

Minutes of the **Regular Session** of the **Planning Commission Meeting** held Thursday, **June 12, 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; Craig Chambers, Assistant City Attorney; Nate Purser, Assistant 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.

2. Regular Agenda

2.1) Approval of minutes from the May 1, 2025 meeting.

2.2) Approval of minutes from the May 8, 2025 meeting.

Motion: Commissioner Eyre moved to approve the minutes as they have been presented. Commissioner Everett seconded.

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

Motion passed unanimously.

3. Regular Agenda

3.1) Public Hearing and consideration of Taylor Butterfield's request for conditional use approval of the Webb Flag Lot located at 1312 North 600 East.

Katie Bussell presented the item. An exception is being requested for the driveway locations.

Commissioner Eyre asked how engineering felt about the exception. Gary Ellis mentioned that engineering is okay with it, as they can see no alternative.

Taylor Butterfield, the applicant, was present and had no additional comment.

Commissioner Jackson opened and closed public comment.

Motion: Commissioner Kunze moved to approve the request with the findings that the proposed use will not be detrimental or injurious to property or improvements in the vicinity, the proposed use will be located and conducted in a manner in compliance with the goals and policies of the Lehi City General Plan and the purposes of the code, that the property on which the use-building or structure is proposed to be established is of adequate size and dimensions to permit construction of the facilities and conduct of the use in such a manner that it will not be detrimental to adjoining properties and the area, and with the findings that engineering has approved the location of the driveway. She included all DRC comments. Commissioner Eyre seconded.

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

Motion passed unanimously.

3.2) Public hearing and consideration of Construction Assistant's request for approval of the Bank of Utah site plan located at 2392 West 1930 North, with an exception to exceed the 5,000 square foot building footprint allowance in the Neighborhood Commercial zone.

Katie Bussell presented the item. The building is approximately 600 square feet over the allowance.

Gary Tyler was present representing Construction Assistant. He explained that the project has already followed advice from the DRC and updated their landscaping and site plans so they are congruent with each other. He explained that if the allowance is not granted, the building would likely have to relocate.

Commissioner Jackson opened and closed public comment.

Commissioner Eyre asked if the Commission is allowed to put a condition on an exception. Craig Chambers explained that the purpose of the commission in this instance is to decide if the exception meets the intent of the code. They are allowed to make recommendations, but ultimately it should pass if the intent of the zoning is met. Commissioner Everett mentioned that, although he likes the use of the building, he worries about creating a slippery slope where the Commission will have to make more exceptions. He mentioned previous projects that have been turned down over square footage in the past.

Commissioner Lockhart asked if parking requirements were sufficient. Kim Struthers explained that the building had a second floor, and that the parking requirements had been met and even exceeded slightly.

Commissioner Eyre brought up a dance studio with a 6000-7000 square foot floorplan that was approved but never constructed. Struthers offered to look into if other square footage exceptions had been approved in the past. Commissioner Jackson asked staff if they could remember why exceptions of this kind were approved in the past. Struthers stated that they matched the intent of the zoning. He also explained that most of the denials were thousands of feet over the allowance, rather than the 600 square feet being asked for.

Tyler returned to the stand to mention that a traffic study had been done that showed less traffic than previously indicated in the area. He also stated that because it is a small site, the building has been condensed as much as possible, including moving the drive-thrus to a canopy separate from the building.

Commissioner Kunze asked clarifying questions about the single entrance. It is on 1930 North, a side street, not 2300 West. Commissioner Eyre suggested that the developer add more landscaping to make up for the increased floor plan, and to add buffering between the business and nearby homes. He also asked if the developer had considered that the lot may be used as overflow parking for school events. The developer is unconcerned about that potential use. There is no written agreement, but the lot won't be fenced off or restricted in the evenings.

Commissioner Everett clarified that he likes the land use a lot. He sees the need for the area and thinks that the reasonable hours will make it great for the location. However, he is still hesitant to grant a code exception. Commissioner Jackson agreed with much of Commissioner Everett's stance but showed more support for granting the exception. He discussed with the council the compromises that have already been made, including having to adjust one building in a chain of businesses that try to have a similar setup. He doesn't think the extra square footage is an unreasonable request.

Kim Struthers brought up a daycare with a 7000 square foot footprint that was approved, as well as the concept plan for a church that was approved despite being over the allotted amount of space.

