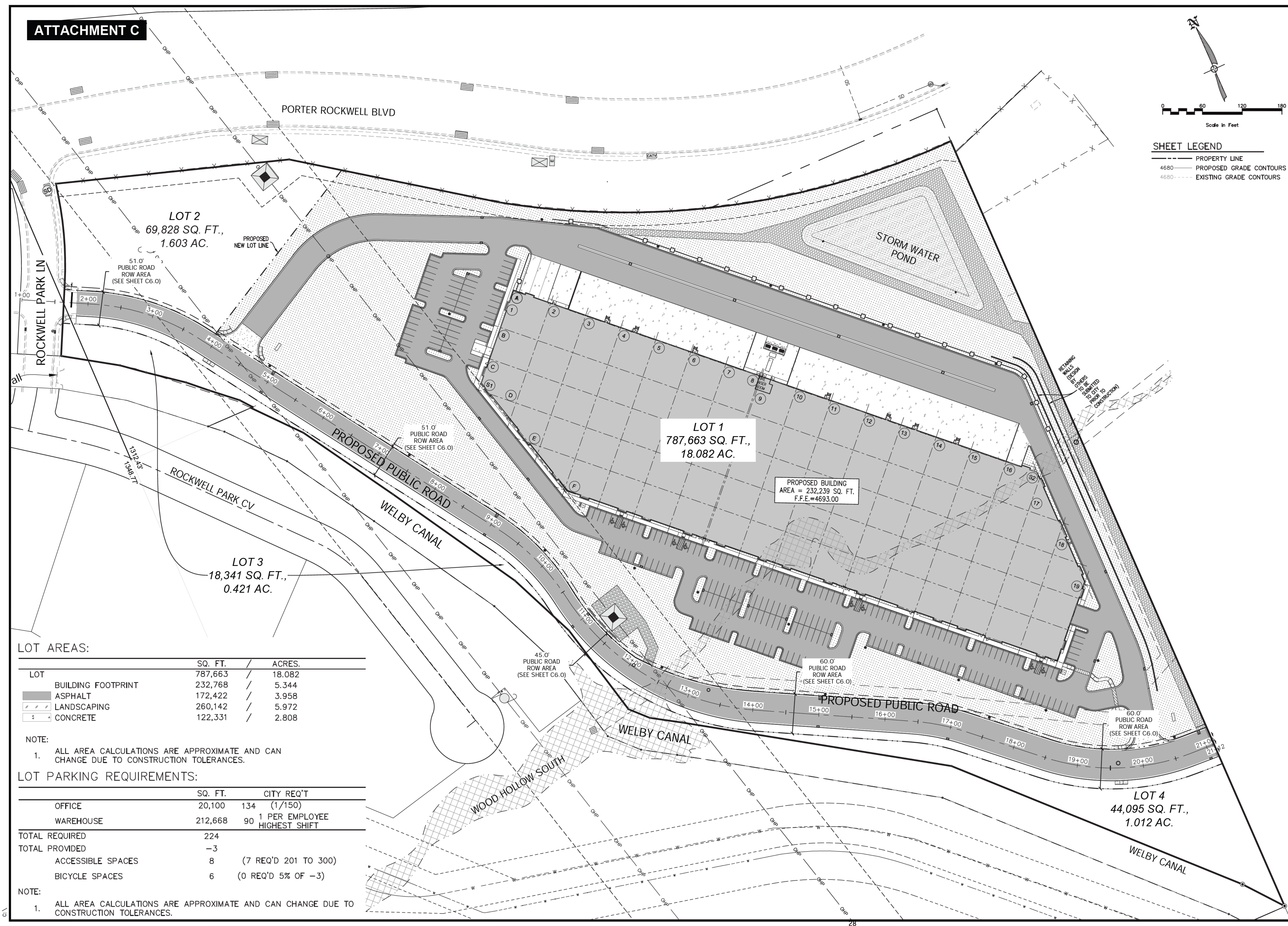
- N/A
- L. Inadequate maintenance of the property and structures in perpetuity including performance measures, compliance reviews, and monitoring.
- The property maintenance will continue to be managed by owner ensuring the highest standard for care of the building, landscaping, signage, open space, etc.
  - Owner/property manager has engaged with high-standard, year-round vendors to ensure the property is properly maintained to retain maximum value of the building and land.
4. Conditions may be imposed as necessary to conform the proposed conditional use permit to the requirements set forth in subsection E of this section. Such conditions shall be expressly set forth in the approval authorizing the conditional use.



**ATTACHMENT C**



**SHEET LEGEND**  
 - - - - - PROPERTY LINE  
 4680 - - - - - PROPOSED GRADE CONTOURS  
 4680 - - - - - EXISTING GRADE CONTOURS



**LOT 2**  
 69,828 SQ. FT.,  
 1.603 AC.

**LOT 1**  
 787,663 SQ. FT.,  
 18.082 AC.

**LOT 3**  
 18,341 SQ. FT.,  
 0.421 AC.

**LOT 4**  
 44,095 SQ. FT.,  
 1.012 AC.

PROPOSED BUILDING  
 AREA = 232,239 SQ. FT.  
 F.F.E. = 4693.00

**LOT AREAS:**

LOT	SQ. FT.	ACRES.
BUILDING FOOTPRINT	787,663	18.082
ASPHALT	232,768	5.344
LANDSCAPING	172,422	3.958
CONCRETE	260,142	5.972
	122,331	2.808

**NOTE:**  
 1. ALL AREA CALCULATIONS ARE APPROXIMATE AND CAN CHANGE DUE TO CONSTRUCTION TOLERANCES.

**LOT PARKING REQUIREMENTS:**

	SQ. FT.	CITY REQ'T
OFFICE	20,100	134 (1/150)
WAREHOUSE	212,668	90 1 PER EMPLOYEE HIGHEST SHIFT
<b>TOTAL REQUIRED</b>	<b>224</b>	
<b>TOTAL PROVIDED</b>	<b>-3</b>	
ACCESSIBLE SPACES	8	(7 REQ'D 201 TO 300)
BICYCLE SPACES	6	(0 REQ'D 5% OF -3)

**NOTE:**  
 1. ALL AREA CALCULATIONS ARE APPROXIMATE AND CAN CHANGE DUE TO CONSTRUCTION TOLERANCES.

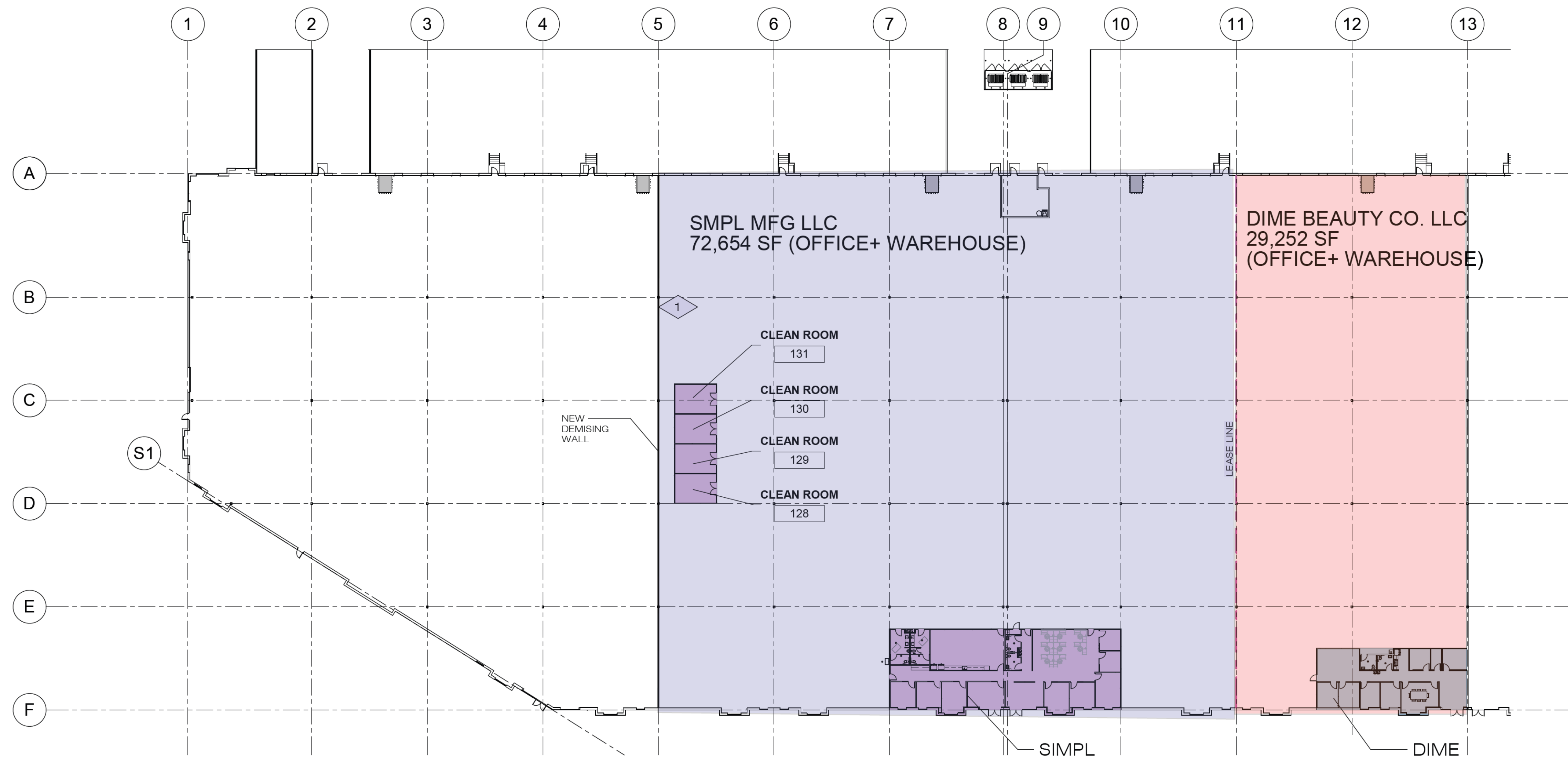
**CIVIL ENGINEERING + SURVEYING**  
**CIR**  
 10718 SOUTH BECKSTEAD LANE, STE. 102  
 SOUTH JORDAN, UT 84095 - 801-949-6296  
 PROJECT ENGINEER: SDT

**AXIA BUSINESS PARK**  
 15880 S REDWOOD ROAD, HERRIMAN, UTAH  
**MASTER SITE PLAN**



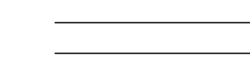




SHEET NO. **C1.0**  
 PROJECT ID: DATE: 05/05/23  
 FILE NAME: SCALE: 1"=60'

NOTE: THIS DRAWING IS PROVIDED FOR OWNER/TENANT APPROVAL OF THE SPACE NOTED AND IS NOT FOR CONSTRUCTION. ACTUAL SITE DIMENSIONS COULD VARY.



