



153 North 100 East
Lehi, UT 84043
(801) 768-7100

Minutes of the **Pre Council and Regular Session** of the **Lehi City Council** held Tuesday, **August 8, 2023**, at Lehi City in the Council Chamber, 153 N 100 E. Lehi, UT.

Members Present: Mark Johnson, Mayor
Paige Albrecht, Council Member
Chris Condie, Council Member
Paul Hancock, Council Member
Katie Koivisto, Council Member
Mike Southwick, Council Member

Others Present: Jason Walker, City Administrator; Ryan Wood, City Attorney; Lorin Powell, City Engineer; Kim Struthers, Community Development Director; Cameron Boyle, Assistant City Administrator; Dean Lundell, Finance Director; Sierra Pierson, Management Analyst; and Teisha Wilson, City Recorder.

Pre Council, 6:30 p.m.

1. Welcome and Opening Comment

Mayor Johnson welcomed everyone and noted that all Councilmembers were present. Councilor Koivisto gave the opening comment.

2. Agenda Questions

None.

3. Administrative Report

Mayor Johnson asked the Parks Department to provide an update on Family Park. Trent Dyer and Shawn Winters from the Parks Department presented an update. He noted that there is a purchase order on the agenda related to the project. Trent Dyer stated that the project is moving forward, and construction is in progress. The design and engineering have been completed for the all abilities playground.

4. Mayor and Council Reports

The Mayor and Council reported on their assigned committees.

The meeting recessed at approximately 6:45 p.m.

The meeting resumed at approximately 7:00 p.m.

Regular Session, 7:00 p.m.

1. Welcome, Roll Call, Pledge of Allegiance

Mayor Johnson welcomed everyone and noted that all Councilmembers were present. Councilor Southwick led the Pledge of Allegiance.

49
50 **2. Presentations and Reports**

51 2.1) Water Wise Landscape Yard of the Month Award Presentation

52 This award was presented from the Sustainability Committee.
53

54 **3. 20 Minute Citizen Input**

55 Larry Lacroix complimented the yard of the month recipient. He also expressed concern for
56 planning and traffic issues.
57

58 **4. Consent Agenda**
59

60 4.1) Approve Minutes from the July 25, 2023 City Council Meeting.
61

62 4.2)Approve Purchase Orders
63

64 **Motion:** Councilor Koivisto moved to approve the consent agenda items. Councilor
65 Southwick seconded the motion.
66

67 **Roll Call Vote:** Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Hancock, Yes;
68 Councilor Koivisto, Yes; and Councilor Southwick, Yes. The motion passed unanimously.
69
70

71 **5. Consideration of Resolution #2023-51 authorizing the issuance of electric revenue bonds.**

72 Jonathan Ward and Brandon Johnson stated that this outlines the parameters of the bond.
73

74 Mayor Johnson asked for public comments.
75

76 Chance Plat expressed concerns about using renewable resources and asked clarifying
77 questions.
78

79 Jason Walker, City Administrator, explained that they also invest in renewable resources. He
80 said the benefit for the natural gas generators is that it protects the city from a volatile market
81 during peak power consumption.
82

83 **Motion:** Councilor Condie moved to approve Resolution #2023-51 authorizing the issuance
84 of electric revenue bonds. Councilor Southwick seconded the motion.
85

86 **Roll Call Vote:** Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Hancock, Yes;
87 Councilor Koivisto, Yes; and Councilor Southwick, Yes. The motion passed unanimously.
88
89

90 **6. Consideration of Resolution #2023-50 approving a second amendment to the agreement**
91 **between Lehi City and SIRQ Construction for pre-construction and construction**
92 **managements/general contractor services for Fire Station 84.**

93 Chief Jeremy Caft was available to answer any questions. He stated that they expect to break
94 ground in the next couple of weeks.
95

Motion: Councilor Hancock moved to approve Resolution #2023-50 approving a second amendment to the agreement between Lehi City and SIRQ Construction for pre-construction and construction managements/general contractor services for Fire Station 84. Councilor Koivisto seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Hancock, Yes; Councilor Koivisto, Yes; and Councilor Southwick, Yes. The motion passed unanimously.

7. Consideration of Resolution #2023-49 approving an agreement with Sunroc for the construction for the Oak Hollow tank and pond drains with all associated structures and access roads.

Greg Alred, Water Department Manager, was available to answer questions.

Motion: Councilor Koivisto moved to approve Resolution #2023-49 approving an agreement with Sunroc for the construction for the Oak Hollow tank and pond drains with all associated structures and access roads. Councilor Southwick seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Hancock, Yes; Councilor Koivisto, Yes; and Councilor Southwick, Yes. The motion passed unanimously.

