

Minutes of the **Regular Session** of the **Planning Commission Meeting** held Thursday, **July 10, 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; Brittney Harris, Planner; Gary Ellis, City Engineer; Craig Chambers, 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 22, 2025 meeting.

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

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

Motion passed unanimously.

3. Regular Agenda

3.1) Public Hearing and recommendation of Justin Hamond's request for review of the Hammond Zone Change on 0.83 acres, located at approximately 600 West State Street, changing the zoning from Mixed Use to Heavy Commercial.

Brittney Harris presented the item. It is in compliance with the General Plan. The current plan is to build an office warehouse on the site. Commissioner Kunze asked why the previous plan for

the property was scrapped. City staff was uncertain. Commissioner Kunze asked if the area was big enough for a Heavy Commercial project. Harris clarified that the property is zoned for Heavy Commercial, but that they will still need to meet landscaping barriers and all other requirements.

David Stockinger was present, representing the applicant. He had no additional comments.

Commissioner Jackson opened public comment.

Corey Gurney owns the property to the west. He says that the location is currently surrounded by houses, and due to that he doesn't think the property should be rezoned. He thinks it may cause more traffic. He also thinks that the planned project fits under the current Mixed Use zoning, and thus there is no need to rezone prior to construction.

Melissa Noaks owns adjacent property. She was unaware that the area was zoned for Heavy Commercial in the general plan. She thinks the zone change should wait until official constructions plans are submitted.

Commissioner Jackson closed public comment.

Commissioner Eyre asked when the last time the General Plan was updated. It was in 2022. Previously the area was zoned as Mixed Use, but the Mixed Use zone was reworked to include population densities and there was already many Heavy Commercial and Industrial projects in the area, which is why it was rezoned.

Commissioner Eyre asked legal if the Planning Commission has any options if an applicant's plan is trying to align with the General Plan or if it must be approved. Craig Chambers explained that the Commission would have to argue that it wasn't arbitrary or capricious to deny the change.

Commissioner Everett stated that there had already been a public process for the general plan, and that someone needs to be the first to bring properties into alignment, but that he is also worried about the adjacent residential properties and is inclined to question the timing of the request, given that no site plan has been submitted. Commissioner Kunze mentioned that the previous plan for the property was scrapped, so there would be nothing stopping the owner from scrapping the current plan and selling the property, at which point it would be open to any Heavy Commercial project. Commissioner Jackson agreed with her, mentioning that it is the duty of the Planning Commission to consider the property as though there is no planned project.

Commissioner Eyre asked staff about buffers between Heavy Commercial and Mixed Use zones. Kim Struthers explained that there likely would be no required buffers, as those are typically only required if the adjacent zone is residential. Commissioner Lockhart argued that the zone must have been residential at some point if homes were built there. She asked if landowners lost the rights of a residential zone when the zone was changed. Kim Struthers explained that the city can only base decisions on current zoning, and buffering rights are not grandfathered in. Commissioner Jackson asked planning staff to look into making that possible. Commissioner Lockhart clarified for those present that the job of the Planning Commission is to decide if things are legal, City Council deals with more nuance.

Brittney Harris clarified that approving the zone change wouldn't introduce a new use to the area, as there are already several Heavy Commercial businesses in the area. There are also other areas in the city where Heavy Commercial and Light Industrial intermingle with residential properties.

Commissioner Jackson shared that the area is heading towards Heavy Commercial, so even if this zone change is denied, it likely will be approved in the future.

The Commission debated which version of code the applicant would be under, and if code could be changed prior to approval. Brittney Harris clarified that as no site plan has been submitted, the applicant wasn't governed by the current code and would be held to whatever code is in place when that is given to the city and approved.

Commissioner Eyre shared that he thinks all sides have valid arguments. Commissioner Everett expressed frustration that the decision is essentially a dice roll for the community whether a site plan is submitted or not.