Tyler gave a visual demonstration of how much 600 square feet is, displaying that it would be less than half of the council chamber. He admits that it isn't a lot of space, but it's inclusion would make things massively more convenient for the bank.

Commissioner Everett shared his concern over encouraging people to ask for exceptions rather than choosing sites that are better suited to their projects.

Motion: Commissioner Eyre moved to approve the site plan with the findings that the proposed use at the proposed location will not be detrimental or injurious to property or improvements in the vicinity and will not be detrimental to the public health, safety, general welfare, or convenience, the proposed use will be located and conducted in a manner in compliance with the goals and policies of the Lehi City General Plan and the purposes of this code and that the property on which the use-building or other structure is proposed to be established does exceed the size and dimensions that the code permits, but it does meet the intent of the code

for a smaller use in a neighborhood commercial zone. He included all DRC comments.

Commissioner Everett asked for an amendment that limited the project to what was shown on the site plan.

Amended Motion: Commissioner Eyre moved to approve the site plan with the findings that the proposed use at the proposed location will not be detrimental or injurious to property or improvements in the vicinity and will not be detrimental to the public health, safety, general welfare, or convenience, the proposed use will be located and conducted in a manner in compliance with the goals and policies of the Lehi City General Plan and the purposes of this code and that the property on which the use-building or other structure is proposed to be established does exceed the size and dimensions that the code permits, but does meet the intent of the code for a smaller use in a neighborhood commercial zone. The project cannot exceed what is shown in the site plan. He included all DRC comments. Commissioner Everett seconded.

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

Motion passed unanimously.

3.3) Public hearing and recommendation of Grow Development's request for review of the Morgan Zone Change located at 105 South 1100 West, changing the zoning on 1.13 acres from RA-1 (residential/agriculture) to R-2 (medium density residential).

Katie Bussell presented the item. The change would allow for additional lots to be created in a potential subdivision.

The applicant, Boyd Brown, was present, but had no additional comment.

Commissioner Jackson opened public comment.

There was one online comment from Jon M. He is in favor of the zone change but is worried about W125 S being able to support additional traffic as there are already safety issues. He requests the city ask for additional infrastructure as part of the development deal.

Commissioner Jackson closed public comment.

Boyd Brown came to the stand to address the online comment. He confirmed that the road will be improved to city standards when they get to site plan portion of development.

Commissioner Everett expressed gratitude for the well-researched online comment.

Motion: Commissioner Eyre moved to give a positive recommendation to the Lehi City Council with the findings that the proposed zone change is consistent with the general plan designation of medium density residential, that it is

consistent with the goals and policies of the general plan, that the proposed zone change is consistent and compatible with the general plan land uses of nearby and adjoining properties, and that the property is suitable for the uses that have been requested along with the existing uses identified by the general plan. He included all DRC comments and the findings that the concern with the road width will be addressed when the area is developed.

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

Motion passed unanimously.

3.4) Public hearing and consideration of Roger Harding's request for conditional use approval of a 10-foot wall at 2693 North and 1200 East.

Katie Bussell presented the item. She clarified that an exception is being asked for, not a conditional use. The wall will prevent noise and trespassing.

Craig Chambers explained the difference between a conditional use and an exception. Fences are allowed to be six feet tall in city code, so the exception being asked for is an additional four feet of height. The Planning Commission must decide for any fence above eight feet. Commissioners Kunze and Everett asked staff if a fence was different than a sound barrier in code or if there is specific code for sound barriers that should be applied. Kim Struthers explained that fences and soundwalls are considered the same in code. Commissioner Jackson suggested that staff look into putting sound barriers into code especially as the city continues to grow and get noisier.

Theresa Harding, the applicant, was present with the builder, Mike. She wants the wall to be something beautiful that people can appreciate. The wall would keep out noise from cars speeding through the ravine and would help keep lights from shining into the master bedroom window. This is why the extra height is being requested. They are happy to pull the wall back and add additional landscaping.

Commissioner Everett asked how often trespassers are an issue. Harding explained that people come onto her property frequently and she worries about liability. Additionally, people frequently dump garbage on the lot. Commissioner Everett asked why there were breaks in the wall. Harding explained that there will be gates installed there. One is for the main driveway, and the other is for a second drive. The wall and gates will be deep enough into the property that cars will be able to safely turn around if they make a wrong turn.

