



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

Minutes of the **Regular Session** of the **Planning Commission Meeting** held Thursday, **March 13, 2025**, in the **Lehi City Hall** located at **153 North 100 East**.

Members Present: Gregory Jackson, Commission Chair
Brent Everett, Commission Vice Chair
Tyson Eyre, Commissioner
Nicole Kunze, Commissioner
Emily Lockhart, Commissioner
Ken Roberts, Commission Alternate

Members Absent: Beau Jones, Commission Alternate

Others Present: Kim Struthers, Community Development Director; Katie Bussell, Planner;
Gary Ellis, City Engineer; Ryan Wood, City Attorney; Kate Morgan,
Deputy City Recorder.

Regular Session, 7:00 p.m.

1. Call to Order

Commission Chair Jackson welcomed everyone to the meeting. He noted for those gathered that until Commissioner Everett arrived, his seat would be filled by Commissioner Roberts.

2. Consent Agenda

2.1) Approval of minutes from the February 27, 2024 meeting.

Motion: Commissioner Eyre moved to approve the minutes as presented.
Commissioner Lockhart seconded.

Vote: Commissioner Roberts, yes. Commissioner Lockhart, yes. Commissioner Eyre, yes. Commissioner Jackson, yes. Commissioner Kunze, yes.

Motion passed unanimously.

3. Regular Agenda

Item 3.1 was postponed as the applicant and presenter weren't present.

3.2) Public hearing and consideration of Mint Architecture's request for approval of a Plat Amendment for Exchange Phase 16 located at approximately 1500 North 3600 West, subdividing Parcel A for first phase of development.

Katie Bussell presented this item.

The applicant, Boyd Brown, was present. The site plan has been approved, and one part of the Plat is going to be used to construct a school.

Commissioner Jackson opened and closed public comment.

Motion: Commissioner Kunze moved to give approval finding that the proposed subdivision meets the requirements of the development code. She included all DRC comments. Commissioner Eyre seconded.

Vote: Commissioner Roberts, yes. Commissioner Lockhart, yes. Commissioner Eyre, yes. Commissioner Jackson, yes. Commissioner Kunze, yes.

Motion passed unanimously.

3.3) Public hearing and consideration of Bronsin Hauter’s request for approval of a Plat Amendment for Oak Creek Hollow Plat B located at 969 East Oak Drive, dividing lot 8 of Oak Creek Hollow Plat A in two.

Katie Bussell presented the item. One additional lot would be added, and it would meet the minimum lot size required by the code.

The applicant, Tony Trane, was present, but had no additional comment.

Commissioner Jackson opened public comment.

Richard Shining is a neighbor who found out about this through noticing. He wants to know what this will do to the property value of other houses in the area. He has no other problems with the idea.

Commissioner Jackson closed public comment. Commissioner Everett arrived at approximately 7:08.

Commissioner Jackson consulted Ryan Wood, who agreed with his analysis that the impacts of lot division on property values are usually negligible. Tony Trane added that it might improve value, as his lots will be cleaned up.

Motion: Commissioner Eyre moved to approve the proposed plat amendment with the findings that the proposed subdivision meets the requirements of the RA-1 zone and that the proposed subdivision meets the requirements of the development code. He included all DRC comments. Commissioner Kunze seconded.

Vote: Commissioner Roberts, yes. Commissioner Lockhart, yes. Commissioner Eyre, yes. Commissioner Jackson, yes. Commissioner Kunze, yes.

Motion passed unanimously.

Commissioner Everett took the stand, relieving Commissioner Roberts.

3.1) Public hearing and recommendation Lehi City's request for review of the North Lehi Station Area Plan, including areas half a mile around the future Trax station at approximately 3200 West Traverse Mountain Blvd.

Katie Bussell presented the item. The plan includes the stations and the areas surrounding them.

