



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

Minutes of the **Pre Council** and **Regular Session** of the **Lehi City Council** held Tuesday, **March 29, 2016**, at the Lehi City Administration Building, 153 North 100 East, Lehi, Utah.

**Members Present:** Bert Wilson, Mayor  
Paige Albrecht, Council Member  
Chris Condie, Council Member  
Paul Hancock, Council Member  
Johnny Revill, Council Member

**Excused:** Mike Southwick, Council Member

**Others Present:** Jason Walker, City Administrator; Robert Ranc, Assistant City Administrator; Ryan Wood, City Attorney, Kim Struthers, Planning Director; Lorin Powell, City Engineer; Darren Paul, Police Chief; Bill Loveridge, Police Sergeant; Tamera Seletos, City Prosecutor; Robert Marshall, Code Enforcement Officer; Carolyn Hoffman, Treasurer; Alyson Alger, Sr. Accountant; Cameron Boyle, Assistant to the City Administrator; Marilyn Banasky, City Recorder; and approximately 23 citizens.

### **Pre-Council, 5:30 p.m.**

#### **1. Welcome and Opening Comment**

Mayor Wilson welcomed everyone and noted that all Councilmembers were present except Councilor Southwick, who is excused. Councilor Albrecht gave the opening comment.

#### **2. Presentations and Reports**

##### **2.1 Discussion on Towing/Business License Ordinance - Sergeant Loveridge and Tamara Seletos, City Prosecutor**

Tamera Seletos, City Prosecutor and Sergeant Bill Loveridge discussed the proposed towing ordinance. Councilor Albrecht inquired if they had received any feedback from anyone in the industry. Sergeant Loveridge replied that he hasn't heard anything from anyone in the industry. Mayor Wilson asked Sergeant Loveridge to explain the reason behind the proposed ordinance. Sergeant Loveridge stated that the problem is predatory towing through HOA's, businesses, and people who have private property. He stated that this ordinance will put emphasis on ethical towing and tow companies will have to meet certain criteria and rules in order to tow vehicles on private property. Councilor Albrecht inquired if there are consequences if they don't follow the rules. Sergeant Loveridge stated that they won't be allowed to tow and could face charges. He explained that the rules will state that there will be appropriate signage, tow vehicles have to have a tow company name, and employees must wear a shirt with a company name and have a business card. Another requirement is that a property owner must call in with a complaint in order for the vehicle to be towed and not just the tow company coming in. A discussion was held as to who is a property owner and if a complaint can be verified. Sergeant Loveridge stated that information will be taken from the person calling in the complaint and the officer can then call and verify the complaint. Ms.

Seletos stated that the owner or caller has to form a contract with the person who does the tow.

## 2.2 HADCO Construction

Mayor Wilson stated that he would like to discuss Hadco Construction.

Kim Struthers displayed the General Plan and Zoning maps. He discussed the Light Industrial and Industrial zone descriptions and allowed uses. He stated that in 2000 Hadco received approval to operate as a construction business at their current location. At that time, no specific conditions were imposed as far as operation hours or number of vehicles. In 2014, Hadco requested to add on to their office building and received approval for the expansion.

Councilor Albrecht inquired if the original approval has any operational hour restrictions. Mr. Struthers replied there were no time restrictions as they were granted a conditional use. He explained that a conditional use runs with the land and even if Hadco left the property, a similar business could locate there. Councilor Albrecht stated that she wants to help the residents without impeding Hadco.

Mr. Struthers discussed the City owned park and the additional buffer property that the residents paid for to have larger yards that borders the Hadco property. Councilor Albrecht inquired if the City is considering planting trees on the park property. Mayor Wilson replied that the Parks Department has to evaluate the irrigation system and there isn't currently a plan to plant trees. Councilor Reville inquired if the City believes that there are things happening at Hadco that aren't part of the conditional use permit or permitted. Mr. Struthers stated that they would need Hadco to answer that, but his understanding is it is mainly their staging area, which would fall under the use of a contractor storage yard. Councilor Hancock stated that since this table use wasn't in effect 16 years ago he assumes they can't go back and hold Hadco to the new table. Mr. Struthers replied that is his understanding. He stated that it is considered a contractor storage yard which is permitted.

