



STAFF REPORT

DATE: June 5, 2024

TO: The Planning Commission

FROM: Clinton Spencer, AICP, Planning Manager

SUBJECT: Consideration of approval for a Conditional Use amendment for Rockwell Landing at 15880 S Rockwell Park Lane in the M-1 Manufacturing Zone.
Applicant: Braiden Rindlisbacher (property owner)
Acres: ±1.095
File Number: C2024-034

RECOMMENDATION:

Staff recommends the Commission approve the following findings:

- Subject to compliance with staff recommendations, the proposed plan complies with the following:
 - a. Conditional Use Standards.
 - b. All other existing Conditional Use requirements.

Staff recommends ***approval*** of the Conditional Use amendment for Rockwell Landing at 15880 S Rockwell Park Lane in the M-1 Manufacturing Zone with the following requirements:

1. Receive and agree to all recommendations and requirements from other departments.
2. The conceptual site shall be applied for and approved by the Commission within the time frame provided by the applicant. If no plans have been approved within five (5) years, the applicant must renew the Conditional Use amendment with an updated time frame.

ISSUE BEFORE COMMISSION:

Should the Planning Commission approve the Conditional Use to include additional property into the Rockwell Landing site plan as requested?

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

BACKGROUND & SUMMARY:

The applicant is requesting approval from the Planning Commission to incorporate a parcel that is approximately one-acre (1) in area, known as Rockwell Landing Phase 3 Lot 1, into the overall Rockwell Landing Business Park site plan. Rockwell Landing Business Park, with this parcel included, would total approximately forty-seven (47) acres.

The applicant is also requesting the Commission's approval of the conceptual plans with the understanding and requirement that when finalized plans for the property are applied for, those plans will need to be reviewed and approved by the Commission. The proposed timeline for the development is three (3) to five (5) years.

It should be noted that if Rockwell Landing Phase 3 Lot 1 is approved to be included into the overall site plan, the applicant would then be able to utilize the Major Corridor Sign (MCS) Overlay Zone on Lot 1. The MCS Overlay Zone can be used if the development is a minimum size of at least twenty acres. However, the applicant must record a legal plat for the parcel before a sign permit may be issued on that parcel. (A separate Conditional Use permit will be required for the design and placement of the sign.)

The applicant has provided a site plan for the new MCS (pylon) and a conceptual plan and timeline for the construction of the remainder of the property. The conceptual plan shows that future development of the site is possible, given the location of the sign. A two-story office building with potential warehouse space is currently being proposed, along with required parking. No landscaping plans have been submitted whereas the plans are conceptual.

DISCUSSION:

ENGINEERING REVIEW

***Staff Finding:** The Engineering Department has reviewed the proposed site plan and had no significant concerns. Any remaining minor issues can be addressed during the final Engineering and Building Permit review process.*

CONDITIONAL USE REVIEW (STANDARDS FROM 10-5-11.E.1):

Per 10-12-5.C.2 of City Code, any development in the M-1 Manufacturing Zone over one (1) acre in size requires conditional use approval and is subject to compliance with the "Approval Standards" listed in 10-5-11(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 C-2 Commercial.*

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

With frontage along Mountain View Corridor and available land, Herriman is well-positioned to help fill a gap and facilitate employment opportunities for the growing Southwest region of the county. The Employment Campus areas will bring in jobs and revenue via property tax and sales tax through 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 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:** Rockwell Park Lane will provide access to the site. The access will be improved when the remainder of the lot is developed with a building and the required parking and landscaping.*

- 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 Engineering Department has reviewed the plans and deemed the site and proposed plans adequate for utility systems, service delivery, and capacities.*

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

***Staff Finding:** The existing sidewalk will remain in place to provide pedestrian movement through the site. Future connectivity to the building will be addressed at the time of application.*

- 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:** The conceptual plans show the construction of an office and warehouse building, which matches the type of development that has taken place already in the Rockwell Landing development. No additional detrimental effects are anticipated with the development of the lot.*