Commissioner Lockhart asked if the City Council could negotiate buffering. Craig Chambers explained that it would have to happen through a development agreement. She feels like they are legally obligated to change the zone. Commissioner Jackson disagreed, as it is a legislative item and should thus give the Commission more latitude. He didn't see the change as a net gain for the city and thus had no issue with delaying the zone change. Commissioner Lockhart argued that a development agreement would fix the buffering issues. Commissioner Jackson agreed but pointed out that if the zone were changed then developers would have no incentive to enter into a development agreement, and the city would have no right to enforce one. He recommended putting the issue on hold. Commissioner Lockhart preferred sending the issue to City Council as they would be able to more effectively navigate the nuances of the issue as an elected body.

Motion: Commissioner Everett moved to give a negative recommendation to the Lehi City Council with the finding that enacting the zone change would create an incompatibility and an inconsistency with the current use of properties surrounding it that are also still mixed-use.

Amended Motion Commissioner Everett moved to give a negative recommendation to the Lehi City Council with the finding that enacting the zone change would create an incompatibility and an inconsistency with the current use of properties surrounding it that are also still mixed-use. He recommends that this scenario calls for thinking through additions to the code that would better protect residential properties in situations where commercial is abutting residential or legal non-conforming, specifically codifying circumstances where buffers are required before moving forward with this legislative item. He recommends that through a development agreement the property could be used for certain heavy commercial uses specific to the property in a mixed use zone. Commissioner Kunze seconded.

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

Motion passed with three in favor and two against.

3.2) Public hearing and consideration of Natlie Barron's request for approval of the Barron Highlands plat amendment, amending Lot 1 of the Carter Ridge Subdivision located at 25 East 2200 North.

Brittney Harris presented the item.

The applicant, Natalie Barron, was present. The new lot is being created so her children can build and live on it.

Commissioner Jackson opened and closed public comment.

Motion: Commissioner Kunze moved to give approval for the request with the findings that the proposed lot amendment meets the requirements of the R-1-15 zone, the proposed subdivision meets 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.

3.3) Public hearing and recommendation of Symphony Home's request for review of the Colledge Farms F Concept Plan, a 9-lot residential subdivision located at approximately 2850 West 1500 North including one lot as density in lieu.

Brittney Harris presented the item. The applicant asked for the item to be tabled, but as it was noticed, there needs to be a public comment period. The Commission intends to hold a second comment period when the item is resubmitted.

Commissioner Jackson opened public comment.

Marci Enlow lives in the area. She asked for more information on the widening of the road and was especially interested to know if there would be a traffic light or four-way stop implemented.

There was one online comment from Steven Hansen. He requested that a fence be mandated to minimize dust and noise from construction.

Commissioner Jackson closed public comment.

Gary Ellis explained that as a master road, 1500 North will be widened eventually, but he doesn't foresee a four way stop or a traffic light.

Motion: Commissioner Everett moved to table the item with the recommendation to hold a second public hearing session when it returns to Planning Commission. Commissioner Lockhart seconded.

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

Motion passed unanimously.

3.4) Public hearing and recommendation of DR Horton's request for review of the Upper Inverness Grading Permit on 693.4 acres.

Brittney Harris presented the item. The goal is to allow the developer to rearrange fill across the project in order to keep dust down outside of the construction area.

Landon Larsen was present, representing DR Horton. He had no additional comment.

Commissioner Everett asked if there would be excess fill at the end of the project. Larsen didn't think so.

Commissioner Jackson opened and closed public comment.

Motion: Commissioner Eyre moved to give a positive recommendation with the findings that the proposed grading meets the plans for the Inverness preliminary plat D, that the proposed grading allows for on-site use of material from other phases of Inverness, that the proposed use at the proposed location will not be detrimental or injurious to property or improvements in the vicinity, and that 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. 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.

3.5) Public hearing and consideration of Gardner Plumb's request for approval of exceptions for the Sy View West Anchor Site Plan located at approximately 240 West Traverse Terrace Drive including exceptions for a drive aisle between the building and the street, block length, front elevation glass requirement, and architectural wall variations.

Brittney Harris presented the item. The applicant feels the drive aisle and connectivity exceptions are justified due to the grading of the property. Additionally, they would like an exception for the amount of required glass on the front of the building, as well as an exception for the required number of wall elevations.

Howard Cooke was present representing the applicant. He is under an NDA and cannot specify what is being constructed. His client has a systematic approach to putting in new locations and have whittled down the exceptions to the minimum amount presented to the Commission. He reiterated that grading is the major concern for several of them and clarified that the limited glass on the front of the building is a security measure.

