



## PLANNING COMMISSION MINUTES

Thursday, April 21, 2022

Approved July 7, 2022

The following are the minutes of the Herriman Planning Commission meeting held on **Thursday, April 21, 2022 at 6:00 p.m.** in the Herriman City Council Chambers, 5355 West Herriman Main Street, Herriman, Utah. Adequate notice of this meeting, as required by law, was posted in the City Hall, on the City's website, and delivered to members of the Council, media, and interested citizens.

**Presiding:** Chair Chris Berbert

**Commissioners Present:** Andrea Bradford, Jackson Ferguson, Adam Jacobson, Forest Sickles, and Darryl Fenn, Heather Garcia was online for the work meeting.

**Commissioners Excused:** Brody Rypien, Andy Powell,

**Staff Present:** Communications Specialist Destiny Skinner, HPD Cody Stromberg, Deputy Recorder Wendy Thorpe, City Planner Michael Maloy, Planning Manager Clint Spencer, Planner I Talia Wright, Staff Engineer III Josh Petersen, Planner II Sheldon Howa, Planning Intern Windya Welideniya, Community Development Director Blake Thomas, and City Attorney Chase Andrizzi

**1. 6:00 PM - Work Meeting (Fort Herriman Conference Room)**  
Chair Berbert called the meeting to order at 6:00 p.m.

**1.1. Review of City Council Decisions - Michael Maloy, City Planner**  
City Planner Michael Maloy informed the Commission all land use items on the agenda were approved. The conditional use standards were approved, accessory Dwelling Units were now allowed in the single family detached R-2-10 and R-2-15 zones. The digital sign code amendment was also approved.

**1.2. Review of Agenda Items – Planning Staff**  
Planner II Howa informed the Commission regarding item 3.1 the retaining wall located along the trail had been modified by the current owners, which required an additional condition of approval. Commissioners discussed options for limiting future encroachment onto City property, such as the addition of a fence. Installation of the retaining wall caused the trail to slough off which required staff to cut in a new trail. More information was needed for remediation and to ensure proper drainage.

**1.3. Training – Planning Staff**  
City Planner Maloy presented a training video.

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

## **2. 7:00 PM - Regular Planning Commission Meeting**

Chair Berbert called the meeting to order at 7:00 p.m.

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

Alex Dahlstrom led the audience in the Pledge of Allegiance.

### **2.2. Roll Call**

Full Quorum Present.

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

No conflicts of interest were reported.

### **2.4. Approval of Minutes for the January 20, 2022 Planning Commission Meeting**

*Commissioner Jacobson moved to approve item 2.4 Approval of Minutes for the January 20, 2022 Planning Commission Meeting, Commissioner Sickles seconded, and all voted aye*

## **3. 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.*

### **3.1 Request: Consideration of a special exception in regard to the height and setback requirements for an accessory structure on property located at 5172 W Vantage Point Circle, in the R-1-15 Residential Zone, on 0.49 acres**

**Applicant: Brian Daniels LLC**

**File Number: P2022-042**

Planner Il Sheldon Howa reviewed background information for the special exception, and the location in the Overlook subdivision. He explained the lot was an irregular pie shape. The applicant requested a twenty-seven by forty-five-foot detached structure which required a special exception for increased setbacks, to the side and rear, and an additional three feet added to the unit height due to topography. Planner Howa explained modifications to the retaining wall and encroachment onto City property required a stop work order. Staff recommended completion of encroachment remediation prior to approval of the building permit, and completion of an engineered drainage plan. No additional retaining wall were proposed on the property.

Applicant Brian Daniels was present online and stated if the lot was flat, he would not need the special exception for ADU height. He added the retaining wall stones were already there when he moved into the home, and he just had them redone to stop people from accessing the trail from his driveway. It was not done to gain additional property.

Commissioners clarified the property sloped into a gently valley with a drop of elevation of approximately ten feet. Commissioners expressed concern with drainage issues on all sides of the wall, including onto neighboring properties and City property. Commissioners would prefer to decide after all engineering has been completed. Commissioners debated continuation of the item until all

engineering, encroachment, setbacks, drainage and retaining wall issues have been addressed. Commissioners discussed possible approval with adequate conditions of approval to address all issues with staff. It was stated ADU construction would restrict hikers cutting through the applicant's property to reach the trail.