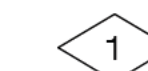
Office layouts are in draft form to be finalized prior to building permit submission

**WALL SCHEDULE**

-  EXISTING WALLS TO REMAIN
-  NEW 3-5/8" METAL STUDS 5/8" GYPSUM BOARD (TYPE X) EACH SIDE. COORD. STUD GAUGE, SIZING PER MANUF. LIMITING HEIGHT TABLES (5 PSF LOAD & L/240 DEFLECTION LIMIT REQUIREMENTS).
-  ALTERNATE: PROVIDE SOUND INSULATION: R-11 BATT INSULATION, EXTEND TO 14'-0" A.F.F. PROVIDE/COORD. MECHANICAL SOUND BOOTS NEW 3-5/8" METAL STUDS W/ 5/8" GYPSUM BOARD (TYPE X) EACH SIDE, COORD. STUD GAUGE, SIZING PER MANUF. LIMITING HEIGHT TABLES (5 PSF LOAD & L/240 DEFLECTION LIMIT REQUIREMENTS).
-  NEW 3-5/8" 25 GAUGE METAL STUDS @ W/ 5/8" GYPSUM BOARD (TYPE X) (1) SIDE. COORD. STUD GAUGE, SIZING PER MANUF. LIMITING HEIGHT TABLES (5 PSF LOAD & L/240 DEFLECTION LIMIT REQUIREMENTS).
-  NEW 6" METAL STUDS W/ 5/8" GYPSUM BOARD (TYPE X) EACH SIDE EXTEND TO ROOF DECK. COORD. STUD GAUGE, SIZING PER MANUF. LIMITING HEIGHT TABLES (5 PSF LOAD & L/240 DEFLECTION LIMIT REQUIREMENTS).

GENERAL CONTRACTOR SHALL CHALK-LINE ALL NEW WALLS FOR ARCHITECT'S APPROVAL, PRIOR TO ANY NEW CONSTRUCTION, TO INSURE THAT SPACE BUILD-OUT MEETS TENANT REQUIREMENTS.

**KEYNOTES**

-  1 NEW DEMISING WALL. PROVIDE GYP. BD. TENANT SIDE ONLY.

**DIME + SIMPL T.I.**

**15897 S AXIA DRIVE  
HERRIMAN, UTAH**



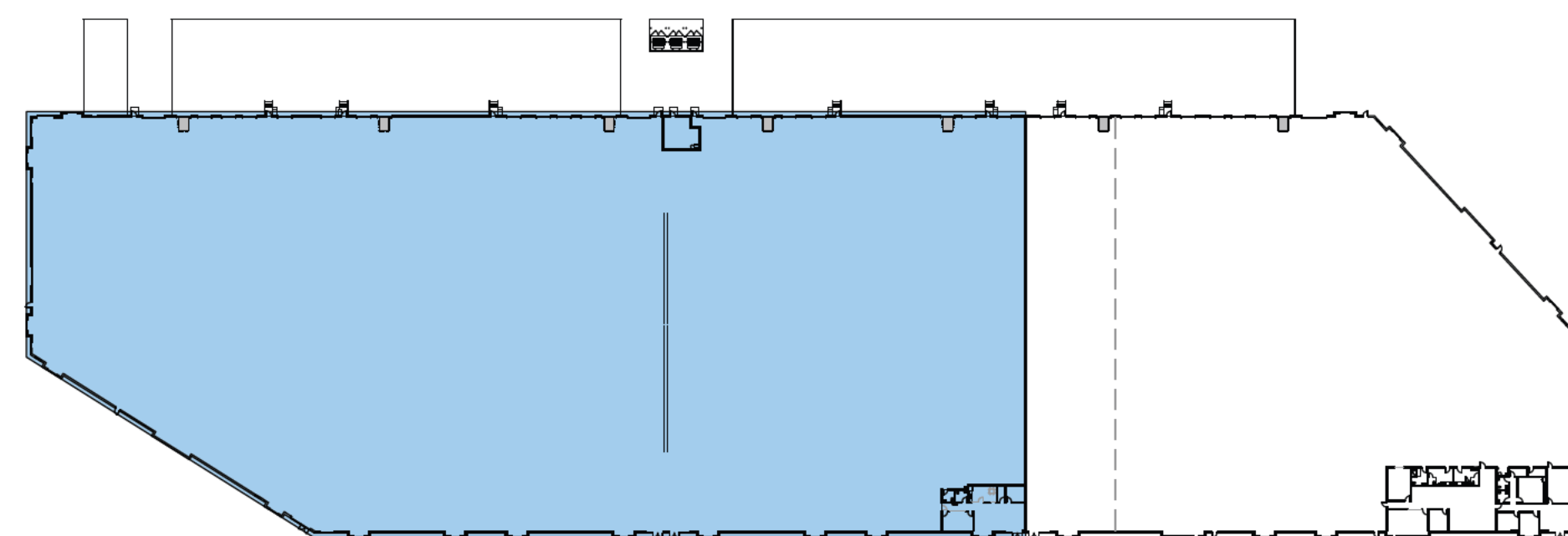
**MAIN LEVEL**

**OVERALL FLOOR PLAN**

SCALE: 1/32" = 1'-0"  
MARCH 16, 2026  
2683502



**A1.1**



KEY PLAN



## STAFF REPORT

**DATE:** April 15, 2026

**TO:** Planning Commission

**FROM:** Amanda Hamilton, Planner II

**SUBJECT:** Consideration and approval of a Conditional Use Permit request for a “Wholesale and Warehousing, Limited” land use on property located at 15897 S Axia Drive, Suite 200, in the M-1 Manufacturing Zone.  
**Applicant:** Julie Bodell, Axia Partners, LLC, (authorized agent, property owner)  
**Acres:** ±20.9  
**File No:** C2026-045

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### **RECOMMENDATION:**

Staff recommends the Commission approve the following findings:

- Subject to compliance with staff recommendations, the proposed site plan and land use comply with the following:
  - a. The proposed use complies with the Conditional Use standards.
  - b. The proposed use complies with all other zoning ordinance requirements.

Staff recommends **approval** of a Conditional Use Permit for *Wholesale and Warehousing, Limited* land use on property located at 15897 S Axia Drive, Suite 200, in the M-1 Manufacturing Zone, with the following requirements:

1. Acknowledge and address all recommendations from other agencies.

### **ISSUE BEFORE COMMISSION:**

Based on the enclosed findings and recommended conditions, should the Planning Commission approve the proposed Conditional Use?

If approved by the Planning Commission with any required conditions, the applicant will continue working with staff to make all necessary corrections before any permits are issued.

### **BACKGROUND & SUMMARY:**

On behalf of DIME Beauty Co., the applicant has requested consideration and approval of a “Wholesale and Warehousing, Limited” land use to market and distribute skincare, beauty, and wellness products.

DIME Beauty, Co markets and distributes products including skincare, cosmetics, and fragrances formulated and manufactured with an emphasis on ingredient transparency and cruelty-free practices. DIME serves customers through its online platform and retail partnerships (including ULTA and Amazon). The proposed tenant plans to warehouse and distribute their products through direct consumer shipping and retail partnership fulfillment, in addition to marketing and customer service office space.

City Code defines wholesale and warehousing, limited, to mean “an establishment engaged in small-scale storage and sale of goods to other businesses for resale, excluding self-storage warehouses, major distribution centers, motor freight terminals, moving and storage firms, and similar high volume, high turnover facilities. Limited wholesale and warehouse facilities will generally be under 50,000 square feet in area and operate during conventional business hours.” Wholesale and warehousing, limited, is a conditional use within the M-1 Manufacturing Zone.

The requested use will operate in Suite 200, consuming approximately 29,252 square feet of the existing 232,768-square-foot multi-tenant structure in the Axia Park Business Park (±20.9 acres).