Commissioner Jackson asked how far back from the curb the wall would be. It would be twenty feet from the road. DRC asked for it to be twelve feet back from the street (five feet for the sidewalk and seven feet for landscaping), but Harding preferred the wider landscaping strip that was suggested by the Parks Department.

Commissioner Kunze asked if the wall would be sufficient to keep out light. Harding explained that they would likely need to go with a twelve foot wall to block out light entirely, but she only wants a ten foot wall for aesthetic purposes. She is planning on planting trees on both sides to help block out the rest of the light. Commissioner Lockhart asked clarifying questions about the

retaining wall. It will be located on the inside of the fence. The fence will follow the road and will be stepped where the elevation changes.

Harding argued that the steepness of the road justifies the code exception. She also mentioned that the fences on the other side of the road would match, so it would be aesthetically consistent.

Commissioner Lockhart asked about sidewalk installation. The Hardings are not developing the land, so no sidewalk will be put in. Commissioner Everett asked if the applicants would be willing to do a sound study. Harding said that they wouldn't be opposed to that, but that they would like to complete the project this summer. They know the kinds of fences that soundproof best, and are planning on using RhinoRock, as it will be easier to replace if it's damaged in an accident.

Commissioner Everett commented that there are other noisy roads in Lehi where a 10 foot fence wouldn't be approved. Harding argued that the slope of the road is steeper than what is addressed in city code and thus warrants the exception.

Commissioner Jackson opened public comment.

Ken Roberts stated that the applicants have done a great job with the property. He asked if the city had any plans to put a trail in.

Commissioner Jackson closed public comment.

Gary Ellis clarified the city's plans for the street. The city has no plans to put in a sidewalk. Commissioner Lockhart asked why the sidewalk would be the city's responsibility instead of the owner's. The property has not been subdivided and is not being developed, so the city can't require the Hardings to put a sidewalk in. Commissioner Lockhart asked why the builders of the house weren't required to put in a sidewalk when initial construction happened. Kim explained that it was likely part of the county at the time of construction and then annexed into the city, or that it may have been a large enough lot size that they were exempted from putting the sidewalk in. There is curbing along the majority of the frontage, and the wall will be far enough back to put a sidewalk in if needed. There are no planned trails, as those would require negotiating with landowners to put them in, but there is a planned bike lane attached to the street. The wall will be built far enough back that it will accommodate for any future plans from the city.

Commissioner Everett asked if the fence would end at the property line or if it would tie into a lower fence. The Hardings plan on connecting it to another fence eventually but want to leave their options open to talk about the potential for a path with the city. They also want to discuss with the other owners in the area before cementing any future plans.

Commissioner Kunze shared that she thinks the request is reasonable, especially when the Commission takes into account the other side of the road (which is in Highland's boundaries). Commissioner Jackson agreed, sharing that he sees more reasonable arguments for the wall than against it.

Motion: Commissioner Eyre moved to approve the proposed exception with the findings that the proposed wall might help mitigate noise for the property owner

and will not have a negative impact on surrounding properties, that the proposed use at the proposed location will not be detrimental or injurious to property or improvements in the vicinity, the proposed use will be located and conducted in a manner outside of compliance with the city code, which is the reason the exception is being granted, and that the property on which the use buildings or other structures proposed is of adequate size and dimensions to permit construction of the facilities and to conduct the use in such a manner that it will not be detrimental to adjoining properties in the area. The applicant has agreed on a minimum setback from the back of curb where curb does exist (or where curb would reasonably be if curb does not exist) of 12 feet, which they are welcome to exceed. He included all DRC comments.

Commissioner Lockhart asked about an amendment that would address height in relation to retaining walls.

Motion: Commissioner Eyre moved to approve the proposed exception with the findings that the proposed wall might help mitigate noise for the property owner and will not have a negative impact on surrounding properties, that the proposed use at the proposed location will not be detrimental or injurious to property or improvements in the vicinity, the proposed use will be located and conducted in a manner outside of compliance with the city code, which is the reason the exception is being granted, and that the property on which the use buildings or other structures proposed is of adequate size and dimensions to permit construction of the facilities and to conduct the use in such a manner that it will not be detrimental to adjoining properties in the area. The wall will not exceed 10 feet from the height of the curb at any point along the road. The applicant has agreed on a minimum setback from the back of curb where curb does exist (or where curb would reasonably be if curb does not exist) of 12 feet, which they are welcome to exceed. He included all DRC comments. Commissioner Kunze seconded.