*Commissioner Jacobson moved to continue item 3.1. Consideration of a special exception in regard to the height and setback requirements for an accessory structure on property located at 5172 W Vantage Point Circle, in the R-1-15 Residential Zone, on 0.49 acres (File No. P2022-042) for a more detailed drainage plan and more setback information, to address the drainage potential, and the wall, to come up with a fully engineered detailed plan for evaluation by the Commission. Commissioner Fenn seconded the motion.*

*The vote was recorded as follows:*

<i>Commissioner Darryl Fenn</i>	<i>Aye</i>
<i>Commissioner Andrea Bradford</i>	<i>Aye</i>
<i>Commissioner Adam Jacobson</i>	<i>Aye</i>
<i>Commissioner Jackson Ferguson</i>	<i>Nay</i>
<i>Commissioner Forest Sickles</i>	<i>Aye</i>

*The motion to continue passed with a vote of 4 to 1.*

**3.2 Request: Conditional Use Permit for Academy Terrace Apartments comprised of 215 dwelling units at 4104 W College View Drive in the R-M (Residential Multi-Family) Zone**

**Applicant: Alex Dahlstrom (agent representative)**

**File Number: C2022-009**

Planner I Talia Wright reviewed the request for a multi-family development containing 215 units ranging from studios to three-bedroom apartments. The modern mountain themed complex contained 7 levels, two of which were for parking. She reviewed the elevations, design elements, parking requirements and setback and height requirements. The proposed landscaping plan met water efficiency standards and they agreed to continue meeting with Landscape Architect Heidi Shegrud to complete the plan. Proposed amenities included a pool, hot tub, spa, and a resident dog grooming station. Planner Wright reviewed the conditions of approval. The proposed use complied with the South Hills Master Development Agreement (MDA) and all applicable City Codes and adopted standards.

Applicant Alex Dahlstrom with the Wasatch Group and Architect Eric Balls offered to answer questions. Commissioner Bradford requested more guest parking information. Architect Eric Balls responded 24 stalls on the main level were set aside for visitor parking, in addition to 30 stalls at the surface level. Tenants would utilize a call system to reserve stalls for guests and allow them access. Commissioner Ferguson asked for sizes of the smallest balconies. Architect Balls responded the smallest angled balconies measured between five and seven feet deep.

Commissioners requested further clarification regarding the pivoting of commercial development throughout the complex. City Planner Maloy responded City Council approved an amendment which identified the number of commercial units in this R-M zone, and the applicant has complied with that requirement.

## Recommendations:

1. The applicant shall install improvements along the south side of Autumn Spring Drive as required by Planning Commission approval of Academy Village POD 35 Subdivision on December 3, 2020 (see City File No. S2020-076). Due to planned grade changes on the site, these required improvements will need to be accommodated in the final grading and site plans.
2. The applicant shall comply with all Engineering standards and requirements, including a connection for a proposed 8" culinary waterline through the subject property to an existing 12" culinary waterline in Autumn Spring Drive (as required in the hydraulic study).
3. The applicant shall provide plans that meet or exceed all accessibility requirements (for parking, loading, exiting, etc.) of the American National Standards Institute (ANSI) as adopted by the State of Utah and all other building codes required by the Herriman City Building Official.
4. The applicant shall provide a final plan that allows guests to access all required guest parking stalls (some of which may be within the enclosed parking structure). Guest parking stalls shall be identified and reserved for guest parking only.
5. The applicant shall provide plans that specify that all building exits connect to an accessible paved path that leads pedestrians safely away from the building to a public sidewalk. These pathways will also improve walkability between Academy Village and the residential development.
6. The applicant shall adjust the parking lot design to meet the following standard. For every ten required parking spaces or portion thereof, a minimum of two shrubs and one deciduous tree shall be provided within each internal parking island area.
7. The applicant shall provide plans that comply with all landscaping and site amenity requirements as specified in the South Hills Master MDA and Herriman City Code.

