



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

Minutes of the **Regular Session** of the **Planning Commission Meeting** held Thursday, **August 28, 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
Beau Jones, Commission Alternate

Others Present: Mike West, Planning Manager; Brittney Harris, 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. Consent Agenda

2.1) Approval of minutes from the July 31, 2025 meeting

2.2) Approval of minutes from the August 7, 2025 meeting

Motion: Commissioner Everett moved to approve the minutes as presented.
Commissioner Eyre 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 AWA Engineering's request for review of the Maverik Zone Change located at 520 West Main Street, changing the zoning on 0.72 acres from Mixed Use to Commercial

Brittney Harris presented the item. No density has been designated for this Mixed-Use area, so the change to Commercial makes sense.

Rick Magnus was present, representing AWA Engineering. He thanked city staff for all their help with getting the item and the subsequent project put together.

Commissioner Eyre asked what the applicant is moving to commercial for that he couldn't do in a Mixed Use zone. The applicant wants a drive-thru.

Commissioner Jackson opened and closed public comment.

Motion: Commissioner Kunze 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 Commercial, that it is consistent with the goals and policies of the General Plan, and that it is consistent with the compatibility of the proposed zone with the General Plan uses of nearby and adjoining properties. She included all DRC comments. Commissioner Lockhart seconded.

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

Motion passed unanimously.

3.2) Public hearing and consideration of Holden Rockwell's request for conditional use approval of the Skull Valley Flag Lot located at 208 East 200 South.

Brittney Harris presented the item. The change meets all frontage and lot size requirements.

The applicant, Holden Rockwell, was present. He is a longtime Lehi resident. He and his brother own the land.

Commissioner Jackson opened and closed public comment.

Commissioner Lockhart noted that the only history recorded for the property is from 1872 when it was originally incorporated into Lehi. Rockwell shared that the home has a historical plaque.

Motion: Commissioner Lockhart moved to approve with conditions the proposed flag lot, with the findings that the proposed flag lot does meet the intent of the flag lot code requirements, and that the five foot setback will need to be recognized for the property to be fully code compliant. 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.

3.3) Public hearing and recommendation of Fox Brother Properties' request for review of an amendment to the Grant's Corner Development Agreement allowing automotive accessories installation and service.

Brittney Harris presented the item. A previous development agreement from last year allowed the property to function as an office warehouse. The new tenant wants to do a window-tinting business. DRC recommended the automotive accessories installation and service category as they think it is narrow enough.

Samuel Johnston, the tenant, was present. He clarified that heavy machinery would not be left on the lot, and that any chemicals used would be nontoxic.

Commissioner Everett asked about hours of operation for the business, and about the parking situation. Johnston stated that the business would run from 8-5. Any cars on the lot overnight would be stored in the warehouse, so there would be no overnight parking. There is an agreement to have no cars in the lot during the rodeo so they can be used by rodeo attendees.

Commissioner Everett asked if the definition was narrow enough, or if the city could get more specific. Harris said that more specificity could be a part of the motion. The category "automotive accessories installation and service" isn't defined in city code, but the usual procedure is to use the common definition as found online. Commissioner Everett shared that he would like to narrow the agreement to the particular use being requested.

Commissioner Jackson asked legal counsel on whether to recuse himself, as he is coworkers with Johnston's wife. Craig Chambers said that as they are only passingly acquainted, he could remain as part of the quorum.

Commissioner Eyre asked Johnston if he was comfortable with the Commission narrowing the agreement. Johnston asked for stereo enhancements to be included as an option, as the business he is running is part of a franchise that takes care of multiple aspects of vehicle improvement.

Brittney Harris looked up the category and explained that the definition is fairly narrow to after-market car enhancements like new tires, stereo enhancements, window-tinting, and other similar processes. The Commission shared opinions that the term "after-market" would be too broad.

Commissioner Lockhart asked if the development agreement is specific to the parcel of land or only to the applying tenant. It would be tied to the parcel. Commissioner Lockhart clarified that as there are several offices up for rent, other tenants would also be allowed to do the services specified in the agreement. Johnston explained that in his lease he has an exclusivity agreement. Commissioner Jackson asked if the development agreement could be attached to Johnston's lease. Commissioner Everett pointed out that that wouldn't be possible as the Commission is not privy to lease specifics.

Commissioner Lockhart clarified that the added uses would be specifically for this development agreement and not added to the table of allowed uses in a Mixed Use zone.

Commissioner Jackson opened and closed public hearing.