### **DISCUSSION:**

#### **ENGINEERING REVIEW**

*Staff Finding: The Engineering Department has reviewed the proposed site plan and identified no issues.*

#### **CONDITIONAL USE REVIEW (STANDARDS FROM 10-5-10.E.1):**

“Wholesale and Warehousing, Limited” is a Conditional Use in the M-1 Manufacturing Zone and subject to compliance with the “Approval Standards” listed in 10-5-10(E), which have been summarized and reviewed below:

#### **Consistent with the applicable objectives, goals, and policies of the General Plan**

**Staff Finding:** *The Future Land Use (FLU) Map in the adopted General Plan designates the subject property as “Employment Campus/Business Park,” which is consistent with the current zoning classification of M-1 Manufacturing Zone.*

*According to the General Plan, the objective of the Employment Campus/Business Park land use category is:*

*With frontage along the Mountain View Corridor and available land, Herriman is well-positioned to help fill a gap and facilitate employment opportunities in the growing Southwest region of the county. Employment Campus areas will generate jobs and revenue through property and sales taxes from associated retail uses. Providing for larger clusters of job-producing uses will help facilitate efficient use of infrastructure and attract auxiliary uses. These light industrial and business park areas are important economic resources for Herriman City and the region. (Herriman NEXT, General Plan, FLU-30)*

*Whereas the proposed use is consistent with the stated purpose of the Employment Campus/Business Park designation, and the General Plan states that the M-1 Zone is consistent with the Future Land Use Map designation of “Employment Campus/Business Park,” the proposal is consistent with the General Plan.*

**The proposed conditional use and associated plans include substantial mitigation of reasonably anticipated detrimental effects arising from the conditional use, including, but not limited to:**

- a) **Detrimental effects of decreased street service levels and/or traffic patterns including the need for street modifications such as dedicated turn lanes, traffic control devices, safety, street widening, curb, gutter and sidewalks, location of ingress/egress, lot surfacing and design of off-street parking and circulation, loading docks, as well as compliance with off-street parking standards, including other reasonable mitigation as determined by a qualified traffic engineer.**

*Staff Finding: Impacts related to street-level services and traffic patterns were addressed through the initial site plan approval. The proposed use does not modify or increase the impacts outlined in this subsection. Therefore, no additional impacts need to be mitigated.*

- b) **Detrimental effects on the adequacy of utility systems, service delivery, and capacities, including the need for such items as relocating, upgrading, providing additional capacity, or preserving existing systems, including other reasonable mitigation as determined by the City’s engineering staff, contracted engineers, and utility service providers.**

**Staff Finding:** *The proposal does not require any additional demand or modifications to the existing services provided to the site. Therefore, the services provided to the site are adequate to meet the demand of the proposed uses.*

**c) Detrimental effects on connectivity and safety for pedestrians and bicyclists.**

**Staff Finding:** *Pedestrian access and connectivity are already available on-site, as the requirements for pedestrian access were addressed during the initial site plan approval.*

**d) Detrimental effects by the use due to its nature including (1) noise that exceeds sound levels normally found within the neighborhood or surrounding zone, (2) odors beyond what is normally considered acceptable within the neighborhood or surrounding zone, and (3) environmental impacts such as dust, fumes, smoke, odor, noise, vibrations, chemicals, toxins, pathogens, gases, heat, light, electromagnetic disturbances, and radiation. Detrimental effects by the use may also include hours of operation and the potential to create an attractive nuisance.**

**Staff Finding:** *Based on the applicant's Conditional Use statement, the manufacturing process will primarily consist of low-intensity product formulation, packaging, and fulfillment operations conducted entirely within the enclosed building. Operations will involve standard commercial equipment and will generally occur within normal business hours, consistent with the surrounding area. The proposed site is zoned M-1 Manufacturing, which is consistent with the surrounding properties. Zoning requirements such as setbacks and landscaping buffers help mitigate nuisances that may occur on the site. Therefore, staff have found that the proposal will have minimal (if any) detrimental effects beyond what is customarily associated with uses on surrounding properties.*

**e) Detrimental effects that increase the risk of contamination of or damage to adjacent properties and injury or sickness to people arising from, but not limited to, waste disposal, fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/topography, storm drainage/flood control, high groundwater, sensitive lands, environmental health hazards, or wetlands, as determined by City Engineer, City geologist and other qualified specialists.**

**Staff Finding:** *The applicant has clarified that this is a low-intensity product formulation, packaging, and fulfillment operation that is not expected to create impacts beyond those typically associated with light manufacturing. All materials used to formulate cosmetic and personal care products will be handled, stored, and disposed of in accordance with building, fire, environmental, and health department standards, as applicable. The use is not expected to impact adjacent properties, including soil or groundwater, or affect stormwater systems, flood control, and sensitive lands. The applicant will comply with all*

*requirements of the City Engineer, the Fire Authority, and other relevant agencies to ensure safe operations and protect public health.*

- f) Detrimental effects of modifications to or installation of signs and exterior lighting that conflict with neighborhood compatibility.**

*Staff Finding: No signs or modifications to the exterior lighting of the building or site have been proposed.*

- g) Detrimental effects arising from incompatible designs in terms of use, scale, intensity, height, mass, setbacks, character, construction, solar access, landscaping, fencing, screening, and architectural design and exterior detailing/finishes and colors within the neighborhood in which the conditional use will be located.**

*Staff Finding: The proposal limits the additional uses to Suite 200, and the tenant improvement will only impact the structure's interior space. Therefore, there are no impacts on the existing design or site characteristics.*

- h) Detrimental effects on the tax base and property values.**

*Staff Finding: Approval of the proposal will not impact the City's tax base or property values. However, the approval of this proposal will provide new jobs within the City.*

- i) Detrimental effects on the current level of economy in governmental expenditures.**

*Staff Finding: The City is not providing any economic incentives for the proposed use, and the use will not impose any negative impacts on governmental expenditures.*

- j) Detrimental effects on emergency fire service and emergency vehicle access.**

*Staff Finding: The appropriate agencies have reviewed the proposed use and found no detrimental impacts on the site for emergency and fire services and access.*

- k) Detrimental effects on usable open space.**

*Staff Finding: The proposal will not impact any usable open space on or near the site.*

- l) Inadequate maintenance of the property and structures in perpetuity including performance measures, compliance reviews, and monitoring.**

*Staff Finding: Upon review of city records, staff have not identified any outstanding compliance issues related to the site or the existing structure.*

**In conclusion, staff determined that the applicant's request (with conditions) is consistent with applicable standards and recommends Planning Commission approval, subject to conditions.**

**ALTERNATIVES:**

The Planning Commission may consider the following alternative actions:

<b>Alternatives</b>	<b>Recommendation</b>	<b>Considerations for Alternative</b>	<b>Considerations against Alternative</b>
Approve proposal as submitted	<b>Yes</b>	Approval facilitates additional manufacturing uses and job creation in the area	Without staff recommendations, the proposal may have an increased impact on traffic
Approve proposal with conditions		Approval with conditions facilitates the expansion of manufacturing uses and job creation in the area	Staff has not identified any issues that warrant additional conditions
Postpone proposal (with or without date)		Commission may identify additional issues that warrant further research and review. A motion to postpone should identify any additional information required	Staff has not identified any issues that warrant postponement
Deny proposal		Commission may deny the proposal based on findings relative to the applicable standards	Staff has not identified any findings that warrant denial

**ATTACHMENTS:**

- A. Application
- B. Vicinity Map
- C. Site & Floor Plans



## Conditional Use Application

PROPERTY INFORMATION			
Property Address: 15897 South Axia Drive Herriman, UT 84065			
Parcel Numbers: 33-22-104-001-0000			
Acres: 18.08 acres	Proposed building square footage: Tenant to occupy 29,252 SF of 232,708 SF total building		
Request: Approval of tenant use			
APPLICANT INFORMATION			
Name of Applicant: Axia Business Park, LLC			
Address of Applicant: [REDACTED]			
Email of Applicant: [REDACTED]	Phone: [REDACTED]		
Applicants Affiliation with the Subject Property:			
<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Engineer <input type="checkbox"/> Architect <input type="checkbox"/> Other			
Engineer: (if not listed above) n/a			
Email of Engineer:	Phone of Engineer:		
Architect: (if applicable) Samuel J Brady Architects			
Email of Architect [REDACTED]	Phone of Architect: [REDACTED]		
Property Owner: (if not listed above)			
Email of Owner:	Phone:		
OFFICE USE ONLY			
Date Received:	Received By:	File Number:	Fee:
Zone:	Assigned Planner:		Receipt #



## Conditional Use Checklist

## City Use Only

Applicant Submitted	<b>All information should be submitted electronically to <a href="mailto:planning@herriman.org">planning@herriman.org</a></b>	Accepted	N/A Initials
Initial <u>JB</u>	Conditional Use Application, including a description of the proposed use and the appropriate fee		
Initial <u>JB</u>	A statement by the applicant demonstrating how the conditional use permit request meets the approval standards (See attached)		
	Site Plan submittal information (Land Development Code 10-5-12), which includes:		
<b>Site plan showing the following: N/A</b>			
Initial _____	All infrastructure and development facilities related to the project located within two hundred fifty feet (250') of the site boundary		
Initial _____	Layout, dimensions, and names of existing and future road rights-of-way		
Initial _____	Project name, north arrow, and tie to a section monument		
Initial _____	The boundary lines of the project site with bearings and distances		
Initial _____	Layout and dimensions of proposed streets, buildings, parking areas, and landscape areas		
Initial _____	Location, dimensions, and labeling of other features such as bicycle racks, dumpsters, trash cans, fences, signage, and mechanical equipment		
Initial _____	Location of man-made features including irrigation facilities, bridges, railroad tracks, and buildings		
Initial _____	A tabulation table, showing total gross acreage, square footage of street rights-of-way, square footage of building footprint, square footage of total building floor area, square footage of landscaping, number of parking spaces, and if any, the number and type of dwellings, and the percentage devoted to each dwelling type and overall dwelling unit density		
Initial _____	Identification of property, if any, not proposed for development		
<b>Grading and drainage plan showing the following: N/A</b>			
Initial _____	North arrow, scale, and site plan underlay		
Initial _____	Topography contours at two foot (2') intervals		
Initial _____	Areas of substantial earth moving with an erosion control plan		
Initial _____	Location of existing water courses, canals, ditches, springs, wells, culverts, and storm drains, and proposed method of dealing with all irrigation and waste water		
Initial _____	Location of any designated FEMA floodplain and/or wetland boundaries;		
Initial _____	Direction of stormwater flows, catch basins, inlets, outlets, waterways, culverts, detention basins, orifice plates, outlets to off-site facilities, and off-site drainage facilities when necessary based on adopted City standards and specifications; and		