*Commissioner Jacobson moved to approve item 3.2 Conditional Use Permit for Academy Terrace Apartments comprised of 215 dwelling units at 4104 W College View Drive in the R-M (Residential Multi-Family) Zone (File No. S2022-030) with seven staff recommendations. Commissioner Ferguson seconded the motion.*

*The vote was recorded as follows:*

<i>Commissioner Forest Sickles</i>	<i>Aye</i>
<i>Commissioner Jackson Ferguson</i>	<i>Aye</i>
<i>Commissioner Adam Jacobson</i>	<i>Aye</i>
<i>Commissioner Andrea Bradford</i>	<i>Aye</i>
<i>Commissioner Darryl Fenn</i>	<i>Aye</i>

*The motion passed unanimously.*

- 3.3 Request : Consideration to approve the preliminary plat for The Reserve at Sky Ranch Subdivision Phase 3 located generally at 13208 S Rose Canyon Road in the A-.25 Z/C Agricultural Zone on 3.48 acres. (Public Hearing)**  
**Applicant: Jeff Neal (agent)**  
**File Number: S2021-094**

Chair Berbert reviewed the public hearing guidelines.



Planner Sheldon reviewed the proposed preliminary plat for a six-lot subdivision on 3.47 acres. The area was recently rezoned from A-1 to A-025. All setback requirements were met and recorded on the plat. The conditions of approval were reviewed.

Applicant Jeff Neal offered to answer questions. He added this was the last of three phases. He reviewed the size of the lots, two of which were larger than a half-acre.

Recommendations:

1. Receive and agree to the recommendations from other City departments.
2. Design guidelines to comply with City standards for single-family detached dwellings.
3. Building setbacks to comply with City standards of A-.25 Agricultural Zone.

Chair Berbert opened the public hearing.

No comments were offered.

Chair Berbert closed the public hearing.

*Commissioner Jacobson moved to approve item 3.3 Consideration to approve the preliminary plat for The Reserve at Sky Ranch Subdivision Phase 3 located generally at 13208 S Rose Canyon Road in the A-.25 Z/C Agricultural Zone on 3.48 acres. (File No. S2021-094) with staff recommendations. Commissioner Sickles seconded the motion.*

*The vote was recorded as follows:*

<i>Commissioner Forest Sickles</i>	<i>Aye</i>
<i>Commissioner Jackson Ferguson</i>	<i>Aye</i>
<i>Commissioner Adam Jacobson</i>	<i>Aye</i>
<i>Commissioner Andrea Bradford</i>	<i>Aye</i>
<i>Commissioner Darryl Fenn</i>	<i>Aye</i>

*The motion passed unanimously.*

**3.4 Request : Conditional Use review for Kum & Go gas station and convenience store on ±1.6 acres at 5566 W Herriman Main Street in the MU-2 (Mixed Use) Zone  
Applicant: Nathan Abbot, Galloway & co. Inc. (authorized agent)  
File Number: C2021-050**

Planner Clint Spencer reviewed the request for the Kum & Go gas station and convenience store and the history of the property. Meetings were held between nearby residents, applicant, and staff to address concerns. All engineering standards, zoning ordinances and HTC design standards were met. The 3,968 square feet property contained eight gas pumps. The applicant agreed to complete a masonry wall on the north side. Building elevation and finish materials were provided. Distances from residential homes, property lines and gas pumps were provided, and the dumpster was relocated further away from the residential development. A light plan showed no light pollution at the property line.

The distances from 55 feet from residential and 37 feet from property line (only 30 feet setback required. Gas pumps 167 feet from the nearest residential building. Light plan no pollution to residents, mitigation measures reviewed. Extra landscape trees were added for an increased landscape buffer, and they would close between midnight and 5:00 a.m. The applicant agreed to worked with residents on tree

placement, the venting of tanks and odors away from residential areas, and the removal of signage from the rear of building. All lighting fixtures were to be approved by staff. Per Salt Lake County Health Department and Department of Environmental Quality (DEQ) no consequential health effects were linked to gas pump placement near residential homes. The site contained 18 parking stalls, which was consistent with City ordinance. The applicant requested a waiver of strict compliance to match the existing buffer along Main street. No sewer dump for RVs was proposed.