8. Consideration of Ordinance #42-2023 the Fox General Plan Amendment from Medium Density Residential to Light Industrial on 2.73 acres located at 501 & 535 North 500 West.

Brent Fox was the applicant.

Councilor Koivisto was hesitant to support the change, emphasizing the city's investment in the general plan and expressed concerns about potential impacts on home values.

There was discussion about the potential uses allowed in light industrial zoning and concerns were raised about the impact on adjacent properties. Kim Struthers explained that the light industrial zone permits more intense commercial uses, including storage units, outdoor storage yards, printing and publishing facilities, and other heavy commercial activities.

Motion: Councilor Koivisto moved to deny this Ordinance with the finding that the proposed amendment would have a negative affect on the character of the surrounding area and is not consistent with the goals and policies of the general plan. Councilor Albrecht seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, No; Councilor Hancock, No; Councilor Koivisto, Yes; and Councilor Southwick, No. The motion failed with 3 opposed and 2 in favor.

Councilor Condie asked the applicant some clarifying questions about the business's intended use on this property. Mr. Fox stated that he would like to use the property for equipment storage.

Councilor Koivisto stated that she wanted to clarify her previous motion. She stated that she is very cautious with zone changes, emphasizing the potential consequences when land is rezoned for industrial use and the future implications if the land were to be sold, allowing for a broad range of industrial uses by a new owner. She stressed that her perspective wasn't a personal judgment but a consideration of the broader implications and the need to be cautious about such changes.

Councilor Condie expressed similar concerns but suggested that a development agreement may be an option in this circumstance.

Motion: Councilor Condie moved to table this item and directed staff to draft a development agreement for consideration, noting that the agreement should include that the property be left as medium density residential and add the uses requested by Mr. Fox; and add that the agreement remain with the business unless it is sold. Councilor Hancock seconded the motion.

There was discussion about what would happen if the property were sold and if it would revert back to the MD zone. It was suggested that the development agreement would remain in place if the property were sold so long as a similar business use remained.

Amended Motion: Councilor Condie moved to amend his motion to include that if the property were sold, but a similar business remained, then the development agreement would stay in place. Councilor Hancock seconded the amendment to motion.

There was discussion about allowing additional buildings on the property.

Amended Motion: Councilor Condie clarified that any proposed buildings on this property would require a separate application. Councilor Hancock seconded the amendment to motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Hancock, Yes; Councilor Koivisto, No; and Councilor Southwick, Yes. The motion passed 4-1.

9. Consideration of Preliminary subdivision approval of Cedar Hollow Plat M, a 7-lot residential development located at 1475 East 1800 North in an RA-1 zone.

Gary Cooper was the applicant.

Mayor Johnson asked for public comments.

Paul Burnett is an adjacent property owner and had questions for the applicant regarding a retaining wall and drainage.

Tony Trane, representing the applicant, stated that it's not appropriate to place additional requirements on the applicant, but he is willing to work with the neighbors.

Motion: Councilor Southwick moved to grant Preliminary subdivision approval of Cedar Hollow Plat M, a 7-lot residential development located at 1475 East 1800 North in an RA-1 zone; and including all DRC and Planning Commission comments. Councilor Koivisto seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Hancock, Yes; Councilor Koivisto, Yes; and Councilor Southwick, Yes. The motion passed unanimously.

10. Consideration of Ordinance #43-2023 the Dry Creek Village Zone Change on 16 acres of property located at approximately 1450 South 1100 West, changing the zoning from TH-5 (transitional holding) to Mixed Use.

Tony Trane was representing the applicant. He presented their plan for a mixed-use development on the property near the school, emphasizing a combination of single-family homes, townhomes, and potentially some condos. He highlighted the desire to create a walkable community with trails connecting various amenities like the school, park, and commercial areas. He mentioned their efforts to address traffic concerns and suggested potential solutions, such as a temporary construction connection over to 1700 West and improved connectivity.

Council members raised questions about lot sizes, density, and the potential impact on nearby residents. Concerns were expressed about the traffic situation and the overall impact on the neighborhood. The developers acknowledged the traffic issues and mentioned ongoing discussions with city staff to find solutions.

The Strains, neighboring property owners, wrote their concerns about property boundaries and felt that their issues hadn't been adequately addressed. The developers explained that they had discussed these matters with the Strains but emphasized that a resolution would depend on the approval of the zoning change.