<b>Utility plan showing the following: N/A</b>			
Initial _____	North arrow, scale, and site plan underlay		
Initial _____	All existing and proposed utilities including, but not limited to, sewer, culinary water, secondary water, fire hydrants, storm drains, subsurface drains, gas lines, power lines, communications lines, cable television lines, and street lights		
Initial _____	Minimum fire flow required by the Building Code for the proposed structures, and fire flow calculations at all hydrant locations		
Initial _____	Location and dimensions of all utility easements		
Initial _____	A letter from each utility provider, other than the City, addressing the feasibility and their requirements to serve the project;		
Initial _____	<b>Landscaping plan, consistent with the requirements of chapter 23 of this title</b>		
<b>Building elevations for all buildings showing the following:</b>			
Initial _____	Accurate front, rear, and side elevations drawn to scale		
Initial _____	Exterior surfacing materials and colors, including roofing material and color		
Initial _____	Outdoor lighting, furnishings, and architectural accents		
Initial _____	Location and dimensions of proposed signs		
Initial _____	Where one or more conditions of unusual soil, vegetation, geology, or slope exist, resulting in increased fire, flood, or erosion hazards, traffic circulation problems, sewage disposal problems, or potential property damage from extensive soil slippage and subsidence, an applicant shall, upon request of the Planning Commission or City Engineer, provide contour and drainage plans, cut and fill specifications, and soil and geologic reports. The required details of such reports and plans may vary depending on the severity of the unusual conditions, but in any event such plans and reports shall be reviewed and approved by the City prior to final approval of a site plan;		
<b>The following documents: N/A</b>			
Initial _____	Any agreements with adjacent property owners regarding development of the site		
Initial _____	Evidence of compliance with applicable Federal, State, and local laws and regulations, if requested by the Planning Commission or Community Development Director		
Initial _____	A traffic impact analysis, if requested by the Planning Commission or City Engineer		
Initial _____	Warranty deed and preliminary title report or other document showing the applicant has control of the property		
Initial _____	Parcel maps from the County Recorder's Office showing the subject property and all property located within four hundred feet (400') thereof.		



## **CONDITIONAL USE STANDARDS**

Approval Standards: A conditional use permit shall run with the land and may require the applicant to record documents to that effect. The Planning Commission and staff, in their review capacity, may impose site plan modifications and conditions to mitigate the reasonably anticipated detrimental effects of a conditional use. All conditional uses shall meet the following standards:

1. The proposed conditional use shall comply with City, State, and Federal codes as applicable to the site where the conditional use will be located.
2. The proposed conditional use is consistent with the applicable objectives, goals, and policies of the General Plan.
3. The proposed conditional use and associated plans include substantial mitigation of reasonably anticipated detrimental effects arising from the conditional use, including, but not limited to:
  - a. Detrimental effects of decreased street service levels and/or traffic patterns including the need for street modifications such as dedicated turn lanes, traffic control devices, safety, street widening, curb, gutter and sidewalks, location of ingress/egress, lot surfacing and design of off-street parking and circulation, loading docks, as well as compliance with off-street parking standards, including other reasonable mitigation as determined by a qualified traffic engineer.
  - b. Detrimental effects on the adequacy of utility systems, service delivery, and capacities, including the need for such items as relocating, upgrading, providing additional capacity, or preserving existing systems, including other reasonable mitigation as determined by the City's engineering staff, contracted engineers, and utility service providers.
  - c. Detrimental effects on connectivity and safety for pedestrians and bicyclists.
  - d. Detrimental effects by the use due to its nature including (1) noise that exceeds sound levels normally found within the neighborhood or surrounding zone, (2) odors beyond what is normally considered acceptable within the neighborhood or surrounding zone, and (3) environmental impacts such as dust, fumes, smoke, odor, noise, vibrations, chemicals, toxins, pathogens, gases, heat, light, electromagnetic disturbances, and radiation. Detrimental effects by the use may also include hours of operation and the potential to create an attractive nuisance.
  - e. Detrimental effects that increase the risk of contamination of or damage to adjacent properties and injury or sickness to people arising from, but not limited to, waste disposal, fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/topography, storm drainage/flood control, high ground water, sensitive lands, environmental health hazards, or wetlands, as determined by City Engineer, City geologist and other qualified specialists.
  - f. Detrimental effects of modifications to or installation of signs and exterior lighting

- g. that conflict with neighborhood compatibility.
  - g. Detrimental effects arising from incompatible designs in terms of use, scale, intensity, height, mass, setbacks, character, construction, solar access, landscaping, fencing, screening, and architectural design and exterior detailing/finishes and colors within the neighborhood in which the conditional use will be located.
  - h. Detrimental effects on the tax base and property values.
  - i. Detrimental effects on the current level of economy in governmental expenditures.
  - j. Detrimental effects on emergency fire service and emergency vehicle access.
  - k. Detrimental effects on usable open space.
  - l. Inadequate maintenance of the property and structures in perpetuity including performance measures, compliance reviews, and monitoring.
4. Conditions may be imposed as necessary to conform the proposed conditional use permit to the requirements set forth in subsection E of this section. Such conditions shall be expressly set forth in the approval authorizing the conditional use.

## Herriman City Conditional Use Application

Description of the proposed conditional use:

- Proposed Tenant: Dime Beauty Co. LLC
- Proposed Conditional Use: Manufacturing, Light
- DIME Beauty Co. is a Utah – based consumer products company founded in 2018 that develops and sells skincare, beauty, and wellness products. The company operates primarily as a direct-to-consumer brand, offering a range of clean, ingredient-conscious products – including skincare, cosmetics, and fragrances—designed to be both high-quality and affordable. DIME emphasizes transparency in ingredients, cruelty-free practices, and sustainable product development, serving customers through its online platform and retail partnerships (including ULTA and Amazon). The proposed tenant plans to use the space to manufacture, warehouse, and distribute their product.
- Dime Beauty – DIME® Beauty

Site Plan

- See PDF attached

Traffic Analysis

- N/A

Approval standard requirements:

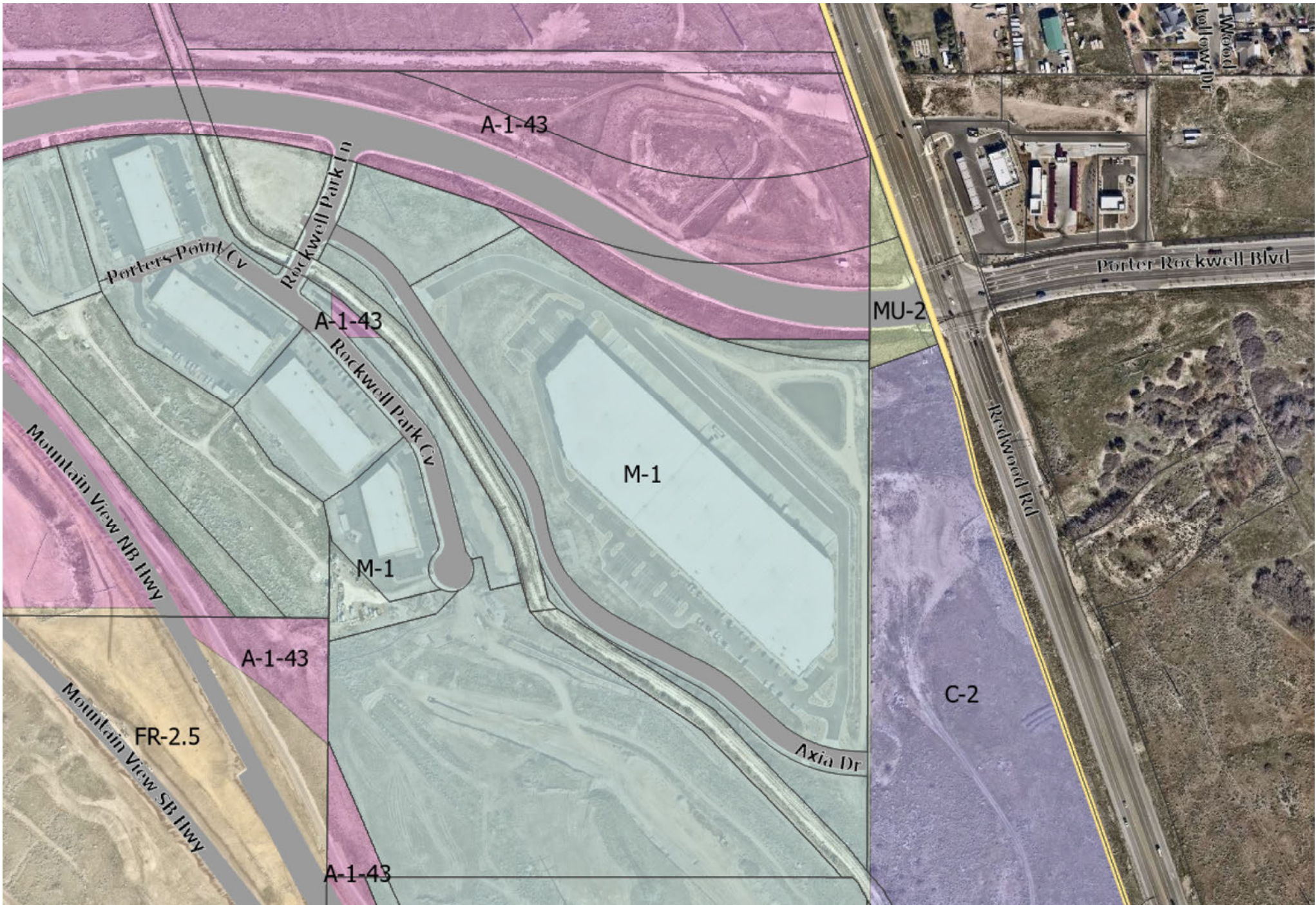
1. The proposed conditional use shall comply with City, State, and Federal codes as applicable to the site where the conditional use will be located.
  - Yes, proposed tenant will ensure compliance with all required City, State, and Federal codes
2. The proposed conditional use is consistent with the applicable objectives, goals, and policies of the General Plan.
  - Yes – we are in an M-1 zone for light manufacturing. Prospective tenant is using the facility to manufacture, warehouse, and distribute their products.