Christian Michaelson with Galloway expressed appreciation to the Commission and staff and offered to answer questions. He stated Cum & Go was a family-owned company with a chain of 400 stores and they have been operating for over 60 years. They have worked with the community to mitigate concerns, and they donate ten percent of corporate profits to local charities.

Commissioners expressed appreciation for the overall look, and clarified the existence of a cross access easement with the eastern neighbor on Main Street. Commissioner Ferguson wanted to disclose he was working on another project with Christian Michaelson, which did not create a conflict of interest. The property has been zoned C-2 since creation of the original Herriman Towne Center.

#### Recommendations:

1. Receive and agree to all recommendations from other agencies.
2. No signs are approved with this request.
3. The applicant work with neighbors directly adjacent to the site regarding the following:
  - a. Placement of the masonry fence. Where agreed upon, the applicant shall replace the existing vinyl fence at their cost. The requirement to install the masonry fence is not voided if an adjacent property owner does not agree to the fence replacement. In such cases, the masonry fence shall be installed on the applicant's property no further than six inches from the existing vinyl fence.
  - b. Installation of tree buffer along the property line. The applicant shall attempt to coordinate tree placement on the applicant's property to maximize natural light into adjacent residential backyards while providing a landscape buffer. If no agreement is reached, the applicant shall work with the City to discuss potential tree types and placement. Trees with narrower canopies are preferred to reduce the encroachment of branches into or across property lines.
4. All lighting is to be approved by Staff to confirm that all exterior light fixtures will prevent light glare on adjacent properties. Once approved, no substitutions will be allowed.
5. All venting of any food prep within the building shall be directed away from residential units.
6. No signage is permitted on the rear side of the building.
7. Any further modification to the site as approved by the Planning Commission shall be reconsidered and approved by the Planning Commission.
8. The applicant install one (1) additional stall to meet the code requirements for a total of eighteen (18) stalls.
9. Obtain a waiver of strict compliance from the Commission regarding the landscape buffer along Herriman Main Street, which is currently proposed at 13.24', or increase the buffer to fifteen (15) feet with a two (2) foot berm.
10. The hours of operation for the convenience store be between 5am and midnight.

Commissioner Jacobson moved to approve item 3.4 Conditional Use review for Kum & Go gas station and convenience store on ±1.6 acres at 5566 W Herriman Main Street in the MU-2 (Mixed Use) Zone (File No. C2021-050) with ten staff recommendations. Commissioner Fenn seconded the motion.

The vote was recorded as follows:

Commissioner Darryl Fenn	Aye
Commissioner Andrea Bradford	Aye
Commissioner Adam Jacobson	Aye
Commissioner Jackson Ferguson	Aye
Commissioner Forest Sickles	Aye

The motion passed unanimously.

#### 4. Legislative Items

Legislative items are recommendations to the City Council. Broad public input will be taken and considered on each item. All legislative items recommended at this meeting will be scheduled for a decision at the next available City Council meeting.

- 4.1 Request: Recommendation to amend Chapter 10-3 to expressly acknowledge that trails are included in the definition of a Public Park, and Chapter 10-16 to allow a Public Park as a permitted use in all Agricultural, Residential, Recreational, and MU-2 Mixed Use Zones in City Code. (Public Hearing)**

**Applicant: Herriman City**

**File Number: Z2022-058**

City Planner Maloy explained the text amendment to include trails in the definition of public parks and to allow parks as permitted use in all agricultural, residential, recreational and MU-2 mixed use zones, as stated below:

#### Chapter 10-3: DEFINITIONS

##### 10-3-6: Definitions, Land Use Categories

Park, public: A park, playground, swimming pool, golf course, athletic field, trail, or other area or open space providing opportunities for active or passive recreational or leisure activities which is under the control, operation, or management of a local, State, or Federal government agency.

#### Chapter 10-16: TABLE OF USES

**10-16-1: USES:** Any use showing an empty box for a particular zone or any use not shown on this table is not permitted. See footnotes for qualifying requirements or use limitations.

