

Minutes of the **Regular Session** of the **Planning Commission Meeting** held Thursday, **May 8, 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  
Beau Jones, Commission Alternate

**Members Absent:** Ken Roberts, Commission Alternate

**Others Present:** Mike West, Planning Manager; Brittney Harris, Planner; Gary Ellis, City Engineer; Luke Seegmiller, Traffic Engineer; Craig Chambers, Assistant City Attorney; Kate Morgan, Deputy City Recorder.

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**Regular Session, 7:00 p.m.**

**1. Call to Order**

Commission Chair Jackson welcomed everyone to the meeting.

**2. Regular Agenda**

**2.1) Public Hearing and consideration of Brian & Lisa Garrett's request for approval of a conditional use for a flag lot located at 450 East 200 South.**

Brittney Harris presented the item. The area just got rezoned to R-2. Both lots meet the required frontage.

The applicant was not present.

Commissioner Jackson opened and closed public comment

**Motion:** Commissioner Eyre moves to approve the conditional use with the findings that the proposed flag lot does meet the intent of the flag lot code requirements, that the proposed lots meet the frontage and size requirements of the R-2 zone and the flag lot ordinance. 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.

**2.2) Public hearing and consideration of Bernahl Development Services request for approval of the Texas Roadhouse Building Addition located at 1402 East Main Street, with an exception to the Architectural design standards.**

Brittney Harris presented the item. They are requesting an exception to have only 30% glass rather than the current 40% standard set in the code.

Commissioner Jackson asked why the building currently has 30% glass. Mike West explained that there were no glass requirements at the time the building was originally built.

Emily Bernahl was present representing Bernahl Development Services. She emphasized that she wants the addition to match the store stylistically, and that adding more glass would make it difficult to fit new booth seating.

Commissioner Jackson opened and closed the public hearing.

Commissioner Kunze asked if the addition would cut into any setbacks. Harris explained that there are no setbacks for commercial zones, but that there will still be space between the building and the street.

**Motion:** Commissioner Eyre moved to approve the exception with the findings that the proposed exception still allows the site to meet the intent of the urban village design district, the applicant provided adequate justification for why they needed the exception, to match the character of the building with the standards that were in place when the building was built, and that the exception will not increase the impact to their existing building which currently has 30% glass. 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.

**2.3) Public hearing and consideration of Flagship Homes's request for approval of a preliminary subdivision for Pioneer Village, a 34-lot single family residential project located at approximately 1300 West 1400 South.**

Brittney Harris presented the item. Zoning would allow for 26 lots.

Commissioner Everett asked if calculations were done showing the value of the lots compared to the value of the road. Gary Ellis said he wasn't directly involved in the process, but those who were thought it was a fair trade.

The road will not be fully covered by the development. The developer will need the city's help to build in extra fill and swing the road to the South. Alternatively, a bridge would need to be built by

the city for the road to go straight and cross the river. Commissioner Everett asked about the timing of the road project. Ellis said it would be wiser to continue the road through to the end. The applicant, Tony Trane, explained that the intent is to finish the project and work with the parks and engineering departments to find adequate funding. Commissioner Eyre clarified that the ideal scenario is to find funding for a bridge and to build the road straight.

Tony Trane explained that the developer would be building the bulk of the road but would need assistance with placing fill in a few areas. He mentioned that Steve Marchbanks from the parks department was eager to get the bridge in as it would benefit the park. The development would benefit from a connection to 1700. If funding for the bridge isn't found, the road will be moved to the south. They want to have the road finished by the beginning of the next school year and are planning on building it at the same time as the development. There are 34 lots being built, as that was what was promised to residents, and the City Council preferred that the road be used to justify the extra density. The developer has been making land trades with local landowners which will improve the park and allow the road to be built.

Commissioner Jackson opened public comment.

Kenneth Wade thanked Trane for listening and responding to residents' concerns. He appreciates that current residents haven't had to deal with too much exposure to the project. He said that while the road will be a major benefit to the neighborhood, it is also a major benefit to the developer, and that the Planning Commission should ensure that the increased density should be in response to how much the developer is actually helping the city. He also stated that the road will do no good to anyone if it isn't finished.

Larry Hadfield also thanked Trane for listening to residents. He is concerned about the crowding on 1100 West and worries about the safety of schoolchildren crossing there especially. He thinks that adding and finishing the road will be a great help to the problem, but that there need to be safety measures taken when building it as well.

Commissioner Jackson closed public comment.

Tony Trane stated that he agrees with the public that the road must be finished. He clarified that the intent is to take the road south to form a connection if the city can't find funds for a bridge. It is his opinion that 34 lots is an appropriate request based on what has been presented. Commissioner Everett asked if the developer needed the road as much as the city did. Trane explained that it would be a huge benefit, but that it is being constructed under guidance from the city council; it is not a requirement or a necessity. Commissioner Eyre asked how much it was going to cost. Trane gave an estimate of \$500,000 for one section, which does not include subbase material or the bridge.