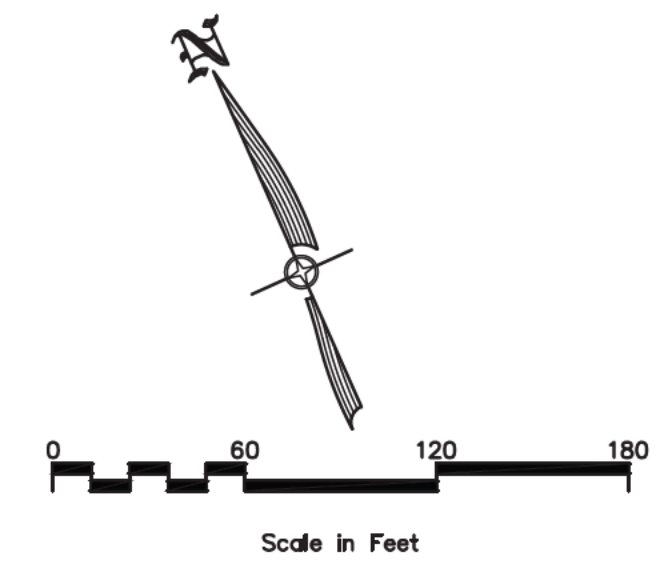
3. The proposed conditional use and associated plans include substantial mitigation of reasonably anticipated detrimental effects arising from the conditional use, including, but not limited to:
  - A. Detrimental effects of decreased street service levels and/or traffic patterns including the need for street modifications such as dedicated turn lanes, traffic control devices, safety, street widening, curb, gutter and sidewalks, location of ingress/egress, lot surfacing and design of off-street parking and circulation, loading docks, as well as compliance with off-street parking standards, including other reasonable mitigation as determined by a qualified traffic engineer.
    - No additional parking spaces or roadways will be introduced to the site, ensuring that traffic levels remain consistent with those previously approved in the Fehr & Peers traffic study for the building project.
  - B. Detrimental effects on the adequacy of utility systems, service delivery, and capacities, including the need for such items as relocating, upgrading, providing additional capacity, or preserving existing systems, including other reasonable mitigation as determined by the City's engineering staff, contracted engineers, and utility service providers.
    - The proposed tenant will use their pro rata share of utilities, including power, gas, water/sewer, trash, phone, and data services serving the leased premises. No upgrading required.
  - C. Detrimental effects on connectivity and safety for pedestrians and bicyclists.
    - N/A
  - D. Detrimental effects by the use due to its nature including (1) noise that exceeds sound levels normally found within the neighborhood or surrounding zone, (2) odors beyond what is normally considered acceptable within the neighborhood or surrounding zone, and (3) environmental impacts such as dust, fumes, smoke, odor, noise, vibrations, chemicals, toxins, pathogens, gases, heat, light, electromagnetic disturbances, and radiation. Detrimental effects by the use may also include hours of operation and the potential to create an attractive nuisance.
    - The proposed use is a low-intensity product formulation, packaging, and fulfillment operation conducted entirely within an enclosed building and is not expected to create detrimental effects beyond those typical of standard office or light industrial uses. Operations will involve standard commercial equipment and will generally occur during normal business hours, resulting in noise levels consistent with the surrounding area. All activities will take place indoors, and the use is not expected to create off-site impacts related to odor, dust, smoke, fumes, or vibrations. Any materials associated

with the operation will be stored, handled, and disposed of in accordance with applicable building, fire, safety, and environmental regulations. The use does not present conditions that would create an attractive nuisance, as all operations occur within a controlled indoor environment with no exposure to the public.

- E. Detrimental effects that increase the risk of contamination of or damage to adjacent properties and injury or sickness to people arising from, but not limited to, waste disposal, fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/topography, storm drainage/flood control, high ground water, sensitive lands, environmental health hazards, or wetlands, as determined by City Engineer, City geologist and other qualified specialists.
- The proposed use is a low-intensity product formulation, packaging, and fulfillment operation conducted entirely within an enclosed building and is not expected to create impacts beyond those typical of standard office or light industrial uses. All materials associated with the operation will be stored, handled, and disposed of in accordance with applicable building, fire, safety, and environmental regulations. The use is not expected to adversely impact adjacent properties, including soil or groundwater, and no changes to site grading, drainage, or topography are proposed. The operation will not affect stormwater systems, flood control, or sensitive lands. The project will comply with all applicable requirements of the City Engineer, fire authority, and other relevant agencies to ensure safe operations and protection of public health.
- F. Detrimental effects of modifications to or installation of signs and exterior lighting that conflict with neighborhood compatibility.
- N/A – no change to exterior building. Potential for minimal building crown signage, which will be separately submitted to city for approval.
- G. Detrimental effects arising from incompatible designs in terms of use, scale, intensity, height, mass, setbacks, character, construction, solar access, landscaping, fencing, screening, and architectural design and exterior detailing/finishes and colors within the neighborhood in which the conditional use will be located.
- N/A
- H. Detrimental effects on the tax base and property values.
- N/A
- I. Detrimental effects on the current level of economy in governmental expenditures.
- N/A
- J. Detrimental effects on emergency fire service and emergency vehicle access.
- N/A
- K. Detrimental effects on usable open space.

- N/A
- L. Inadequate maintenance of the property and structures in perpetuity including performance measures, compliance reviews, and monitoring.
- The property maintenance will continue to be managed by owner ensuring the highest standard for care of the building, landscaping, signage, open space, etc.
  - Owner/property manager has engaged with high-standard, year-round vendors to ensure the property is properly maintained to retain maximum value of the building and land.
4. Conditions may be imposed as necessary to conform the proposed conditional use permit to the requirements set forth in subsection E of this section. Such conditions shall be expressly set forth in the approval authorizing the conditional use.





**SHEET LEGEND**

---	PROPERTY LINE
---	PROPOSED GRADE CONTOURS
---	EXISTING GRADE CONTOURS

NO.	REVISIONS	BY	DATE

DESIGNER: SDT  
PROJECT ENGINEER: SDT

**CIVIL ENGINEERING + SURVEYING**

**CIR**

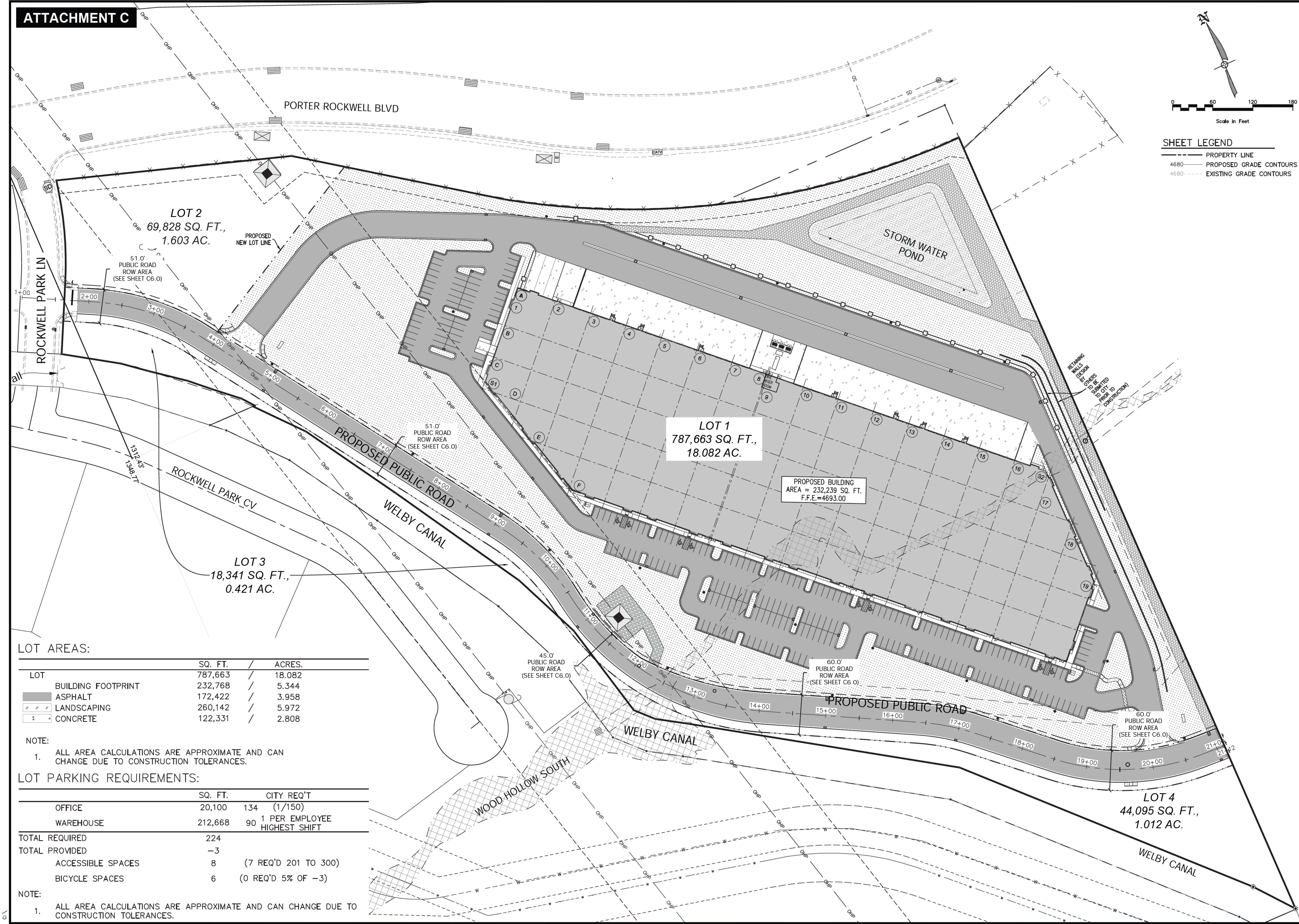
10718 SOUTH BECKSTEAD LANE, STE. 102  
SOUTH JORDAN, UT 84095 - 801-949-5296

AXIA BUSINESS PARK  
15880 S REDWOOD ROAD, HERRIMAN, UTAH

MASTER SITE PLAN



SHEET NO.	C1.0
PROJECT ID	DATE: 05/05/23
FILE NAME:	SCALE: 1"=60'