P = Permitted use				C = Conditional use				Blank = Not permitted											
Uses <sup>1</sup>	Zones																		
	A-25	A-5	A-1	R-1-10	R-1-15	R-1-21	R-1-43	R-2-10	R-2-15	R-M	FR <sup>2</sup>	RC	OP	C-1	C-2	M-1	T-M	MU	MU-2
Public and civic:																			
Auditorium or stadium																			

Cemetery	C	C	C	C	C	C	C	C	C	C								
Church or place of worship	C	C	C	C	C	C	C	C	C	C	C	C	C					C
Club or service organization													P					
College or university																		
Conference and reception center											C		C	C		C	C	C
Correctional facility																		
Cultural service											C							
Golf course	C	C	C	C	C	C	C	C	C	C	C	C			C			C
Government service	C	C	C								C			C	C	C	C	C
Hospital									C				P	P				C <sup>13</sup>
Operations center													C	C	C	C		
Park, public <sup>51</sup>	<u>C</u> <u>P</u>	<u>C</u> <u>P</u>	<u>C</u> <u>P</u>	<u>C</u> <u>P</u>	<u>C</u> <u>P</u>	<u>C</u> <u>P</u>	<u>C</u> <u>P</u>	<u>C</u> <u>P</u>	<u>C</u> <u>P</u>	<u>C</u> <u>P</u>	<u>C</u> <u>P</u>	<u>C</u> <u>P</u>						<u>C</u> <u>P</u>
Post Office													P	P	P			C
Protective service														C				C
Resource recycling collection point <sup>14</sup>													P	P	P			P
School, boarding																		
School, charter <sup>15</sup>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
School, elementary, middle, or high <sup>16</sup>	P	P	P	P	P	P	P	P	P	P			P	P	P			P
School, therapeutic																		
School, vocational													P	C		C		C
Utility, major	C	C	C	C	C	C	C	C	C	C	C			C	C	C	C	C
Utility substation	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

<sup>51</sup> Public parks shall be subject to approved administrative city policy

It was confirmed Right of Way (ROW) trails were not considered city owned parks. Commissioner Jacobson encouraged notification of residents if changes to parks were being discussed by Council. City Planner Maloy recommended including that in the motion to Council. Commissioners requested clarity of which trails were considered ROW/roadway and which were considered public parks. City Maloy explained this definition applied to those which were part of publicly owned open space.

Chair Berbert opened the public hearing.



Dustin Cutrer stated public parks should not be permitted use and should be conditional use for all zones, especially for open space trails. He said the City was not providing all the information and this would save money because the City had not followed ordinances and it would be costly to abandon projects done without permits. He said the real reason the City wanted it changed was trails and parks had been created without permits and they were trying to fix mistakes by circumventing the ordinance. Some of the trails could not meet the standards of conditional use permit. The City should be held to the same standards as the citizens. The City should follow what they present to citizens and follow city ordinances. He said instead of admitting they messed up and fixing the problem, and apologizing to the citizens, who have been adversely affected. The city was asking the PC and Council to change the ordinance to just trust them to follow their own policies and be accountable to the citizens. It's shady the same week the city had a lawsuit filed against it regarding blatant disregard of this ordinance they were now asking to change the ordinance. He stated his opinion was formed by the following quotes taken from emails obtained by GRAMA request. In an email from Park Staff to City Manager in 2018 when asked about parks and trails permits the answer was the City had not taken anything to planning commission for review. Another email to the trails committee chair when asked why they did not follow the master plan map, the response stated the map he had was a cartoon, the actual trail building plan was presented at the public house (which was where he got it). In another email to the trails committee chair staff admitted they did not follow their own plan and changed it the day before. He offered to share full copies of emails with the Commission as he is not lying as has been alleged in the past.

Chair Berbert closed the public hearing.

Commissioner Jacobson favored conditional use permits as they provided time for discussion. All trails and park amenities should be reviewed to ensure community needs were met. Neighborhood impacts needed to be addressed. Blackridge reservoir was an example that was a good amenity but lacked planning, as evidenced by parking problems. Once a park has been defined as a park, it should not be changed without public involvement. Chair Berbert saw the importance of transparency. Keeping it conditional allowed more public review of the process. Applications from the City should be held to the same standard as applications from outside developers.