Commissioner Everett asked for a more detailed justification of the drive aisles. Orienting the building on the lot has been a challenge due to grading, and the drive aisle provides needed access to the back of the store. The length exceeds 600 feet, but there is an access on one side that helps to break it up. Cooke and his clients are worried about safety risks posed by the nearby high school if they provide access in the back of the building.

Commissioner Kunze asked for the justification for the wall variation exception. Cooke explained that the rest of his client's buildings look like this.

Commissioner Eyre asked for the grade difference between the street and the parking lot. He was concerned about a lack of pedestrian access in the back of the store. The applicant is worried about liability and risk from how steep the stairs would need to be, especially in the winter. Commissioner Everett suggested including pedestrian access in a specific area that would keep pedestrians out of traffic.

Brittney Harris pulled up the grading plan. The Commission discussed the various exceptions and issues they have with them.

Commissioner Jackson opened and closed public comment.

The Commission decided to work through the exceptions one at a time, beginning with the drive aisle. Commissioner Lockhart shared that it makes sense with the grade.

Commissioner Everett thinks that a pedestrian access point would be a good thing to ask for in exchange for connectivity. He recommends building a ramp if the applicant is worried about liability with stairs. Commissioner Eyre likes the block length determined by code, and shared frustration at the exception request. The applicant showed that there is a trail connection on one side of the building. Commissioner Lockhart asked how high school students will get to the location. There is some sidewalk connectivity. The applicant would like to direct people to the front of the building rather than the back. The city had recommended trail access closer to the front of the store, but grade once again made that difficult. The location of trail access is up to the developer.

Commissioner Lockhart shared that she doesn't think the burden of proof has been met to justify the exception to glass on the front of the building. Cooke clarified that the applicant wants to avoid having too much of the store visible from the outside. Commissioner Eyre established that most visual sightlines are going to be on the south and east sides of the building and recommended that the applicant focus on those. Commissioner Jackson agreed. The front of the building is the only side that needs the exception, as no other sides will be visible. Faux windows are not acceptable under city code. Cooke brought up the possibility of a skylight-style window. He asked what the purpose of the glass percentage design standard was. Kim Struthers explained that it is primarily an aesthetic standard. Commissioner Lockhart clarified that the commission is not singling out this developer, and that there have been similar debates in the past, for example the Latter-Day Saints temple construction project. Commissioner Eyre expressed discomfort with setting a precedent for allowing less glass.

Cooke asked if the development would need to come back through Planning Commission once the issues were fixed. Commissioner Eyre explained that the Commission would give a

recommendation, and the City Council could look at the adjustments that had been made in the interim.

Motion: Commissioner Eyre moved to approve the exception for the drive aisle and the connectivity based on the challenges of the topography, to deny the request for the decreased percentage of glass with the findings that the applicant didn't meet the burden of proof that they couldn't meet the standard of the code, and to approve the exception for the glass being the third architectural variation on the applicable sides. He included all DRC comments.

Amended Motion: Commissioner Eyre moved to approve the exception for the drive aisle and the connectivity based on the challenges of the topography, to deny the request for the decreased percentage of glass with the findings that the applicant didn't meet the burden of proof that they couldn't meet the standard of the code, and that it would set a precedent for other locations throughout the city that a well-known big box retailer can exert control over the Commission, and to approve the exception for the glass being the third architectural variation on the applicable sides. 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

3.6) Public hearing and recommendation of BreAnn Beckstrom's request for review of the Beckstrom Development Agreement.

Brittney Harris presented the item. Previously it was denied as a plan amendment, after which it was reworked as a development agreement. Harris explained that state code now requires Planning Commissions to look over development agreements.

Commissioner Lockhart asked why checking on a project after a certain amount of time is allowed in a development agreement, but not for conditional use items. Harris explained that development agreements are contracts between two parties, whereas code doesn't require applicants to allow being checked in on.

The applicants, Mitch and BreAnn Beckstrom were present. They are happy with the agreement and are excited to get into compliance with code. (They previously thought they were already in compliance and are trying to remedy that.) Most of their surrounding neighborhood was unaware that they were running a business and they intend to maintain that level of discretion.