**LOT AREAS:**

LOT	SQ. FT.	ACRES.
BUILDING FOOTPRINT	787,663	18.082
ASPHALT	232,768	5.344
LANDSCAPING	172,422	3.958
CONCRETE	260,142	5.972
	122,331	2.808

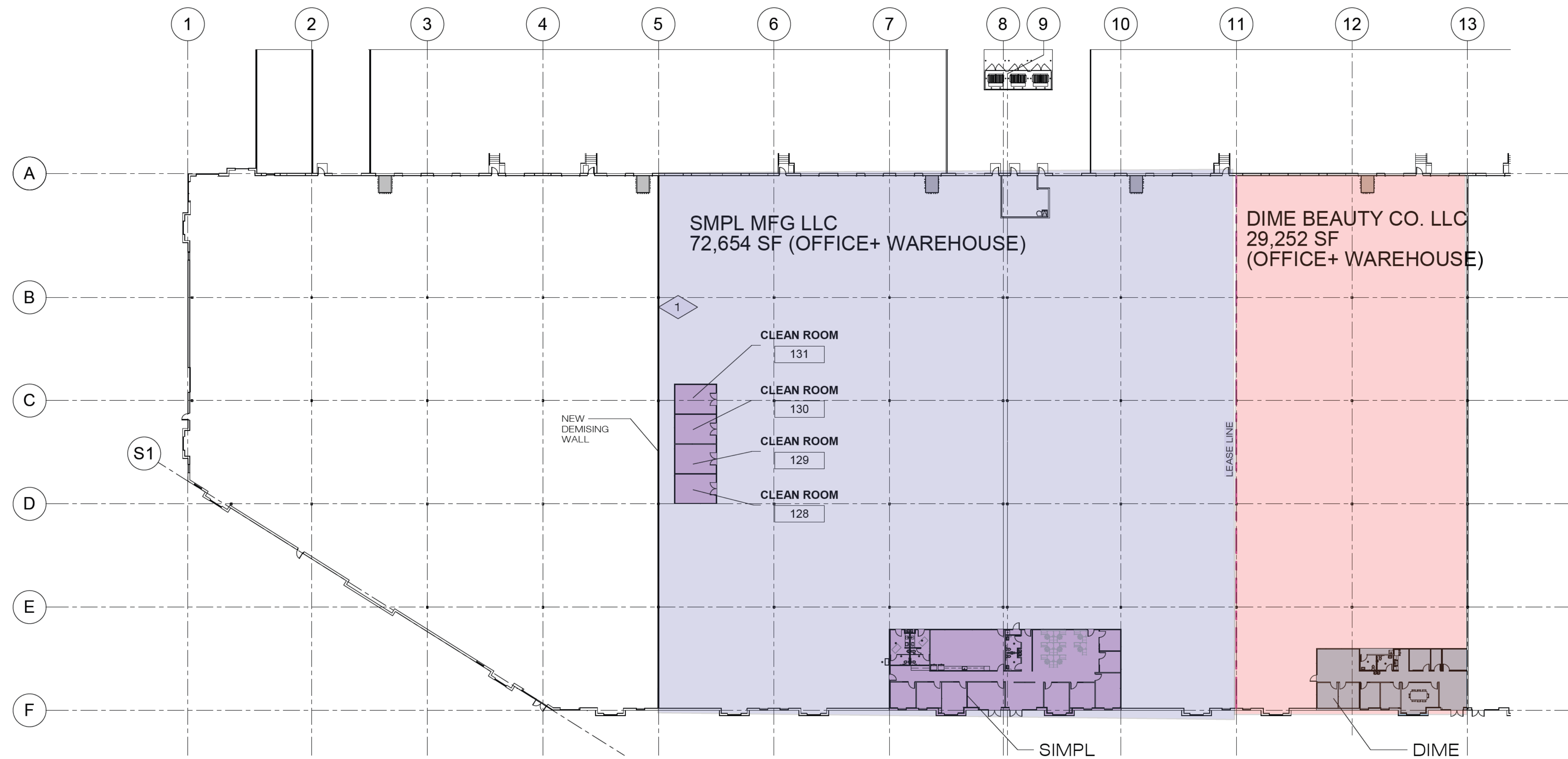
**NOTE:**  
1. ALL AREA CALCULATIONS ARE APPROXIMATE AND CAN CHANGE DUE TO CONSTRUCTION TOLERANCES.

**LOT PARKING REQUIREMENTS:**

	SQ. FT.	CITY REQ'T
OFFICE	20,100	134 (1/150)
WAREHOUSE	212,668	90 1 PER EMPLOYEE HIGHEST SHIFT
TOTAL REQUIRED	224	
TOTAL PROVIDED	-3	
ACCESSIBLE SPACES	8	(7 REQ'D 201 TO 300)
BICYCLE SPACES	6	(0 REQ'D 5% OF -3)

**NOTE:**  
1. ALL AREA CALCULATIONS ARE APPROXIMATE AND CAN CHANGE DUE TO CONSTRUCTION TOLERANCES.

NOTE: THIS DRAWING IS PROVIDED FOR OWNER/TENANT APPROVAL OF THE SPACE NOTED AND IS NOT FOR CONSTRUCTION. ACTUAL SITE DIMENSIONS COULD VARY.



Office layouts are in draft form to be finalized prior to building permit submission

**WALL SCHEDULE**

- EXISTING WALLS TO REMAIN
- NEW 3-5/8" METAL STUDS 5/8" GYPSUM BOARD (TYPE X) EACH SIDE. COORD. STUD GAUGE, SIZING PER MANUF. LIMITING HEIGHT TABLES (5 PSF LOAD & L/240 DEFLECTION LIMIT REQUIREMENTS).
- ALTERNATE: PROVIDE SOUND INSULATION: R-11 BATT INSULATION, EXTEND TO 14'-0" A.F.F. PROVIDE/COORD. MECHANICAL SOUND BOOTS NEW 3-5/8" METAL STUDS W/ 5/8" GYPSUM BOARD (TYPE X) EACH SIDE, COORD. STUD GAUGE, SIZING PER MANUF. LIMITING HEIGHT TABLES (5 PSF LOAD & L/240 DEFLECTION LIMIT REQUIREMENTS).
- NEW 3-5/8" 25 GAUGE METAL STUDS @ W/ 5/8" GYPSUM BOARD (TYPE X) (1) SIDE. COORD. STUD GAUGE, SIZING PER MANUF. LIMITING HEIGHT TABLES (5 PSF LOAD & L/240 DEFLECTION LIMIT REQUIREMENTS).
- NEW 6" METAL STUDS W/ 5/8" GYPSUM BOARD (TYPE X) EACH SIDE EXTEND TO ROOF DECK. COORD. STUD GAUGE, SIZING PER MANUF. LIMITING HEIGHT TABLES (5 PSF LOAD & L/240 DEFLECTION LIMIT REQUIREMENTS).

GENERAL CONTRACTOR SHALL CHALK-LINE ALL NEW WALLS FOR ARCHITECT'S APPROVAL, PRIOR TO ANY NEW CONSTRUCTION, TO INSURE THAT SPACE BUILD-OUT MEETS TENANT REQUIREMENTS.

**KEYNOTES**

- 1 NEW DEMISING WALL. PROVIDE GYP. BD. TENANT SIDE ONLY.

**DIME + SIMPL T.I.**

**15897 S AXIA DRIVE  
HERRIMAN, UTAH**



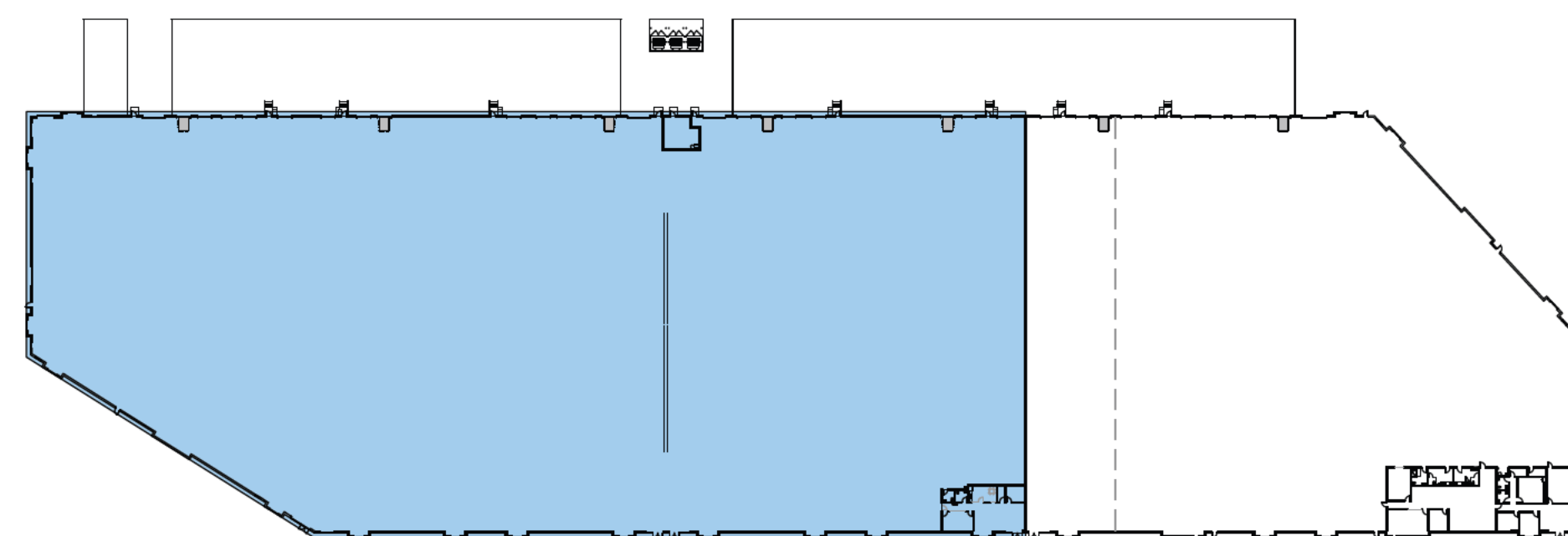
**MAIN LEVEL**

**OVERALL FLOOR PLAN**

SCALE: 1/32" = 1'-0"  
MARCH 16, 2026  
2683502



**A1.1**



KEY PLAN



**DATE:** April 15, 2026

**TO:** The Planning Commission

**FROM:** Michael Maloy, AICP, Planning Director

**SUBJECT:** Review and consider a request to recommend a Master Development Agreement for Awaken City Church to permit a “Church or Place of Worship” and related services within an existing building located approximately at 15856 S Rockwell Park Cove (aka 15856 S Porter Point Cove) in the M-1 Manufacturing Zone.  
**(Public Hearing)**  
**Applicant:** Derek Duvall, Awaken City Church (authorized agent)  
**Acres:** ±2.46  
**City File No:** M2026-038