Christine Richman is with GSBS Consulting and helped to design the station plan. The Point of the Mountain line is a planned light rail line that would connect Lehi to the Draper Frontrunner station. The goal of the project is to connect regional transit systems and encourage economic growth. Much of the land in the plan is already spoken for, but there are plans to build 200 dwelling units and commercial development. The vision for the project is to build a community hub that is accessible by people all over the region as well as being a gateway into Lehi City. The main design principles included a focus on gathering spaces, creating a distinct visual appearance, connection to other municipal areas, environmental sustainability, and accessibility. The plan includes a lot of open space and walkways, designed for year-round use.

Commissioner Lockhart had some questions about the Homeownership Promotion Zone, and other zones discussed in the plan. Richman explained that part of her job as a designer of the station plan is to help the city identify funding tools. The zones mentioned in the plan were implemented by the state as tax increment tools intended to fund this kind of project. Commissioner Lockhart clarified that the zones were just options, not requirements. Richman explained that the plan focuses on steps that can be taken before the station itself is built. Commissioner Lockhart clarified once again that the station plan is not dependent on the use of any particular funding tools.

Commissioner Eyre asked about the location of the station, and why it wasn't being put into a more developed area. Richman explained that the stations locations were selected in relation to existing rail lines. Stations were placed at undeveloped and partially developed areas to encourage economic growth.

Commissioner Jackson opened public comment.

Carl Karen was present, representing the Bateman Trust. They have at least 100 acres of the area plan under their control. He is concerned because when the land was annexed by the city, there was an understanding that no further units would be added. He is against the plan as he feels entitled to the units, and does not want them moved up to the transit station. He also takes issue with the open space, and the possibility of taller buildings in the area. He feels there have been a lot of liberties taken with property that he owns. He also has concerns with sewage. He asked that the issue be tabled for tonight.

Boyd Brown mentioned that 34% of the plan is set aside for office space. He is worried that the market won't support that now, much less later when the development actually is completed.

Theresa Mont asked about the State Street adjustments that were mentioned in the Lehi Free Press as being on the docket tonight. Kim Struthers found the article and explained that it was a misrepresentation on the part of Lehi Free Press. State Street will be discussed, but he's not expecting it to reach a point where its ready for public comment until May or June. Mont also had questions about what 'long-term' meant in terms of the station plan. The commission clarified that it would happen in the next twenty years.

Bussell shared the online comments.

Ronald Dibble wants tracks to be built closer to existing infrastructure. He has traffic concerns.

Josh Wilcox thinks the station shouldn't be near Shadowridge Park.

Bill Harris supports the plan. He likes the planned walkability. He has recently decreased his car usage and thinks that the station is a step forward for other people in the community to do the same.

Commissioner Jackson closed public comment.

Richman addressed the office space concerns first. She acknowledged that the office space market is struggling. The offices in the plan represent existing entitlements and are not a creation of the plan. No additional office space has been added, other than small, neighborhood serving offices, such as dentists, cafes, and salons. She then addressed the development concerns. She explained that the location of the station was determined to be a good spot to develop a transit-based community, based off a study the transit department put together. She also addressed the suggested 200 units in the plan. She explained that the general plan is being respected, and that the units are being placed in response to wanting more usable amenities near the station.

Commissioner Lockhart asked if the landowners were consulted while the plan was in development. Richman mentioned that there were several meetings with the most prominent landowners during development.

Ryan Wood explained that a Development Area Plan and the Station Area Plan are different. The city is less familiar with Station Area Plans. Kim Struthers explained that in the Lehi City Municipal Code, an "Area Plan" is more akin to a mini development code for a specific area. The plan being discussed is a "Station Area Plan," and is a requirement under state law. It's closer to a subset of the general plan, and thus none of the specifics were being approved. The point is to establish a general vision for the project. Units are not entitled until a concept plan is sent to the City Council and approved. Commissioner Eyre asked legal for confirmation. Wood explained that nothing in the plan is vesting any power or rights in any of the development.

Commissioner Eyre stated that the station area plan should definitely have dwelling units, as the design principles and intended purposes wouldn't work as well without them. Commissioner Lockhart clarified that the reason this was brought forth is because UDOT doesn't want to invest money in stations without area plans, and worried that it would put a lot of pressure on landowners to agree to things in the plan whether they were officially being accepted or not. She mentioned that she would feel more comfortable if landowners were more involved in the design process. Wood once again explained that the plan was more of a guide for later on, and that

many more steps, not limited to zoning changes, would have to take place before any power could really be vested in the project. Commissioner Lockhart asked at what point the developers would be restrained.