The council expressed varying opinions on density, zoning, and the overall plan. Some members were cautious about the potential impact on traffic and property values, while others saw the mixed-use development as an opportunity for a balanced and walkable community. The discussion highlighted the complexity of balancing development goals with concerns from neighboring residents.

As the meeting progressed, the council continued to discuss various aspects of the proposed development, including traffic solutions, property boundaries, and the potential benefits of a mixed-use community.

Mayor Johnson asked for public comments:

Jeremy Baker stated that the plan is good idea because it brings people closer to the park, churches and school.

Neil Peterson was opposed to the project.

Jason Draper encouraged the Council to deny the project.

240 Lidia Hogue expressed concerns with traffic and stated that high density isn't always the best
241 option.
242
243 Larry Hadfield expresses concerns with traffic.
244
245 Linda Hadfield was concerned with traffic.
246
247 Suzanne Spencer was opposed to the proposal.
248
249 Holly was opposed.
250
251 Dan Ames was opposed.
252
253 Jennifer Davies was concerned with traffic.
254
255 Lisa Cummings was concerned about the safety of children, making sure there's not unintended
256 consequences.
257
258 Michelle Christensen was against the development.
259
260 Joy Bilsma was opposed.
261
262 Dan Porter was concerned with the overlay.
263
264 Casey Glad was against the proposal.
265
266 Tom Pugmire was opposed.
267
268 John Bills was opposed.
269
270 Steve Thurgood was opposed.
271
272 Emeril Stevens was concerned with traffic and safety.
273
274 Reg Bolson was opposed.
275
276 Ryan Brown was concerned with traffic.
277
278 Sam Beck asked the Council to deny this.
279
280 Chance Platt was opposed.
281
282 Rita Avinaski was opposed.
283
284 Fred Tougher was opposed and wants the overlay zone removed.
285
286 Stacey Pleasure was opposed.
287

288 Cory Astill expressed concerns.

289
290 John Gardner was concerned with traffic.

291
292 Tyson Hodges was opposed.

293
294 Rick Perry was opposed.

295
296 DJ Gardner suggested that they only allow low density.

297
298 Paul Binz stated that the proposal doesn't fit in the area.

299
300 Randy Mellor was opposed.

301
302 Kara Bock was opposed.

303
304 David Ireland was concerned with safety.

305
306 Jeremy Spencer was opposed.

307
308 Devin Glaser was opposed.

309
310 Larry Lacroix expressed concerns.

311
312 The council members expressed concerns and reservations about the proposed mixed-use
313 development. They questioned the uniqueness and features that would make it a distinctive
314 community, especially considering the size and density of the development. Some members
315 feel that the presented features, such as front porches and tree-lined streets, are not unique
316 enough to warrant the approval of the overlay.

317
318 There is also a concern about the piecemeal approval of the development without having a
319 comprehensive plan for the entire property. The council members expected to see a holistic
320 approach and unique features that would contribute to making it a special community.

321
322 Council members emphasized the need for more information, including the concepts for
323 condos, to make an informed decision. Some expressed a desire for additional elements that
324 truly make the development stand out as a village community.

325
326 The applicant asked for direction from Council as what they would like to see with this
327 property.

328
329 Council members expressed concerns about the proposed density of 500 units on 16 acres,
330 suggesting it might be too high. There's a desire for a mix of lot sizes and a reevaluation of the
331 density, with suggestions for different zoning options.

332
333 The Council also expressed concerns that the overlay zone may be too open ended, and they
334 would like to see more detail and specifics before they can feel comfortable approving
335 anything.

Council members were also concerned about the lack of a clear retail component and want to ensure that retail development is integrated into the plan to create a balanced and functional community.

The Council acknowledged the traffic issues, and a desire for a road solution that can help alleviate traffic concerns.

The council members were seeking a collaborative approach to finding a balanced and unique solution for the development, considering factors like density, walkability, retail integration, and traffic management. They expressed a willingness to work with the developer to achieve a plan that aligns with the city's vision and addresses the concerns of the community.

Motion: Councilor Koivisto moved to deny Ordinance #43-2023 the Dry Creek Village Zone Change on 16 acres of property located at approximately 1450 South 1100 West, changing the zoning from TH-5 (transitional holding) to Mixed Use; with the findings that the proposed plan would have a negative effect of the surrounding area, that the use is not suitable, and that the use does not comply with the goals and policies of the General Plan, and that the proposed use would have a negative affect on the nearby and adjoining properties. Councilor Condie seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Hancock, Yes; Councilor Koivisto, Yes; and Councilor Southwick, Yes. The motion passed unanimously.