- 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:** Concerns regarding waste disposal, fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/topography, storm drainage/flood control, high groundwater, sensitive lands, and environmental health hazards have been addressed by the applicant or are not impacted by the proposal.*

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

***Staff Finding:** Again, with the nearest residential property is located 1,450 feet away (more than a quarter of a mile), minimal impact on neighboring properties is anticipated.*

- 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:** No building elevations have been provided with the conceptual plans. However, the building elevations will be reviewed and presented to the Commission when formal plans for the site are submitted. If no plans have been provided within the five (5) year time frame, the applicant will need to renew the Conditional Use amendment for the property.*

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

***Staff Finding:** The proposal will improve the taxable value of the site and help generate sales tax, which benefits the City. Furthermore, because the proposal will attract patrons to the site, it will also increase the desirability of developing adjacent vacant commercial properties.*

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

***Staff Finding:** The City is not providing any economic incentives to the proposed business, and the increased property value will improve City revenues.*

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:** Whereas the proposal is to accommodate the construction of a new pylon sign and the future construction of a commercial building on a one-acre parcel, staff does not anticipate any negative effects on usable open space near the subject property.*

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

***Staff Finding:** The site is currently undeveloped, and there are no outstanding or unresolved violations or compliance issues related to the site.*

ZONING ORDINANCE REVIEW

***Compliance with Existing Conditional Use Requirements for the Site:** Below is a list of required conditions for the development of Rockwell Landing (City File No. 39C15), which was approved on November 5, 2015:*

1. Meet with the Staff for review and final approval of the site plan.
2. Receive and agree to the recommendations from other agencies, including UFA.
3. Submit a landscaping plan showing types, sizes and placement of plant material to the Staff for review and final approval.
4. Building elevations to be reviewed and approved by the Planning Commission. Materials board required.
5. Install curb, gutter and sidewalk on all public streets.
6. No signs are approved with this request, separate approval will be required.
7. Install a 6 foot precast/masonry wall along the north property line adjacent to Porter Rockwell from the MVC right of way to the west side of the building on lot 2.
8. Provide a traffic study to the engineering department for review and approval.
9. The subdivision plat shall be recorded prior to a building permit being issued.
10. At least 15% of the total site must be landscaped. At least 5% of the parking lot interior must be landscaped.
11. The front yard area and the side yard area which faces on a street shall be landscaped and maintained with live plant material, including shrubs, flowers and trees for a minimum distance of twenty feet (20').
12. Screen all outside trash and dumpster areas.
13. Provide storm drain detention to meet City standards.
14. Parking shall be provided for the warehouse square footage at 1 space for each person employed during the highest employment shift. Parking for any retail space shall be provided at 1 space for each 200 square feet of retail floor space.
15. Any outside storage needs to come back to the Planning Commission for a separate conditional use permit.
16. The property adjacent to the future Mountain View Corridor shall be landscaped. This can be done with water wise landscaping.

All previous requirements for the development will remain intact, and the additional conditions will be approved as part of this Conditional Use Amendment application.

In conclusion, staff determined that the applicant's request is consistent with applicable standards with the additional requirements and recommends Planning Commission approval with the above-listed conditions.

ALTERNATIVES:

The Planning Commission may consider the following alternative actions when voting on the proposal:

Alternatives	Recommendation	Considerations for Alternative	Considerations against Alternative
Approve proposal as submitted	Yes	Approval facilitates commercial growth within the City	Without staff recommendations, the proposal does not address timelines
Approve proposal with Staff recommendations		Approval facilitates commercial growth within the City	With staff recommendations, the timelines are enforced
Postpone proposal (with or without date)		Commission may identify additional issues that warrant further research and review. A motion to postpone should identify what additional information is required	Staff has not identified any issues that warrant postponement
Deny proposal		Commission may deny the proposal due to failure to comply with City standards. A motion to deny the proposal should include one or more findings of non-compliance and identify the applicable standard	Staff has not identified any findings that warrant denial

ATTACHMENTS:

- A. Application
- B. Vicinity Map
- C. Site & Landscape Plan
- D. Plat & Grading Plans
- E. Existing Conditional Use Approval