Commissioner Jackson reopened public comment.

Carl Karen came back to the stand. He urged the commission to change the name so it wouldn't be labelled as an area plan any more. Ryan Wood clarified that it is a Station Area Plan and thus distinct from an Area Plan as defined in city code. Karen insisted on the name change.

Commissioner Jackson reclosed public comment.

Ryan Wood explained that it is unfortunate that the names are similar, but there is nothing legal that implicates the City Code. He said that the name could be changed if it is causing too much confusion, but that it would be unnecessary as adopting the plan wouldn't be the same thing as adopting a city Area Plan. Commissioner Lockhart suggested making a recommendation to City Council to look at the code and change the language.

Commissioner Jackson expressed discomfort with making a decision on the assumption that everything would be fine. He clarified that he likes the spirit of the plan, but not the confusing language, despite the assurance of legal counsel. Wood explained that tabling the issue would not fix the issues with wording.

Commissioner Everett stated that he appreciates citizen concerns, but that he's having a hard time envisioning how to incorporate their concerns twenty years down the road. He asked Kim Struthers about a station that had been planned at Adobe at one point. Struthers said that the light rail to Adobe is still being planned, but that there isn't any room for development there. Commissioner Everett recommends clarifying in the motion that this is a State Area Station Plan, and nowhere close to what Lehi City Code considers an Area Plan.

Commissioner Jackson said that as long as there was clarifying language in the motion, he would feel comfortable with giving a positive recommendation.

Commissioner Lockhart wanted to be explicitly clear that giving a positive recommendation is in no way, shape, or form agreeing to any low and median housing goals.

Motion: Commissioner Lockhart moved to give a positive recommendation to the Lehi City Council with the findings that it meets the requirements for a Station Area Plan in the state code. She included all DRC comments. She also requested that the Lehi City Council review and create clarity around the differences between a State Station Area Plan and a Municipal Area Plan used in Lehi City, that they provide clarity to both the state and the landowners so that the implications are understood, and that they clarify that this is not a Municipal Area Plan, it is a separate entity that does not contain land use entitlements. Commissioner Eyre seconded.

Vote: Commissioner Everett, yes. Commissioner Lockhart, yes. Commissioner Eyre, yes. Commissioner Jackson, yes. Commissioner Kunze, yes.

Motion passed unanimously.

3.4) Public hearing and recommendation of James Whitmore’s request for review of the Whitmore General Plan Amendment on 2.41 acres located at approximately 4150 North Digital Drive, changing the land use designation from Commercial to Light Industrial.

Katie Bussell presented the item. There are no permitted uses, as the property is not part of an area plan.

Commissioner Kunze asked if she was correct in interpreting from the DRC that this is not a good precedent to set for the area. Kim Struthers explained that the Planning Department was leaning towards a development agreement as a temporary solution for the applicant without opening the doors for light industrial zoning throughout the area.

The applicant, Jim Whitmore, was present. He explained that he is not the first property in the area to be designated as Light Industrial and gave a property two spaces away from his as an example. He’s had a lot of trouble trying to find something to do on the land, and this is his third time in front of Planning Commission. He would like a temporary agreement for five or ten years, otherwise he’s going to have to sell the property.

Commissioner Jackson opened public comment.

Carl Karen mentioned that the area the property is in has become a dump, and he’s worried it will spread north.

Commissioner Jackson closed public comment.

Commissioner Everett appreciated the willingness of Whitmore to enter into a development agreement. Commissioner Eyre explained that he doesn’t like five year terms, and suggests a two year term, but acknowledges that that is the purview of the City Council.

Whitmore was very amenable to a temporary agreement and said that it might give the city the opportunity to enforce other properties in the area. He prefers terms longer than two years so he doesn’t have to make the trip to Lehi as often. Commissioner Eyre explained that he prefers shorter terms as it allows more flexibility and feels more like an ongoing conversation between the landowner and the city. Commissioner Jackson was in favor of a development agreement.