Trane cleared up some possible misconceptions about bonus lots, explaining that they are a benefit, but that a bonus lot isn't an additional lot that is tacked on to a project. Instead, higher density means that everything has to be resized and redistributed.

Commissioner Everett asked staff if they feel the deal has been artificially inflated. He wants to make sure the city is being compensated. Gary Ellis explained that staff felt good about it and that there needs to be some way for the developer to profit or the project won't get done.

Commissioner Eyre asked if 1400 and 1260 West would connect to 1450 South. Trane confirmed they would. Eyre asked about the space between lots 13 and 14. Trane explained it was a trail that goes directly to the school. They are also hoping to build a trail to the park. Commissioner Eyre asked if 1300 South would connect all the way to the east. Trane explained that they are still working with the property owners. He also explained to the Commission that he needs their decision before other parts of the project can be worked on. Commissioner Jackson asked Ellis to ensure that Lorin Powell sends his numbers on the project to City Council.

Trane mentioned that construction prices are volatile and rising, so risk is increasing. He emphasized how important trust is for cities and developers. He mentioned that there has been a lot of progress in solving drainage issues in the park due to the development. Mike West shared that density bonuses are allowed in exchange for certain things and that they are not always necessarily dollar to dollar exchanges. Commissioner Everett still felt uncomfortable making a decision without the hard numbers.

Braeden Hampton was present with Trane. He explained that the settlement statement was sent over, and that the records will be used as the basis for the city's contribution to the road project. The company cannot spend more than \$500,000 on the road. He thinks the community would be definitively worse off without the additional road connection.

Commissioner Eyre shared that he felt the trade discussion was getting lost in the weeds, as money disputes are the purview of City Council. Commissioner Jackson agreed but shared that the motion made should include having the City Council look at the hard numbers.

**Motion:** Commissioner Eyre moved to give a positive recommendation to the Lehi City Council with the findings that the proposed subdivision does meet the requirements of the Lehi City Development Code in regard to subdivision approvals. He included all DRC comment and suggested the City Council look through the accounts and ensure it is a fair deal for the city. Commissioner Everett seconded.

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

Motion passed unanimously.

#### **2.4) Public hearing and recommendation of James Whitmore's request for review of a development agreement to allow equipment and vehicle parking, sod transfer and green waste facilities in a Planned Community zone.**

Brittney Harris presented the item. The development agreement allows equipment storage, sod transfer, and green waste facilities for a period not to exceed three years from the date it was signed. If the agreement goes unutilized for a year, the agreement ends.

Commissioner Everett asked if the development agreement had been reviewed by legal. Staff explained that legal helped write it.

The applicant, Jim Whitmore, was present. He thanked the Commission for their help with recommendations. He is really happy with the way the agreement turned out. He also clarified that he is only allowed to use one of the three uses, and that he wants to follow the city's lead on what they want in regard to a green waste facility.

Commissioner Jackson opened and closed public comment.

Commissioner Lockhart shared that she doesn't like development agreements, but that this is an exception as it's beneficial all around. She thinks that this is one of the few appropriate uses of the tool.

**Motion:** Commissioner Everett moved to give a positive recommendation to Lehi City Council with the findings that using a development agreement will allow the property owner to utilize the property now before utilities are provided to the site, and that it is in conformance with the purposes, intent, and provisions of the general plan and its various elements. 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.

## **2.5) Consideration of Clyde Capital Group's request for revisions to the Vistas at the Point Amenities removing the amphitheater from their required amenities.**

Brittney Harris presented the item. Code that allows substitution of amenities was passed in 2021. The applicant is requesting removing the amphitheater, but will still build the clubhouse and an overlook park. Staff has concerns over just removing the amphitheater as it gets rid of a community gathering place and no substitutions were suggested.

Commissioner Everett asked if any other amenities has been put in yet. Harris explained that the trail is in, but as the development is under construction, no other amenities are completed at this time.

Ryan Christofferson was present representing Clyde Capital Group. They would like to put a pocket park in the development rather than the amphitheater, as they are unsure the space would be used.

Commissioner Everett clarified that the plan was to add an additional park. Christofferson confirmed. A concept plan for the park has been submitted to the city. The park would be in a different place than the planned spot for the amphitheater. Commissioner Everett asked if wind studies had been taken into consideration with the new location. Christofferson clarified that the main driver of getting rid of the amphitheater is cost, not the wind study from the flight park.

Commissioner Kunze asked if the park would be the same size as the amphitheater was planned to be. Christofferson explained it would be a fit-in park that utilizes the natural environment. They are planning on having grassless landscaping and including bench swings.