Commissioner Everett still wanted to narrow the agreement but was open to all of the jobs mentioned by Johnston. He explained that he is uncomfortable with the idea of outsourcing definitions from the internet.

Motion: Commissioner Everett moved to give a positive recommendation to the city council with the recommendation that it be narrowed in the terminology under the development agreement to keep it limited to window tinting, paint protection film, vinyl wraps, and, in the future, stereo enhancements. He included all DRC comments with the findings that this is a niche service that hasn't been contemplated in the code, and the agreement would allow the small business to operate in a space other than a home, and it is in conformance with the purposes, intent, and provisions of the General Plan and its various elements.

Commissioner Jackson asked if the development agreement could be expanded later on if needed. That is a possibility. Johnston asked for several additional services to be approved and added to the motion. Commissioner Everett expressed discomfort with broadening his motion, but he agreed to include them.

The Commission discussed the broadening of the motion, versus the actual impact of the uses. Commissioner Everett clarified that he is trying to define what the parcel will be used for rather than thinking about everything it could possibly be used for.

Amended Motion: Commissioner Everett moved to give a positive recommendation to the city council with the recommendation that it be narrowed in the terminology under the development agreement to keep it limited to window tinting, paint protection film, vinyl wraps, ceramic coating, parking sensors and camera installation, and, in the future, stereo enhancements. He included all DRC comments with the findings that this is a niche service that hasn't been contemplated in the code, and the agreement would allow the small business to operate in a space other than a home, and it is in conformance with the purposes, intent, and provisions of the General Plan and its various elements. Commissioner Eyre seconded.

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

Motion passed unanimously.

The applicant requested that the item be added to the September 9th City Council agenda.

3.4) Public hearing and recommendation of Cori Fabian's request for review of the Fabian House General Plan Amendment on 0.90 acres located at 3156 North 1200 West, changing the land use designation from VLDR (Very Low Density Residential) to NC (Neighborhood Commercial).

This item was withdrawn from the agenda.

3.5) Public hearing and consideration of Cori Fabian’s request for approval of the Gabian House Parking Extension Concept Plan located at 3188 North 1200 West and providing better access in and out of the site.

This item was withdrawn from the agenda.

3.6) Public hearing and recommendation of Bob Perdue’s request for review of the Water’s Edge General Plan Amendment on approximately 13.02 acres located at approximately 1300 East 175 South, changing the land use designation from Commercial to Mixed-Use.

Brittney Harris presented the item. The General Plan has the area designated as a Transit Oriented District (TOD), but the actual plot is currently zoned for commercial development. There was a site plan approved in 2017, which has since expired. There are currently two resolutions from City Council causing issues with the project, one that prevents any development until UTA provides a schedule for transit construction, and one that allows sanctuary to come in for a TOD, however this property is not where the city would want a transit station, so the plot doesn’t qualify. Changing the designation to Mixed Use would require them to come in with a land use plan before development could begin.

Commissioner Everett clarified that the land would still be within the half-mile radius that defines a TOD. His worry is losing control over how much residential and commercial development happens on the property.

The applicant, Bob Perdue, was present. He explained that the area is currently surrounded by commercial property, vacant land, and apartment buildings, which is why he’s opting for Mixed Use. No initial plans have been submitted yet, as there are several different plans in the works. The current plan is to have some hospitality development and smaller commercial projects intermixed with residential properties. He has noticed some homeless encampments and dumping happening on the property.

Commissioner Jackson asked about the ownership history of the property and what happened to the previous site plan. Perdue explained that it was previously owned by Pat Nelson, who had several different plans over the years that were prevented due to significant financial issues, which put the property in foreclosure. It was purchased by the current owner about a year ago.

Commissioner Everett asked what percentage of the parcel is buildable, as it contains a large section of wetlands. There are about 9.5 developable acres according to an engineering study which was just completed. Commissioner Everett asked if there would be one access point to the development or two. There are currently two, but the developer is working on third and fourth access points, which would reach adjacent property, and cross the wetlands to provide access to the Walmart parking lot. It is a large project, requiring approval from a variety of people and organizations, which is what the property owner is doing now. Commissioner Eyre mentioned that the last site plan contained a pedestrian access point. Perdue explained that this project includes both pedestrian and auto access.

Commissioner Jackson opened and closed public comment.

Commissioner Everett asked about how many residential units would be allowed in a Mixed Use zone as opposed to a TOD, and if there would be a limitation set on homes or rentals built. Harris explained that 330 residential units would be allowed regardless of whether the lot was zoned Mixed Use or TOD. The city won't know how many units will actually be built until plans are submitted to engineering. The main change that would happen if the zone changed would be the city losing some amount of review over what uses would be allowed, and a change in design standards.