Commissioner Lockhart asked if the Commission would need to deny Whitmore’s request in order to help him avoid any extra fees for a development agreement. Commissioner Jackson clarified that the Commission is not the deciding body, they are sending a recommendation to the City Council. Katie Bussell explained that there is no fee for a development agreement.

Motion: Commissioner Jackson moved to give a negative recommendation to the Lehi City Council with the findings that a development agreement would better

serve both the applicant and the city, enabling the applicant to improve and make use of his land that will also serve the city's interests.

Commissioner Eyre clarified that it is a General Plan Amendment. Commissioner Everett asked to include that the agreement would allow the applicant to use his land, and that it would prevent the creation of a zoning island.

Amended Motion: Commissioner Jackson moved to give a negative recommendation to the Lehi City Council with the findings that a development agreement would better serve both the applicant and the city, enabling the applicant to improve and make use of his land that will also serve the city's interests. Additionally, it would prevent the creation of a zoning island. He included all DRC comments. Commissioner Everett seconded.

Vote: Commissioner Everett, yes. Commissioner Lockhart, yes. Commissioner Eyre, yes. Commissioner Jackson, yes. Commissioner Kunze, yes.

Motion passed unanimously.

3.5) Public hearing and recommendation of DR Horton's request for review of the Inverness East Side Grading permit on approximately 197 acres.

Katie Bussell presented the item. Commissioner Everett asked if the project would have to comply with noise ordinances. Bussell confirmed that it would. Commissioner Eyre asked if there was an end date on the project or if it was open-ended. Kim Struthers explained that the estimated completion date is usually used. Commissioner Eyre asked if the end date was enforceable or not. Struthers said that there is a sunset clause in grading permit applications. They typically expire after one to two years of inaction. Bussell reassured the Commission that the city does follow up with contractors on their applications.

Scott Bishop was present on behalf of DR Horton.

Commissioner Everett asked about days and hours of operation. Bishop explained that one approved plat is already in progress, and the company is seeking the permit so that they can freely move around excess fill as needed. He assured the commission that they follow the city's ordinances regarding dust repression and noise ordinances. Commissioner Eyre asked about the timeline of the project. Bishop said that full buildout is approximately three years out. The grading will be done before then as that's the first part of the development. DR Horton will still be selling houses after that point, but there won't be any further construction.

Commissioner Jackson opened and closed public comment.

Kim Struthers and Katie Bussell explained that the grading permit would be valid for one year and would have to be renewed through the City Council.

Motion: Commissioner Everett moved to recommend approval to the Lehi City Council with the findings that the proposed grading is consistent with the proposed Skye preliminary plat C, that the proposed grading activities will be

happening on site, that as proposed it is not detrimental or injurious to property or improvements in the vicinity, that it will be conducted in a manner in compliance with the goals and policies of the City General Plan and the purposes of the code. He included all DRC comments. Commissioner Kunze seconded.

Vote: Commissioner Everett, yes. Commissioner Lockhart, yes. Commissioner Eyre, yes. Commissioner Jackson, yes. Commissioner Kunze, yes.

Motion passed unanimously.

3.6) Public hearing and consideration of Swig’s request for Conditional Use approval for a drive-thru located in an existing building at 1678 East Timpanogos Highway.

Katie Bussell presented the item. The building has an existing drive-thru, but it was designed to go around the South. Traffic engineers have concerns over the orientation.

Commissioner Eyre asked legal if the tenant of the building should be considered, or just the use. Ryan Wood stated that only the use and impacts of the drive-thru should be considered.

Commissioner Lockhart asked if the desire is to move the drive-thru from the North to the South or if they were just changing the direction of the cars. Gary Ellis explained that the applicant would like to have the drive-thru go into the parking lot and is willing to do a queuing study.

Katie Bussell stated that the applicant would like the issue tabled until April 17 to give them time to complete the queuing study.