Vote: Commissioner Lockhart, yes. Commissioner Everett, no. Commissioner Eyre, yes. Commissioner Jackson, yes. Commissioner Kunze, yes.

Motion passed four in favor, one against.

3.5) Public hearing and consideration of Strap Tank's request for the Traverse Mountain Area Plan Amendment allowing the manufacturing, processing, or packing of food and beverage products as a permitted use.

Katie Bussell presented the item. The amendment would allow Strap Tank to bottle their products on site. DRC suggested a conditional use rather than a permitted use.

The applicant, Michael Webson, was present. Currently their products are on tap and kegged, but they would like to expand the location into a bottling facility as well.

Commissioner Kunze asked if the process is done at other Strap Tank locations. It takes place at both other locations. There have been no complaints about noxious and offensive odors at those locations as far as Webson knows.

Commissioner Jackson asked where the product is being sold. Currently it is only sold in restaurant locations, but they are interested in branching out to other retailers. Commissioner Eyre clarified that the manufacturing of the product is already happening. Kim Struthers confirmed and explained that the applicant is asking for packaging and distribution allowances.

Commissioner Everett asked if there would need to be any expansions. The building was constructed with this purpose in mind, and the canning line is already in place, as the applicant wasn't aware it wasn't allowed under the area plan.

Commissioner Jackson opened and closed public comment.

Commissioner Eyre asked staff why the Commission was deciding on a permitted use rather than a conditional use. The DRC recommends a conditional use. Craig Chambers and Kim Struthers assured the council that they could change what kind of use is being approved. Commissioner Lockhart asked if an amendment is the appropriate way to make the change. She shared worries about allowing all businesses in the area the opportunity to manufacture. She asked if there was another way to get this use or to make it exclusive to Strap Tank. Struthers explained that the only other way would be a development agreement. He mentioned that he doesn't see other businesses in the area starting to manufacture any time soon. Commissioner Lockhart clarified that she's worried about domino effects.

Commissioner Eyre asked if manufacturing would be permitted in a different area plan. It would be a conditional use in a heavy commercial zone or not permitted.

Commissioner Jackson mentioned that the language felt very restrictive. He and Commissioner Lockhart discussed the potential of creating a conditional use that allows the City Council to have a say. There is unfortunately not a legal way of doing that. Commissioner Eyre mentioned that he liked the wording used for light manufacturing and asked why similar language wasn't used in the proposed amendment. Struthers suggested the Commission deny the amendment but recommend approval with specific verbiage.

The Commission agreed that they are collectively more comfortable with a conditional use rather than adjusting the area plan. Chambers explained that the Commission can deny certain aspects, but approve others, which would allow the item to move forward.

Motion: Commissioner Eyre moved to deny the verbiage as presented but offer a positive recommendation to the Lehi City Council if they omit food, and strictly only allow beverage packaging and if it is changed to a conditional use process. Commissioner Lockhart seconded.

The Commission discussed whether food should be removed from allowed manufacturing items. Commissioner Everett clarified what the motion was and argued that food doesn't need to be removed if it is changed to a conditional use. Commissioner Eyre argued that a conditional use is essentially a permitted use. The Commission workshopped the motion. Commissioner Lockhart withdrew her second.

Amended Motion: Commissioner Eyre moved to deny the verbiage as presented but offer a positive recommendation to the Lehi City Council if it is changed to a conditional use process. He included all DRC comments. Commissioner Everett seconded.

Vote: Commissioner Lockhart, no. Commissioner Everett, yes. Commissioner Eyre, yes. Commissioner Jackson, yes. Commissioner Kunze, yes.

Motion passed, four in favor, one against.

3.6) Public hearing and consideration of Core Architecture's request for conditional use approval of the K2 Electric office & warehouse to be located at 1655 North Boston Street.

Katie Bussell presented the item. City staff will work with the applicant to bring them into code compliance.

Commissioner Eyre asked about the state of the sidewalk. There is a current sidewalk that will be built off of.