City Planner Maloy added that as a modification the Commission could recommend a combination of amendments, with some permitted and others conditional and make changes to the definition. Commissioners debated the benefits of permitted vs conditional approval and what would be best for the community. City Attorney Andrizzi highlighted the importance of holding open houses for public input, providing an opportunity for the Commission to discuss the application, and also having a public hearing at a Council meeting. Conditional use standards were limited to what criteria may be applied. When permitted, the Council had fewer restrictions and may enact more public recommendations. Commissioners recommended Planning Commission public hearings as well, especially for parks. City Attorney stated Commission conditional review was limited to objective standards, as such he recommended the open house take place after Commission recommendation. It was the responsibility of Council to implement and prioritize funds based on the information available to them. He encouraged the Commission make a very specific updated recommendation to Council to identify all of relevant concerns.

Chair Berbert asked why staff thought permitted uses would provide a better product for the community. City Attorney Andrizzi explained conditional use applications had a more limited scope of consideration for the Commission than permitted. The Commission could not impose unreasonable conditions within the scope of conditional use when responding to feedback, however staff could write a recommendation to Council based on the feedback. Commissioners discussed proper wording for the motion.

*Commissioner Jacobson moved to recommend approval to City Council of item 4.1 Recommendation to amend Chapter 10-3 to expressly acknowledge that trails are included in the definition of a Public Park, and Chapter 10-16 to allow a Public Park as a permitted use in all Agricultural, Residential, Recreational, and MU-2 Mixed Use Zones in City Code, with the addition of the word trails, for the park and public recommend conditional use on all of the locations and M-U and M-U-2 with conditional use all the way across. Also adjust the policy to be similar to the subdivision policy where it goes to a local neighborhood type meeting, then to the conditional use portion of the Commission, and then if Council would like another meeting that's fine, but it made more sense to separate that and if the Council lacked funding that should be a discussion they do then come back to discuss that. Commissioner Bradford seconded the motion.*

*The vote was recorded as follows:*

<i>Commissioner Forest Sickles</i>	<i>Aye</i>
<i>Commissioner Jackson Ferguson</i>	<i>Aye</i>
<i>Commissioner Adam Jacobson</i>	<i>Aye</i>
<i>Commissioner Andrea Bradford</i>	<i>Aye</i>
<i>Commissioner Darryl Fenn</i>	<i>Aye</i>

*The motion passed unanimously.*

**4.2 Request: Recommendation to amend the General Plan for 13.66 acres from Commercial to Light Industrial at approximately 15880 S Redwood Road (Public Hearing)**

**Applicant: Kim Rindlisbacher, Scenic Development Group**

**File Number: G2022-021**

Planner Il Howa explained the applicant requested to change the eastern area of Parcel 3 from ±13.26 of Commercial to Light Industrial Park/Business Park and ±0.40 acres of Parcel 2 from Commercial to Light Industrial Park/Business Park. The properties proposed in this General Plan Map amendment were owned by the Utah Department of Transportation (UDOT) and were currently under contract for purchase by Scenic Development Group. The applicant provided an affidavit and the purchase contract for the subject properties.

Commissioners debated any detrimental effects the amendment may have on adjacent property.

Applicant Braiden Rindlisbacher approached the podium and offered to answer questions.

Commissioner Jacobson asked why the change from Commercial to Light Industrial? Applicant Rindlisbacher responded the M-1 zone had done well in the Rockwell Landing Business Park and served the City well. They thought it made sense to continue with the M-1 zone in this area.

Chair Berbert opened the public hearing.

Gary MacDougal stated he was the owner of the narrow C-2 parcel to the east, along Redwood Road, and he bought it twenty plus years ago. His main concern was the lack of cross access from the development to the west. He did not want his commercial property to be cut off from the M-1 zone. He thought the public would anticipate access between the areas. He thought the entire corner should be either zoned all M-1 or all Commercial.

Chair Berbert closed the public hearing.