The applicant, Erik Nobel, was present. His tentative plans are to get rid of parking spaces to allow for the change.

Commissioner Eyre noted that Swig’s dumpster is currently where the planned double queue would be.

Commissioner Jackson opened and closed public comment.

Motion: Commissioner Lockhart moved to table the item until the April 24 meeting. Commissioner Everett seconded.

Vote: Commissioner Everett, yes. Commissioner Lockhart, yes. Commissioner Eyre, yes. Commissioner Jackson, yes. Commissioner Kunze, yes.

Motion passed unanimously.

3.7) Public hearing and recommendation of Gardner-Plumb’s requests for review of the Skye Area Plan Amendment, adding two uses to the Table of Uses

Katie Bussell presented the item. The purpose for the amendment is to define the terms ‘grocery’ and ‘general merchandising’ in the code.

Commissioner Everett clarified that this change was just for the Skye Area Plan. He said it might be worth looking at in the city plan as well.

Howard Cook, the applicant, was present.

Commissioner Everett asked why the changes are being sought. Cook explained that he is talks with potential tenants, and there is an agreement that there would be more interest in development in the area if these terms are clarified in the code. This is not the first time he's heard this from a client.

Commissioner Jackson opened and closed public comment.

Motion: Commissioner Kunze moved to give a positive recommendation to the Lehi City Council finding that the proposed amendment to the table of uses will not change the uses that are permitted in the Skye planned community, and the proposed area plan meets the requirement of the Lehi City Development Code in regard to area plan approval. She included all DRC comments. Commissioner Everett seconded.

Vote: Commissioner Jackson, yes. Commissioner Everett, yes. Commissioner Eyre, yes. Commissioner Kunze, yes. Commissioner Roberts, yes.

Motion passes unanimously

3.8) Public Hearing and consideration of Gallow & Company's request for approval of exceptions to the Cyprus Credit Union Site Plan and conditional use approval for a drive-thru located at 2501 North 1200 West in the Commercial zone.

Katie Bussell presented the item. The drive-thru would be behind the bank. Two setback exceptions are being requested. The applicant is limited to fifteen feet of setback.

Commissioner Kunze noted that the dates on the DRC comments were wrong. Commissioner Jackson noted some vocabulary errors in the notes.

Taylor Smith was present, representing Gallow & Company. Currently the business is doing a lot of soil rejuvenation and grading. The grading is forcing the building back further if walkways are to remain safe.

Commissioner Jackson opened and closed public comment.

Commissioner Everett verified with city staff that the grading actually warranted the setback. Smith explained for the Commission the struggles the project has already had with grading and electrical. Commissioner Lockhart asked if there would be any access off of 1200 West for the property. Smith said that access would be completed with another development. The access point is necessary for fire access. Commissioner Lockhart also wanted to know about traffic. Gary Ellis explained that traffic would flow from Quantum Drive since the outlet on 1200 West was denied.

Motion: Commissioner Eyre moved to give a positive recommendation to the Lehi City Council with the findings that the proposed drive-thru will not have a significant impact on the surrounding community or traffic, the proposed exceptions will not have an impact on the walkability, visual appeal, and safety of the area, the proposed use of the proposed location will not be detrimental or injurious to property or improvements in the vicinity. The exception should be granted due to the topography constraints and the grading challenges. He included all DRC comments. Commissioner Kunze seconded.

Vote: Commissioner Jackson, yes. Commissioner Everett, yes. Commissioner Eyre, yes. Commissioner Kunze, yes. Commissioner Roberts, yes.

Motion passes unanimously

3.9) Public hearing and recommendation of Lehi City’s request for review of a Development Code Amendment to Chapter 39, clarifying dwelling units are to be occupied by one family and that townhomes and condos can only have one kitchen facility.

Katie Bussell presented the item. The building department has been getting a lot of requests for townhomes to have kitchens in the basement with separate entrances. There are concerns over the creations of ADUs, which are not allowed for townhomes.

Commissioner Everett asked about current enforcement and penalty practices. Kim Struthers explained that much of the issue is that homeowners will come in to get a permit for a second kitchen and there is no way to deny that currently.