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**RECOMMENDATION:**

Upon the advice and consent of the Herriman City Attorney regarding the applicant’s claim of protection under the federal Religious Land Use and Institutionalized Persons Act (RLUIPA), which was signed into law on September 22, 2000, to protect houses of worship from discrimination in zoning laws, preventing total exclusion or unreasonable limitations, the staff recommends the following:

Motion to recommend City Council approval of the Awaken City Church Master Development Agreement to permit a “Church or Place of Worship” and related services within an existing building located approximately at 15856 S Rockwell Park Cove in the M-1 Manufacturing Zone (see Attachment A) with the following modifications:

- With the advice and consent of the City Attorney, clarify and simplify language within the proposed development agreement to achieve the stated purposes of the agreement while mitigating any potential impacts or unintended consequences associated with the proposal.

**ISSUE BEFORE COMMISSION:**

Should the city approve the proposed development agreement to permit a “Church or Place of Worship” and related pastoral services within an existing building located approximately at 15856 S Rockwell Park Cove in the M-1 Manufacturing Zone?

## **BACKGROUND & SUMMARY:**

Awaken City Church has been providing religious and non-profit community services in Herriman since 2018. Currently, the church is offering weekend religious services at Providence Hall Junior High School, a temporary (shared) location at 4558 W Patriot Ridge (≈14560 South), near Mountain View Corridor. To accommodate the congregation's needs, Awaken City Church seeks to lease a larger existing facility, preferably in Herriman. Unfortunately, due to development costs and rapid growth in Herriman, there are relatively few existing structures that are sufficiently large, affordable, and available to lease. In response to these limitations, the applicant secured a lease agreement for a property in the Rockwell Landing Business Park, which is zoned M-1 Manufacturing. However, Herriman City Code does not allow "Church or Place of Worship" as a permitted or conditional land use in the M-1 Zone.

To resolve the proposed land use conflict with the City Code, the applicant submitted a "Master Development Agreement" to allow a "Church or Place of Worship" and related community services as a permitted use in the M-1 Zone. The basis for the applicant's proposal is a legal claim under the Religious Land Use and Institutionalized Persons Act (RLUIPA), which protects houses of worship from discrimination in zoning laws and prevents total exclusion or unreasonable limitations within a community (see Attachment B).

## **DISCUSSION:**

Concerning the applicant's claim, Herriman has intentionally, and understandably, excluded churches from most commercial and manufacturing zones to promote the development of desirable (1) commercial services, (2) employment centers, and (3) tax revenues that facilitate the delivery of essential municipal services. However, the City currently permits land uses in the M-1 Zone that arguably have similar functions and impacts as a "Church or Place of Worship," such as a "Charter School," "Vocational School," "Reception Center," "Indoor Recreation and Entertainment"—which includes youth group training or instruction services, such as the Lifehouse Performing Arts Academy that currently operates in Rockwell Park.

Before the applicant submitted the draft development agreement, staff also discussed with the applicant the potential of submitting a Zoning Text Amendment petition to permit churches in the M-1 Zone, or a Zoning Map Amendment to the C-1 Commercial Zone, which allows churches. However, both of these options were more problematic and had broader, undesirable impacts on the city. Whereas the proposal is narrow in scope and impact, achieves the applicant's objective, facilitates the expansion of desirable institutional and humanitarian services within Herriman, and protects the City from potential litigation, staff is supportive of the applicant's proposal, with modifications recommended within this staff report or by the Planning Commission, pending input from public hearing comments, if any.

As outlined in the Utah State Code, the decision to approve or deny a development agreement is similar to a zoning amendment, which is a legislative matter to be decided by the City Council following a public hearing and a recommendation from the Planning Commission. As such, a public hearing was posted in the City and mailed to all affected property owners and registered

public entities at least 10 days before the April 15, 2026, public hearing. Prior to the publication of this staff report, the city had not received public feedback for or against the proposal.

For reference, Herriman City Code states the following standards should be considered when deciding a legislative request affecting land use:

**HCC 10-5-8 Amendments**

**E. Approval standards.** A decision to amend the text of this title or the zoning map is a matter within the legislative discretion of the city council. In making an amendment, the following factors should be considered:

1. Whether the proposed amendment is consistent with [the] goals, objectives, and policies of the general plan;

***Finding:** Within the adopted General Plan, the city’s vision for the future includes:*

*3.2 Expand and diversify the social and cultural amenities and services to support the range of demographics in the City. (p 32, Herrman NEXT)*

*Whereas approval of the proposal will retain a small but growing institution in Herriman that provides social services and support for a range of demographics in the city, staff finds the proposal consistent with the goals, objectives, and policies of the adopted general plan.*

2. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;

***Finding:** Whereas the reasonably anticipated impacts are similar to existing and potential land uses permitted within the Rockwell Landing Business Park, staff finds the proposal is harmonious with the overall character of the existing development within the vicinity of the subject property.*

3. The extent to which the proposed amendment may adversely affect adjacent property; and

***Finding:** Regarding parking, the peak hours for churches are Sunday mornings, from 9:00 AM to 1:00 PM. This pattern complements the peak parking demand for most commercial uses within Rockwell Landing, which occurs from 9:00 AM to 2:00 PM, Monday through Friday. If approved, the proposal will require new businesses with an alcohol license to be located at least 600 feet from the church, via pedestrian travel, or 200 feet in a straight line. For restaurants, the requirement is 300 feet by pedestrian travel, but the 200-foot straight-line rule still applies.*

4. The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire

protection, schools, stormwater drainage systems, water supplies, wastewater, and refuse collection.

***Finding:** Whereas the site is fully developed, and the proposal only requires a “tenant improvement” permit if approved, staff did not identify any inadequacies in facilities or services for the subject property.*

### **ALTERNATIVES:**

Following a decision to close the public hearing, the Planning Commission may consider the following alternatives:

- **Approve**—motion to recommend City Council approval of the application as proposed.
- **Modify**—motion to recommend City Council approval of the proposal with modifications specified by the Commission.
- **Deny**—motion to recommend City Council denial of the application as proposed.

*If a Planning Commission member motions to “continue” the public hearing, the Commissioner may or may not specify a date for continuance. If no date is identified, staff will mail and post the public hearing when rescheduled.*

### **ATTACHMENTS:**

- A. Vicinity Map
- B. Draft Development Agreement

# Attachment A – Vicinity Map



After recording, please send to:

Herriman City  
Attn: City Recorder  
5355 W Herriman Main Street  
Herriman, Utah 84096

Affected Parcel No(s):

## **DEVELOPMENT AGREEMENT**

This Development Agreement (“Agreement”) is between Herriman City, a Utah municipal corporation (“City”), Flex at the Point, LLC (“Applicant”), and Awaken City Church (“Church”).

### **RECITALS**

**WHEREAS**, the Applicant has rights to certain real Property identified as Salt Lake County Assessor Parcel Number: 33-21-226-003, which is specifically described in the attached **Exhibit A** (“Property”); and

**WHEREAS**, the Property is subject to the planning and land use ordinances of the City and is approximately located at 15856 S Rockwell Park Cove, Herriman, UT 84065; and

**WHEREAS**, the Applicant desires to rent the Property to the Church; and

**WHEREAS**, the Property is zoned as M-1 Manufacturing (“M-1”); and

**WHEREAS**, “Church or place of worship” (“Church”) is not a permitted or conditional land use for Property zoned as M-1; and

**WHEREAS**, the Religious Land Use and Institutionalized Persons Act protects churches and houses of worship from zoning ordinances that

substantially burden religious exercise without a compelling justification pursued through the least restrictive means; and

**WHEREAS**, the impact and operation of a Church is similar to the type of land uses allowed to operate on properties zoned as M-1, specifically a “Charter School,” “Vocational School,” “Reception Center,” and “Indoor Recreation and Entertainment”; and

**WHEREAS**, in furtherance of the Applicant’s desire to rent the Property to the Church, the Applicant has requested approval of the Agreement to allow a Church to locate on the Property within an existing building (“Building”) as described in **Exhibit B** (“Building”); and

**WHEREAS**, the Herriman City Council wants the Church to remain within the City; and

**WHEREAS**, the Herriman City Council (“City Council”), acting pursuant to its authority under Utah Code § 10-9a-102(2) *et seq.*, as amended, and the City’s adopted ordinances (“City Code”), and in furtherance of its land use policies, goals, objectives, ordinances, resolutions, and regulations, has elected to exercise its legislative discretion to enter into this Agreement for the purpose of allowing and regulating the development of a Church on the Property pursuant to the terms contained herein and the underlying zoning regulations unless otherwise modified; and

**WHEREAS**, this Agreement shall only be valid upon approval of such by the City Council and pursuant to Resolution No. \_\_\_\_\_, a copy of which is attached as **Exhibit C**; and

**WHEREAS**, the City, the Applicant, and the Church acknowledge that the terms of this Agreement shall be enforceable, and the rights of the Applicant and the Church relative to the Property shall vest only if the City Council, in its

sole legislative discretion, approves the Development Agreement request for the Property.

**NOW, THEREFORE,** the parties agree as follows:

## **TERMS**

1. **Recitals; Definitions.** The recitals set forth above are incorporated herein by this reference. Any capitalized term used but not otherwise defined in this Agreement shall have the meaning ascribed to such term in the City Code.