Commissioner Kunze asked where the entrances were. Both are on 1100 West.

Commissioner Jackson opened and closed public comment.

Motion: Commissioner Everett moved to give a positive recommendation to the Lehi City Council with the findings that this is a path forward for maintaining the

applicant's current livelihood and with the recognition that the applicant is willing to be in compliance with City Code, which has prompted this development agreement, and that the City appreciates their willingness to be in compliance with the city code, and that this agreement will allow the applicant to continue to use the property as their home and their home business, and that the lot on which it is located is of sufficient size for it to continue in the current use and is anticipated under the development agreement, and that the use of the property in accordance with the development agreement poses no health, safety or risk to the city. He 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.

3.7) Public hearing and recommendation of Lehi City's request for review of a Development Code Amendment to Table 37.080, Off-Street Parking Table, to allow tandem parking.

Brittney Harris presented the item. Previously the city had gotten rid of tandem parking, but new state code requires it to be permitted.

Commissioner Everett asked about a DRC Note for removing the definition. Kim Struthers explained that if tandem parking isn't being enforced, it doesn't need to be defined in code. Commissioner Everett clarified that sidewalks and aprons aren't included as part of parking space.

Commissioner Eyre asked if the updated legislation affected ADUs as well. Harris looked at the code and clarified that the amendment wouldn't change anything for ADUs, as that would have to be a separate amendment.

Commissioner Jackson asked what the rationale was behind the state code. Harris said the main driver was affordability.

Commissioner Jackson opened public comment.

There was one online comment in favor of the change from Marshall Garey.

Commissioner Jackson closed public comment.

Motion: Commissioner Eyre moved to give a positive recommendation to the Lehi City Council with the findings that the proposed development code amendment is in conformance with the purposes, intent, and provisions of the general plan and its various elements, and that it will bring the city into compliance with State Code. He included all DRC comments. Commissioner Kunze seconded.

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

Motion passed unanimously.

3.8) Public hearing and recommendation of Lehi City’s request for a review of a Development Code amendment to Chapter 26, Accessory Uses, changing requirements for Detached Accessory Dwelling Units.

Brittney Harris presented the item. There are two main changes. The first lowers the size requirement of a lot to more accurately reflect a third of an acre. The second change deals with slope concerns and an increasing number of ADU requests have been coming in from Traverse Mountain.

Commissioner Jackson shared concern over the phrase “environmentally sensitive areas”. Harris explained that it is defined in city code and in the general plan. Commissioner Eyre asked if the code would be clearer if the word “grade” was included. The Commission agreed that it would provide clarity.

Commissioner Everett asked about a DRC note from Gary Ellis recommending striking clause B. Ellis explained that he thinks that greater grades should be allowed as long as the developers have the budget and tools to engineer a solution. He said if pressed, he would extend the code to allow up to 30% grade. Commissioner Everett asked if the city would be liable if an approved ADU collapsed. The engineer would be liable.

Brittney Harris mentioned that ADUs as a concept are largely an affordability option. Creating ADUs on steep slopes safely negate that affordability standard. She also shared concerns over compounding issues on slopes that the city is already facing in the area.

Commissioner Everett clarified that the amendment will only change the required size and slope of the lot, and that no other aspects of ADU code are being adjusted.

Gary Ellis agrees that there should be a limit on slope but recommends 30% rather than 20%.

Commissioner Jackson opened and closed public comment.

Motion: Commissioner Eyre moved to give a positive recommendation to the Lehi City Council with the addition for clarification to both b and c, identifying percentages as grading, and opening city council to consider a larger percentage than 20% based on DRC comments, with the findings that the proposed development code does seek to ensure the health safety and welfare of existing and future Lehi residents, the proposed development code amendment allows for detached ADUs on 1/3 acre lots, the proposed development code amendment is in conformance with the purposes, intent, and provisions of the general plan and it’s various elements. 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.

4. City Business

The next Planning Commission meeting will be held on July 31st. The next Planning Commission Work Session will take place on August 7th.

5. Adjournment

With no further business to come before the Planning Commission at this time, Commissioner Kunze moved to adjourn the meeting. Commissioner Everett 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