Commissioner Everett shared his worries over creating a situation in which any outdoor storage is allowed. He doesn't want to replicate a problem that is currently happening in a different part of the city. Commissioner Eyre agreed, sharing his worry that approval would create a noisy environment that would impact surrounding residential properties. Craig Chambers explained that specific noises and how to alleviate them would need to be included in the motion in order for them to be regulated if the conditional use was approved.

Chris Huntsman was present representing Core Architecture. He didn't have clear hours of operation but explained that the purpose of the storage is so that the flatbed trailers of wire coils wouldn't have to be unloaded every night. Commissioner Jackson asked what kinds of noises might be heard on the lot. Huntsman explained that to the best of his knowledge nothing bigger than an F150 would be used. He offered to look into it further.

Commissioner Jackson opened and closed public comment.

Commissioner Everett asked if conditional uses can later be revoked. Chambers shared that there is a process, but it is stringent. Commissioner Jackson asked for a training on revoking conditional uses to be planned and presented to the Commission at a later work session.

Commissioner Eyre clarified that any noise ordinance or landscaping infractions would end up being code enforcement issues. Commissioner Jackson expressed frustration with the city's inability to find substantial enough proof to justify enforcement when it comes to code enforcement of noise ordinances specifically, but also for various other issues.

Commissioner Everett pointed out the land buffer that is currently in place.

Commissioner Jackson asked how long the business planned on utilizing the approval. Huntsman explained that the business wants to be there long-term. He's not sure what storage alternative there is, but they likely could use the internal storage facility on the lot. Huntsman also clarified

that there has been a retaining wall put in, which may provide some sound deadening. It is a six foot concrete wall that slopes up to the canal. It is not designed to be a sound wall.

Kim Struthers mentioned that a landscape plan South of the plot has been approved. The applicant clarified that trucks would still be coming and going from the building even if the conditional use is denied.

Motion: Commissioner Eyre moved to approve the conditional use with the findings that the proposed use at the proposed location will not be detrimental or injurious to property or improvements in the vicinity, the proposed use will be located and conducted in a manner in compliance with the goals and policies of the Lehi City General Plan and the purposes of the code, that the property on which the use building or other structure is of an adequate size and dimensions to permit construction of the facilities and to conduct the use in such a manner that it will not be detrimental to adjoining properties in the area. He included all DRC comments. He noted that noise is a concern, but the Commission doesn't have any good condition to mitigate the noise. He asks that they be sensitive neighbors, and recommends they look into fencing materials that will mitigate impacts on adjoining properties. Commissioner Everett seconded.

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

Motion passed unanimously.

3.7) Public hearing and consideration of Boyer's request for approval of a Plat Amendment for Holbrook Farms Plat K located at approximately Miller Campus Drive and Waterbury Drive, adding 5 lots for Phase 2.

Katie Bussell presented the item.

Commissioner Lockhart asked if an adjacent lot would hold townhomes as was previously requested. The request was denied by City Council, as they preferred more commercial development in the area. Commissioner Lockhart clarified that another adjacent lot was the 7/11. She asked how utilities could be put in for the gas station without a final site plan being approved. Struthers explained that utilities have been approved for the subdivision, but nothing specific to the gas station itself.

Mark Murdock was present representing Gardner Company, which is in a joint venture with Boyer. Currently they are subdividing to build more retail buildings. They are currently putting in back roads.

Commissioner Jackson opened and closed public comment.

Motion: Commissioner Lockhart moved to approve the proposed plat amendment with the findings that the proposed subdivision does meet the requirements of the development code. She included all DRC comments. Commissioner Everett seconded.

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

Motion passed unanimously.

3.8) Consideration of Castle Properties request for approval of the Roller Mills Lofts Concept plan, a retail/commercial project located at 160 North 850 East.

This item was pulled from the agenda, as no concept plan was submitted.

4. City Business

The next Planning Commission meeting will be held on July 10th. There will be a meeting on July 31st.

There are Lehi Round-up shirts available for the Commission.

5. Adjournment

With no further business to come before the Planning Commission at this time, Commissioner Everett moved to adjourn the meeting. Commissioner Lockhart seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 9:07 p.m.

Approved: July 31, 2025

Attest:

Gregory Jackson, Commission Chair

Kate Morgan, Deputy City Recorder