Commissioner Kunze asked if this is in response to the state mandate on ADUs being more available. Struthers explained that the city already has the grounds to deny ADUs in townhomes because it’s in city code. Commissioner Lockhart asked why owners of a duplex couldn’t both own ADUs on the lot. Struthers explained that ADUs are determined based off deed; with a duplex there’s only one deed.

Commissioner Everett asked if this is the same amendment that is getting rid of golf courses in the general use table. Struthers stated that it is not.

Commissioner Jackson opened public comment.

Bussell summarized the online comments:

Marshall Gary is opposed, as there are reasons for families to have two kitchens. It would damage housing affordability. He doesn’t think it will affect parking infrastructure.

Zach Larsen expressed his concerns over housing affordability. Renting out rooms helps people to afford mortgages.

Leah Jay feels like this legislation is to alleviate parking issues. She argues that Lehi is a car-centric city and that walkability is the main issue.

Bill Harreth says that ADUs in townhomes can put a strain on infrastructure. HOAs can enforce this, but it would be nice to have help from the city.

Commissioner Jackson closed public comment.

Commissioner Lockhart asked about the average size of a basement in a town home. Struthers says it's about 600 square feet. Any ADU would have to be a studio apartment.

Motion: Commissioner Eyre moved to give a positive recommendation to the Lehi City Council with the findings that the proposed development code amendment seeks to prevent future zoning violations by eliminating the ability to create a separate unit in townhomes and condos, the proposed development code amendment adds clarification making enforcement easier, the proposed development code amendment is in conformance with the purposes, intent, and provisions of the general plan and its various elements. He included all DRC comments. Commissioner Everett seconded.

Vote: Commissioner Jackson, yes. Commissioner Everett, yes. Commissioner Eyre, yes. Commissioner Kunze, yes. Commissioner Roberts, yes.

Motion passes unanimously.

4. City Business

4.1) Discussion of the ESA Overlay Zone.

Katie Bussell presented the Environmentally Sensitive Area (ESA) overlay zone. Her presentation was rescheduled from an earlier work session.

The zone would target three key areas of protections: hillsides; wetlands, floodplains, and streams; and the Utah Lake shoreline. She presented a tentative plan for what would be rezoned into the overlay.

Commissioner Everett asked if property owners could opt-out at any time. He also asked if the zone remained when the property changed hands. Bussell said the planning division would look into it further.

The goal of the overlay zone is to protect environmentally sensitive features, make the land healthier, create recreation opportunities, and maintain wildlife habitat. Additionally, this would simplify the code. There are currently three different sections that protect environmentally important areas, and the ESA overlay zone would combine them all under one label. There is currently some regulatory framework, but the planning division would like it more solidly codified.

The planning department would like for the zone to provide safe development, preserved natural features, and a concept plan and site map from developers. The site map will identify and locate property boundaries, streams or any other hydrologic features, known habitat of endangered or threatened species, among other information.

The idea of making the zone permanent has been discussed, as has a conservation easement to those who willingly take on the overlay zone. Bussell would love to have wildlife protection areas, but she admits that it would be a long shot getting them into code.

Commissioner Eyre asked why individuals would opt in. Bussell said they are working on incentives like density bumps. The commissioner also clarified that much of the suggested area is already under protections.

Commissioner Lockhart asked if there would be negative impact on the freeway across the lake. Bussell said the planning division would take it into consideration.

4.2) Discussion of Conditional Use permits.

Katie Bussell presented. The planning division is still working on removing conditional use instances from the code. They have been working with Craig Chambers in legal. The removals haven't been brought before the Commission because planning is still working on adding supplemental requirements to Chapter 12 to make up for the changes. Commissioner Everett expressed interest in seeing the changes at a work session before they are officially discussed or approved.

5. Adjournment

With no further business to come before the Planning Commission at this time, Commissioner Eyre moved to adjourn the meeting. Commissioner Kunze seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 9:20 p.m.

Approved: April 10, 2025

Attest:

Gregory Jackson, Commission Chair

Kate Morgan, Deputy City Recorder