Commissioner Eyre explained that it felt as though the rug was being pulled out from under the city. He asked Christofferson to explain how it would help the city. Christofferson explained that the amphitheater may not be used by the neighborhood. Commissioner Everett asked what the factors behind this assertion were. Christofferson explained that the company felt they could do something more interesting once the wind studies came out from the flight park. Mike West mentioned that the apartment builder had already made some changes to the initial plan, and Harris explained that the wind study threw a few wrenches in the original plan. The preliminary plan was approved, but the city encouraged working with the flight park to minimize impact. Harris clarified for the Commission that they have discretion as to what qualifies as a community area.

Commissioner Lockhart asked if it would be more restrictive for the applicant to table the issue or deny it, if the Commission felt there needed to be more work done. Harris recommended tabling it.

Commissioner Eyre didn't like that a more accessible amenity was being replaced with a less accessible amenity. Commissioner Lockhart agreed, mentioning that she didn't like compromising a TOD, as they are already controversial.

Commissioner Kunze shared a question from Kim Struthers and asked if the clubhouse also served the townhomes. She explained that if it didn't, it wouldn't count as a townhome amenity.

Commissioner Jackson shared the feeling that it felt like the developer was trying to pull the rug out from under the city. He shared that he thinks the plan needs more work.

**Motion:** Commissioner Lockhart moved to table the item with the findings that the proposed amenities do not meet the intent and requirements of the TOD zone, and that the Commission would like to give the applicant an opportunity to revise the plan in a timely manner so that they have time to identify the pieces that make up a TOD and incorporate them into the amenities appropriately. She included all DRC comments. She left it open to the applicant to work with staff until they found something satisfactory. Commissioner Kunze seconded.

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

Motion passed unanimously.

## **2.6) Public hearing and recommendation of Lehi City's request for a review of a Development Code amendment to Chapter 11, Concept Plans, clarifying the purpose of concept plans and when a public hearing is required.**

Brittney Harris presented the item. This is a part of the code that the Planning Division would like to clean up and make more consistent across concept plans and site plans that need exceptions. Previously, site plans with exceptions didn't require a public hearing.

Commissioner Everett suggested replacing the word ‘forum’ with different wording to clarify that it is a process and not a single meeting.

Commissioner Eyre asked if concept plans were there to help the city comply with State code. Harris clarified that the state does not require concept plans, and that the city holds more public hearings than are required by State code.

Commissioner Everett asked if it would be beneficial to replace “exception” with the phrase “code exception.” Harris said that she thinks it’s implied, but that the planners will discuss it.

**Motion:** Commissioner Everett moved to give a positive recommendation to the Lehi City Council and encouraged them to include proposed changes to the verbiage that the Commission members made, with the findings that the proposed changes will hopefully bring clarity to the code. Commissioner Eyre seconded.

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

Motion passed unanimously.

## **2.7) Public hearing and recommendation of Lehi City’s request for review of a comprehensive amendment to Chapter 5, Zone Districts and Table 05-404-A Bulk and Intensity Agricultural and Residential Districts.**

Brittney Harris presented the item. The language has been changed to make it simpler and more direct. No changes to the intent were made.

Commissioner Everett asked for clarification on business uses vs. commercial uses.

**Motion:** Commissioner Kunze moved to give a positive recommendation to Lehi City Council with an encouragement to change the phrase “business uses” to “commercial uses”, with the findings that the proposed code amendment is in conformance with the purposes, intent, and provisions of the General Plan and its various element. She included all DRC comments. Commissioner Eyre seconded.

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

Motion passed unanimously.

## **2.8) Public hearing and recommendation of Lehi City’s request for review of a Development Code Amendment to Chapter 39, Definitions, clarifying a few definitions.**

Brittney Harris presented the item. Very few changes were made. The definition of duplex was changed to exclude homes with ADUs. Duplicate definitions have been deleted. The code also now clarifies that hospitals may have heliports as they are being removed from the conditional use tables.

Commissioner Everett asked if typical uses were being deleted from public building definitions, as they were removed from other categories. Harris explained that the code likely used to have a lot more typical uses that were deleted over time. Commissioner Everett said that he would like to see more conformity from the code.

Commissioner Jackson opened and closed public comment for items 2.6, 2.7, and 2.8.

**Motion:** Commissioner Everett moved to give a positive recommendation to the Lehi City Council with the findings that clarification to code for everyone's benefit is always a positive thing that makes it more user friendly. Commissioner Eyre seconded.

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

Motion passed unanimously.

#### **4. City Business**

Commissioner Eyre asked about a U-Haul parking situation at a location near Pioneer Crossing. Mike West stated that he couldn't remember if they came in for approval, and that he would look into it.

#### **5. Adjournment**

With no further business to come before the Planning Commission at this time, Commissioner Kunze moved to adjourn the meeting. Commissioner Eyre seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 8:45 p.m.

Approved: June 12, 2025

Attest:

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Gregory Jackson, Commission Chair

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Kate Morgan, Deputy City Recorder