Commissioner Fenn asked if convenience stores were allowed in light industrial. City Planner Maloy responded they were. Commissioner Jacobson recommended approving parcels one and two as requested by the applicant. He recommended moving the dividing line in parcel three and identified a specific cut off point between commercial and light industrial. Commissioner Sickles disagreed and said commercial could work in the small area and gateway elements did not need to be large to make a big impact. Commissioners debated the best zones for the area and ideal cutoff locations between different zones. Community Development Director Thomas added there would be no access to the McDougal property from Porter Rockwell due to the grade. He identified a capital facility road along the canal and through the McDougal property. Utilities were already stubbed. Part of parcel two was intended to be a park and ride location. The drainage area was recently mapped as a FEMA floodplain so any work in that area would go through their process. Commissioner Ferguson added that as the City grows south more commercial would be needed. Commissioners agreed grocery stores were needed to meet the needs of the planned nearby residential units.

*Commissioner Jacobson moved to recommend approval of item 4.2 with staff recommendations and an adjustment to the line to adjust the proposal of being the entire parcel three as light industrial and adjust a reasonable amount of commercial inside parcel three to parallel Redwood Road, a visual representation of which was provided to staff, with an attempt to preserve Commercial, recommendation to amend the General Plan for 13.66 acres from Commercial to Light Industrial at approximately 15880 S Redwood Road (File No.G2022-021). Commissioner Ferguson seconded the motion.*



The vote was recorded as follows:

Commissioner Forest Sickles	Nay
Commissioner Jackson Ferguson	Aye
Commissioner Adam Jacobson	Aye

Commissioner Andrea Bradford Aye

Commissioner Darryl Fenn Aye

The motion passed with a vote of 4 to 1.

**4.3 Request: Recommendation to amend the Zoning Map for 25.33 acres from A-1 (agricultural) to M-1 (Light Industrial) located generally at 15790 S Rockwell Park Lane (Public Hearing)**

**Applicant: Kim Rindlisbacher, Scenic Development Group**

**File Number: Z2022-022**

Planner Il Howa explained the zoning map amendment was associated with item 4.2. The applicant proposed a rezone to M-1 (Light Industrial) to expand the existing Rockwell Landing development. The General Plan designated two of the three subject parcels as Light Industrial/Business Park and Commercial. The proposed zoning request for Parcel 1 was consistent with the General Plan. Parcels 2 and 3 have portions designated Commercial in the General Plan.

Applicant Braiden Rindlisbacher approached the podium and identified the small 200 feet corner up to the parcel three property line, as previously discussed, would be operable as Commercial.

Chair Berbert opened the public hearing.

Chase Hudson with Park West Real Estate Partners has the site under contract with Scenic Development Group. He pointed out the power lines and easement locations made the east side of parcel more feasible for light industrial. They were in favor of as much connectivity as possible. They were contemplating a large-scale warehouse and distribution center.

Chair Berbert closed the public hearing.

Commissioners discussed ideal property line divisions between zones and provided a drawing with their recommendations.

*Commissioner Jacobson moved to recommend approval to City Council of Recommendation to amend Recommendation to amend the Zoning Map for 25.33 acres from A-1 (agricultural) to M-1 (Light Industrial) located generally at 15790 S Rockwell Park Lane (File No. Z2022-022) with the adjustment to have M-1 around the green or blue line and commercial for a reasonable amount paralleling Redwood Road. Commissioner Ferguson seconded the motion.*

*The vote was recorded as follows:*

Commissioner Darryl Fenn Aye

Commissioner Andrea Bradford Aye

Commissioner Adam Jacobson Aye

Commissioner Jackson Ferguson Aye

Commissioner Forest Sickles Nay

The motion passed with vote of 4 to 1.

**4 Chair and Commission Comment**

Commissioner Jacobson was in favor of always having the same seat.

## 5 Future Meetings

Wednesday, April 27, 2022 - City Council Meeting

Thursday, May 5, 2022 - Planning Commission Meeting

Wednesday, May 11, 2022 - City Council Meeting

## 6 Adjournment

*Commissioner Jacobson moved to adjourn the meeting at 9:31 p.m. and all voted aye.*

*I, Wendy Thorpe, Deputy City Recorder for Herriman City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on April 21, 2022. This document constitutes the official minutes for the Herriman City Planning Commission Meeting.*



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Wendy Thorpe, CMC  
Deputy City Recorder