Commissioner Everett asked if any other TODs have been developed in Lehi. There have been two. Commissioner Lockhart asked why the city would be okay redesignating land that is in a TOD, as they are already a contested topic municipally. Harris explained that the property has been in limbo due to the two resolutions in play. Mike West explained that the purpose of the resolutions was partly to pressure UTA into letting the city know where and when transit is coming to avoid developing high density in areas where there may or may not be stations in the future. He also shared that this anticipated station location hasn't changed over the years, so it feels slightly safer to redesignate this for high density than it does for others. Commissioner Lockhart worried that changing the land use designation for the plot would undermine City Council's decision to put the resolutions in play. Commissioner Jackson shared frustration over the lack of effort on UTA's part. He has no issues with the development, as he worries more about the city being left high and dry by UTA. Mike West further clarified that the resolution is broad-reaching while each individual TOD is unique. The TOD being discussed today currently has 15 minute bus service, so it is already a transportation hub. Harris shared that the Commission could suggest repealing the resolutions in their motion.

Commissioner Everett shared that he can see this being a functioning TOD with development, but worried about losing any hold the city may have over UTA by skirting the resolution. He also shared worries over passing over the development and losing out on amenities that will come with the project. He thinks the end result is going to be similar either way, it's just a matter of how soon the development is allowed to happen.

Commissioner Lockhart emphasized her stance of not wanting to undermine City Council, as they have made their goals clear with the passed resolutions. The position of the Commission is to investigate whether new development meets the city's current established goals. Commissioner Jackson agreed; he didn't like the idea of becoming a body that dismisses City Council's decisions. The Commission agreed that while they liked the project, they generally felt uncomfortable with suggesting overturning current legislation.

Commissioner Eyre clarified that the biggest difference in changing the zone would be that the amount of commercial development in the area would be limited. Harris further clarified that a Mixed Use zone doesn't require as much commercial development as a TOD, but that the number of residential units would remain the same. Additionally, the developer will likely want to develop the non-residential land as well. The city also has ways of minimizing commercial properties within the TOD, if needed.

Perdue shared that his architect is closely connected to the City Council and has been back and forth with them for a long time trying to get a waiver of moratorium for the TOD. The developer would prefer to develop under the TOD zoning, but they have been unable to get feedback from

either UTA or Lehi City Council. Since there has been no movement, they submitted the General Plan Amendment.

Commissioner Lockhart shared that the resolutions are working as they are intended by keeping developers stuck and maintaining the TODs as they are.

Motion: Commissioner Everett moved to give a positive recommendation to the city council with the findings that the proposed amendment is not detrimental to the health, safety, and public welfare of Lehi City, and that the proposed General Plan Amendment is consistent with the land uses and zoning of nearby and adjoining properties. He included all DRC comments. Commissioner Eyre seconded.

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

Motion failed with two in favor, three against.

Commissioner Jackson said that he would prefer to send a neutral recommendation. Commissioner Eyre is against neutral recommendations as he finds them milquetoast. Commissioner Lockhart worried about the potential domino effect of rezoning the TOD and opening doors for other TOD plots to be rezoned. Commissioner Kunze clarified that the resolution has been in place for five years without any action from UTA.

Motion: Commissioner Lockhart moved to give a negative recommendation to the Lehi City Council with the recommendation that they strongly consider their resolution halting TOD development, and identify that this application is an example of how that resolution is going to undermine the concept of a TOD moving forward with or without UTA. She included all DRC comments.

Commissioner Jackson asked for the motion to be amended to include that the Commission liked the project as a possible benefit for Lehi.

Amended Motion: Commissioner Lockhart moved to give a negative recommendation to the Lehi City Council with the recommendation that they strongly consider their resolution halting TOD development, and identify that this application is an example of how that resolution is going to undermine the concept of a TOD moving forward with or without UTA. The verbal ideas presented for the use of the land are appealing and sound like a good concept going forward, but there is an issue with having a resolution that forces applicants to look at other designations that are inconsistent with the general plan and undermine the health, wellbeing, and future longevity of a TOD for the city as a whole in the future. She included all DRC comments. Commissioner Eyre seconded.

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

Motion passed with four in favor, one against.

4. City Business

Mike West reminded the Commission about the joint work session with City Council on September 2nd as well as the regularly scheduled work session on September 4th.

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 8:15 p.m.

Approved: September 25, 2025

Attest:

Gregory Jackson, Commission Chair

Kate Morgan, Deputy City Recorder