11. Consideration of Concept plan approval for the Dry Creek Village Land Use Plan for the first phase which includes a 142-unit residential development located at approximately 1450 South 1100 West.

This item was removed from the agenda due to the denial of item #10.

12. Consideration of Ordinance #44-2023 an Area Plan Amendment to the Thanksgiving Point Area Plan.

Dave Debson with Gardner Development and Ryan Thoams with Stack Development were representing the applicant.

Councilor Koivisto asked about the extension of Clubhouse Drive

There was discussion that one of the triggers for 1220 units, be the completion of the 2100 North Freeway or the Clubhouse Drive extension. Councilor Hancock noted that both roads are needed. Mayor Johnson stated that the alignment of Clubhouse Drive is being studied. He said it's more likely that the 2100 N freeway will be constructed before the Clubhouse Drive extension.

Josh Gibbons with Hales Engineering was available to answer questions about the traffic study and as part of that he worked with city staff on the road improvement trigger study.

There was discussion about the right turn onto 2100 coming from Thanksgiving Point. Councilor Koivisto believes that the proposed improvements for that location will not be enough to ease traffic congestion. Mayor Johnson stated that this is why Clubhouse Drive is needed, because they can't widen 2300 West under the railroad bridge. Mr. Gibbons stated that the 2100 North freeway will significantly reduce traffic on Triumph Blvd too.

Mr. Gibbons noted that the intent is that the improvement projects would be completed within the year listed on the table.

There was discussion on the 1 tree per unit. The applicant stated that for an urban dense project like this, it gets difficult to meet that number. He said there will be a high density of trees in the open spaces.

There was discussion about the trail system connections and how those will be funded. The Developer is responsible for the trails within the development. Lehi City will need to secure funding for the other trails connections. Mr. Struthers stated that they can request funding from MAG and/or use impact fees generated from the project.

There was discussion about dedicating the project's park impact fees directly to trails in and around the development. Administration prefers that the park impact fees not be earmarked for specific projects. It would allow for some flexibility in the future if there is a greater need somewhere else in the city. The Planning Commission recommended that the Council dedicate park impact fees generated from this project to construct trails and bike paths to ensure successful connectivity. Mr. Struthers stated that the trails are integral in the success of a TOD. They estimated that \$3.5 million of the generated park impact fees would need to be used for trail and bike path connectivity. The remaining funds could be used for regional park needs. Councilor Condie suggested that they could reserve \$2 million in impact fees for the trails and then the city could construct the remainder of trails using other funds. Councilor Hancock stated that trails in this TOD are crucial to its success, unlike a park that's usually just a nice benefit. He suggested that they dedicate \$2 million to the project and that the rest may be used elsewhere. He said that a future Council could also decide to use more impact fees on trails around this TOD if they deem it to be the highest priority.

Mayor Johnson asked for public comments.

Larry Brannaman expressed concerns regarding traffic issues in their neighborhood. The main concern was the impact of planned roads on emergency access, particularly during rush hour. He asked for the City Council to reconsider the plans and prioritize the well-being of the community's residents.

Tina Dashrath emphasized the importance of oversight, asserting that if the council loses power, the community loses its voice. She referred to specific sections of the Utah State code, including Article Six Section 28, Article 11 Section 7 on special service districts, and Article 12 Section 20 on free markets. She urged the council to oversee these matters, and emphasized

the constitutional requirement for oversight and expressed a plea for the council to fulfill this duty, not only for the benefit of the community but also to safeguard the council's authority.

(Unknown Speaker), a Cranberry Farms resident, shared concerns about a proposed punch out connecting to 2100 North, emphasizing potential safety risks for children in the neighborhood due to increased traffic. She argued that the punch out wouldn't alleviate congestion on 2100 North and could worsen existing problems. She expressed worry that the development plans were prompting residents to consider leaving the neighborhood.

Megan Sperry, a Cranberry Farms resident, raised concerns about the development project. She noted potential discrepancies in the area plan involving private land, specifically HOA trails, without communication with the HOA board. She expressed unease about the proposed concrete median and road punch-through, emphasizing worries about traffic and emergency vehicle access. She urged close attention to project details and timing for the benefit of the neighborhood.

Kelly Griffin, another resident of Cranberry Farms, expressed concerns about the proposed punch-through at the back of the neighborhood, which would be near her house. She highlighted the potential impact on her two kids, emphasizing the difficulty they would face playing outside with two busy roads nearby. Acknowledging the emotional impact on her and the neighborhood, she echoed previous sentiments about the likely consequences of increased traffic, especially if the punch-through connects the neighborhood to 2100.