2. **Enforceability.** The City, the Applicant, and the Church acknowledge that the terms of this Agreement shall be enforceable, and the rights of Applicant and the Church relative to the Property shall vest, only if the City Council, in its sole legislative discretion, approves the Development Agreement for the Property.

3. **Effective Date.** This Agreement is effective on the date the last party executes this Agreement as indicated by the date stated under that party's signature line (the "Effective Date").

4. **Conflicting Terms.** The Property shall be developed and used in accordance with the requirements and benefits of this Agreement and the Zone as of the Effective Date. If there is a discrepancy between the requirements of City Code, including the Zone, and this Agreement, this Agreement shall control.

5. **Applicant Obligations.**

A. Compliance with City Land Development Code ("Zone"). The Property will comply with the Zone, except where the requirements are modified within this Agreement.

6. **Minor Changes.** The City Manager may approve minor modifications to the Applicant Obligations in Section 5 that are necessary or advantageous for facilitating more desirable functions and aesthetics of the Property.

7. **City Obligations.** The City shall review development applications with respect to the Property in a timely manner, consistent with the City's routine development review practices and in accordance with all applicable laws and regulations.

8. **Vested Rights and Reserved Legislative Powers.**

A. Vested Rights. Consistent with the terms and conditions of this Agreement, the City agrees that the Applicant has the vested right to rent the Property during the term of this Agreement in accordance with: (i) the Zone designation; (ii) the City Code in effect as of the Effective Date; and (iii) the terms of this Agreement.

B. Reserved Legislative Powers. The Applicant and the Church acknowledge that the City is restricted in its authority to limit its police power by contract and that the limitations, reservations, and exceptions set forth herein are intended to reserve to the City all of its police power that cannot be so limited. Notwithstanding, the retained power of the City to enact such legislation under the police powers, such legislation shall only be applied to modify the vested rights of Applicant and the Church under this Agreement and with respect to use under the zoning designations as referenced in this Agreement based upon the policies, facts and circumstances meeting the compelling, countervailing public interest exception to the vested rights doctrine in the State of Utah. Any such proposed change affecting the vested rights of the Property shall be of general application to all development activity in City and Salt Lake

County; and, unless in good faith City declares an emergency, Applicant shall be entitled to prior written notice and an opportunity to be heard with respect to the proposed change and its applicability to the Property under the compelling, countervailing public interest exception to the vested rights doctrine.

9. **Term.** This Agreement shall run with the land and shall continue in full force and effect until all obligations hereunder have been fully performed and all rights hereunder fully exercised; provided, however, that unless the parties mutually agree to extend the term, this Agreement shall automatically terminate once the Church is no longer renting the Property from Applicant.

10. **General Provisions.**

A. Notices. All Notices, filings, consents, approvals, and other communication provided for herein or given in connection herewith shall be validly given, filed, made, delivered or served if in writing and delivered personally or sent by registered or certified U.S. Postal Service mail, return receipt requested, postage prepaid to the following addresses or to such other addresses as either party may from time to time designate in writing and deliver in like manner. Any such change of address shall be given at least ten days before the date on which the change is to become effective:

If to City:                   Herriman City  
  Attn: City Recorder  
  5355 W Herriman Main Street  
  Herriman, Utah 84096

If to Applicant:           Flex at the Point, LLC  
  Attn: Taylor Ogden

[REDACTED]

If to Church: Awaken City Church

[REDACTED]

B. Mailing Effective. Notices given by mail shall be deemed delivered seventy-two hours following deposit with the U.S. Postal Service in the manner set forth above.

C. No Waiver. Any party's failure to enforce any provision of this Agreement shall not constitute a waiver of the right to enforce such provision. The provisions may be waived only in writing by the party intended to be benefited by the provisions, and a waiver by a party of a breach hereunder by the other party shall not be construed as a waiver of any succeeding breach of the same or other provisions.

D. Headings. The descriptive headings of the paragraphs of this Agreement are inserted for convenience only and shall not control or affect the meaning or construction of any provision in this Agreement.

E. Authority. The parties to this Agreement represent that they have full power and authority to enter into this Agreement, and that all necessary actions have been taken to give full force and effect to this Agreement. The Applicant and the Church represent and warrant that they are fully formed and validly existing under the laws of the State of Utah and that they are duly qualified to do business in the State of Utah and are in good standing under applicable state laws. Applicant, Church,

and City warrant to each other that the individuals executing this Agreement on behalf of their respective party are authorized and empowered to bind the party on whose behalf each individual is signing. Applicant and Church represent to City that by entering into this Agreement, the Applicant and Church have bound all persons and entities having a legal or equitable interest to the terms of this Agreement as of the Effective Date.

F. Entire Agreement. This Agreement, together with the Exhibits attached hereto, documents referenced herein, and all regulatory approvals given by the City for the Property contain the entire Agreement of the Parties with respect to the subject matter hereof and supersede any prior promises, representations, warranties, inducements, or understandings between the parties which are not contained in such agreements, regulatory approvals and related conditions.

G. Amendment. This Agreement may be amended in whole or in part with respect to all or any portion of the Property by the mutual written consent of the parties or by their successors-in-interest or assigns. Any such amendment of this Agreement shall be recorded in the official records of the Salt Lake County Recorder's Office.

H. Severability. If any of the provisions of this Agreement are declared void or unenforceable, such provision shall be severed from this Agreement. This Agreement shall otherwise remain in full force and effect, provided the fundamental purpose of this Agreement and Applicant's ability to complete the development of the Property as set forth in the Concept Plan is not defeated by such severance.

I. Governing Law. The laws of the State of Utah shall govern the interpretation and enforcement of this Agreement. The parties shall

agree that the venue for any action commenced in connection with this Agreement shall be proper only in a court of competent jurisdiction located in Salt Lake County, Utah. The parties hereby expressly waive any right to object to such choice of law or venue.

J. Remedies. If either party breaches any provision of this Agreement, the non-defaulting party shall be entitled to all remedies available both at law and in equity.

K. Attorney's Fees and Costs. If either party brings legal action either because of a breach of this Agreement or to enforce a provision of this Agreement, the prevailing party shall be entitled to reasonable attorney's fees and court costs.

L. Binding Effect. The benefits and burdens of this Agreement shall be binding upon and shall inure to the benefit of the parties and their respective heirs, legal representatives, successors in interest, and assigns. This Agreement shall be incorporated by reference in any instrument purporting to convey an interest in the Property.

M. No Third Party Rights. The obligations of Applicant and City set forth in this Agreement shall not create any rights in or obligations to any other persons or parties except to the extent otherwise provided herein.

N. Assignment. The Applicant may not assign or transfer this Agreement without prior written consent of the City.

O. No Agency Created. Nothing contained in this Agreement shall create any partnership, joint venture, or agency relationship between the parties.

To evidence the parties' Agreement to this Agreement, each party has executed it on the date stated under that party's name.

[SIGNATURE PAGE FOLLOWS]

DRAFT

DRAFT

HERRIMAN CITY

Approved as to form:

Signature: \_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_\_

Legal Department/Office

Its: \_\_\_\_\_

Date: \_\_\_\_\_

State of \_\_\_\_\_ )

§

County of \_\_\_\_\_ )

On this \_\_\_ day of \_\_\_\_\_, 20\_\_\_, before me personally came

\_\_\_\_\_ (*name of document signer*), whose identity is

personally known to me (or proven on the basis of satisfactory evidence) and who duly

sworn/affirmed to me that he/she is the Mayor of \_\_\_\_\_ (*City*)

and said he/she has the authority of said City to sign this instrument and said City executed the same.

\_\_\_\_\_  
Notary Public

(*seal*)

DRAFT

**APPLICANT** \_\_\_\_\_

Signature: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

**Personal Acknowledgment**

State of \_\_\_\_\_ )

§

County of \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally came

\_\_\_\_\_ (*name of document signer*), whose identity is personally known to me (or proven on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to this instrument, and acknowledged he/she/they executed the same.

\_\_\_\_\_  
Notary Public

(*seal*)

---

**Corporate/Trust/Entity Acknowledgment**

State of \_\_\_\_\_ )

§

County of \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally came

\_\_\_\_\_ (name of document signer), whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who duly sworn/affirmed to me that he/she is the \_\_\_\_\_ (title of office) of \_\_\_\_\_ (name of corporation/trust/entity) and said he/she has the authority of said corporation/trust/entity to sign this instrument and said corporation/trust/entity executed the same.

\_\_\_\_\_  
Notary Public

(seal)

**CHURCH** \_\_\_\_\_

Signature: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

**Personal Acknowledgment**

State of \_\_\_\_\_ )

§

County of \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally came  
\_\_\_\_\_ (*name of document signer*), whose identity is  
personally known to me (or proven on the basis of satisfactory evidence) to be the  
person(s) whose name(s) is/are subscribed to this instrument, and acknowledged  
he/she/they executed the same.

\_\_\_\_\_  
Notary Public

(*seal*)

---

**Corporate/Trust/Entity Acknowledgment**

State of \_\_\_\_\_ )

§

County of \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally came  
\_\_\_\_\_ (*name of document signer*), whose identity is  
personally known to me (or proven on the basis of satisfactory evidence) and who duly  
sworn/affirmed to me that he/she is the \_\_\_\_\_ (*title of office*) of  
\_\_\_\_\_ (*name of corporation/trust/entity*) and said he/she has  
the authority of said corporation/trust/entity to sign this instrument and said  
corporation/trust/entity executed the same.

---

Notary Public

*(see)*

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DRAFT

## **EXHIBIT A**

### *Real Property Description*

Lot 3, Rockwell Landing Phase 1, according to the official plat thereof, filed in the office of the Salt Lake County Recorder in Plat Book 2016P at Page 199.

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## EXHIBIT B

### *Building*

A “Church or Place of Worship,” as defined in Title 10 of City Code, shall be permitted on the Property if developed and used within the existing Building, as depicted below, in accordance with the requirements of this Agreement:

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