Jacob expressed support for high occupancy housing but raised concerns about traffic, echoing sentiments from others. He questioned the analysis of the guaranteed right turn, emphasizing that it could make it more challenging for neighborhood residents to leave. Jacob discussed the proposed punch-through in the neighborhood, expressing worries about the impact on homes and property values, estimating millions of dollars in potential property damage. He emphasized feeling like a missing stakeholder in the traffic study, suggesting that the analysis did not adequately consider the neighborhood's perspective. Jacob acknowledged the benefits of the development but stressed the potential cost to existing residents in terms of traffic issues and property values.

Granger Peck urged the council not to relinquish oversight and emphasized the importance of constitutional laws and rules. He asserted that decisions can be stopped and reversed, especially if deception, disingenuous approaches, or fraud are involved. He criticized the developer's characterization of the development as transit-oriented development (TOD), arguing it is, in fact, high-density (HD) and undesirable. Drawing on sociological concepts, they linked higher density to increased errors, confrontations, and crime. The speaker highlighted a perceived fraud related to UVU's support for the development, claiming that UVU officials falsely endorsed the high-density project.

Jason Hill, residing near Olympic Park, expressed doubts about the efficacy of a right turn lane to address traffic issues. He questioned the feasibility of Transit-Oriented Development (TOD) in Utah without significant rail infrastructure expansion. He emphasized the need for written commitments on the build-out timeline before approving the proposed 1200 units, citing concerns about infrastructure readiness and potential delays.

479 Nick Dirksen, representing UTA, expressed support for the proposed area plan. He mentioned
480 UTA's involvement in the planning process and highlighted that the presented plan aligns with
481 the specific requirements outlined in the station area plan adopted by the Council. He
482 emphasized that the plan meets the objectives of UTA and complies with their Transit-Oriented
483 Development (TOD) guidelines. He recommended the council approve the area plan based on
484 these considerations.

485
486 Mr. Gibbons stated that they studied the cars exiting the neighborhood and found that there
487 will be an improvement.

488
489 Councilor Koivisto stated that she would prefer the item be tabled until they can better
490 understand the traffic issues and request the applicant to present ways to make the traffic better
491 before it gets worse.

492
493 Councilor Albrecht expressed hesitation moving forward, stating that she was expecting to see
494 more significant proposals for improvements.

495
496 The applicant stated that when the major UDOT projects come online, like 2100 N freeway,
497 Clubhouse Drive extension, and the north freeway interchange near the point of the mountain,
498 people will have more options rather than coming down Triumph Blvd which will help
499 alleviate traffic.

500
501 Mayor Johnson stated that the Clubhouse Drive Extension would solve the issue of the
502 bottleneck on Triumph at 2100 North.

503
504 **Motion:** Councilor Condie moved to approve Ordinance #44-2023 an Area Plan
505 Amendment to the Thanksgiving Point Area Plan; including all DRC and Planning
506 Commission comments, and any other staff comments as presented in the packet
507 with the following trigger: that before the project can exceed 305 units, all
508 improvement projects slated for 2024 on the Trigger Summary of the Area Plan
509 Amendment be completed. Councilor Hancock seconded the motion.

510
511 **Amended Motion:** Councilor Condie moved to also include that a minimum of 2 million of
512 the project's park impact fees be set aside and used for other projects (such as trails)
513 as deemed as a higher priority or need or as ready. Also noting that the 2 million
514 minimum does not have to be allocated off the top (not the first 2 million).

515
516 The applicant expressed concern that if any of the road projects were delayed beyond their
517 control it could also halt their construction. The Council discussed that the 305 units be
518 occupied units, so the developer could still pull permits for units above 305 if the 2024 road
519 projects are delayed, but anything above 305 units cannot be occupied until the 2024 road
520 improvements are completed.

521
522 **Amended Motion:** Council Condie moved to also include the above comments in his motion.

523
524 Councilor Koivisto recommended adding that the applicant needs to pay for the water within
525 two weeks. There was discussion about the water purchase deadline. It was suggested that the
526 deadline be August 31, 2023.

Amended Motion: Council Condie amended his motion to also include that the water be purchased by August 31, 2023. Councilor Hancock seconded the amendments to the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Hancock, Yes; Councilor Koivisto, No; and Councilor Southwick, Yes. The motion passed 4-1.

13. Adjournment

With no further business to come before the City Council at this time, Councilor Hancock moved to adjourn the meeting. Councilor Koivisto seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 1:11 a.m.

Approved:

Attest:

Mark Johnson, Mayor

Teisha Wilson, City Recorder