Councilor Condie discussed the area where concrete is being dumped near the park. He stated that through videos, he has seen different activity that doesn't seem consistent with storing trucks and trailers and seems like Hadco has taken the noisier part of their business nearer to the residents. He discussed that the code says "clean and attractive" and this operation is kicking up dust, which isn't clean. He feels the activities along the fence line are not clean and attractive and it seems like some activities are being pushed near the residents homes. A discussion was held regarding "appreciable impact". Mayor Wilson stated that he went out there and watched the trucks going along the fence and reported that they travel slow and there is ground up asphalt along the fence line to keep the dust down.

Councilor Albrecht inquired if there is anything regarding hours of operation. Mr. Struthers replied that would go to the noise ordinance. Police Chief, Darren Paul, stated that they have received numerous complaints beginning in September of 2015 and they have been steady ever since then. He stated that since receiving those complaints, they have been on site including both early and late in the day to get

decibel readings to see if they are violating the noise ordinance. Robert Marshall, Code Enforcement Officer, stated that he has taken measurements from different locations and the noise doesn't exceed the noise level as per the ordinance. He stated that he has been in the park strip and on the street. He stated that he gets more noise from 2100 North or the freeway than from the Hadco site.

Jason Walker stated that the police department can't verify any violation of the sound ordinance. Ryan Wood stated that if the City has evidence that a statute or code violation is being violated, then they look into that. He stated that the City hasn't had an official report as they haven't received enough evidence to proceed with enforcement action. A discussion was held regarding the reasonable and appreciable noise and how to handle that. Mr. Wood stated that if it doesn't break the City's ordinance then it can't be prosecuted. Officer Marshall stated that he has spoken to Mr. Hadfield numerous times and has tried to communicate to them the nature of the complaints. He reported that he presented six cases to the City prosecutor but there wasn't a clear violation.

Councilor Revill stated that some residents have lived there over 20 years and in September, he received the first phone call complaining. He wonders if something happen since last fall. John Hadfield stated they moved the yard around, cleaned it up and put the road closer to the fence. He stated that they offered to plant some trees and was told City needed to look at an irrigation system. He stated that he offered to pay. He reported that they put in speed bumps to ensure drivers slow down as well as putting in gravel to keep dust down. He stated that they are trying to be good neighbors. He stated that they put in some storage and moved the employee parking and a ready yard. He stated that last piece on the north is where the dump trucks park and there is 200 feet that doesn't have any type of buffer. He explained that they disconnected backup alarms, which is an OSHA violation, and have guys at the gate to ensure people are going the speed limit. He stated that he has 450 employees. He stated that he has met with the police and had the police in the yard at night with nothing going on and still received complaints. He stated that he is willing to do something but doesn't want to be bullied. Councilor Hancock inquired about the trucks running along the back side of the property. Mr. Hadfield replied that they have always had them running to a point and the road makes sure they don't back up as they make a large loop.

A discussion was held regarding the dumping of concrete on the lot. Mr. Hadfield stated that at one time they dumped there, but they have cleaned that up. Nick Baird reported that some of the gravel for the parking lot was dumped there but it has been cleaned up. Mr. Hadfield stated that the best solution is to plant some trees. He is willing to pay up to \$15,000. He stated that the homeowners could also plant trees to help with a buffer.

Councilor Albrecht stated that she wants some definite plans made. It was decided to discuss this with the Parks Department to see about planting trees in the park strip. The Parks Department will contact Mr. Hadfield to work out the trees.

### **3. Agenda Review**

Mayor Wilson discussed the agenda. He stated that item 10.3 has been withdrawn by the petitioner.

Item 10.7 renaming a portion of Cabela's Way was discussed. Kim Struthers stated that the petitioner's proposal is to change the street name from Cabela's Way to Chapel Ridge Road at the Northwest access to Cabela's parking lot. He reported that they checked with 911 dispatch and they stated the name change in the middle of a street and not at an intersection would be confusing. It was their recommendation and the recommendation of staff to deny this request.

Item 10.11 grading permit for the Seasons was discussed. Councilor Hancock inquired if this will be balanced grading. Mayor Wilson replied it will be. Councilor Hancock inquired if there is a timeline for the grading to be completed. Kim Struthers replied that the Area Plan stated that they can't stop grading but must continue operation until it is all graded. He explained that the Planning Commission was worried that they could go slow if a timeline wasn't put on it. A discussion was held that the grading permit itself has a one year time limit on it. If the applicant isn't done within the one year timeframe they have to come in and apply for a new permit. It was discussed to put that in the motion. Mr. Struthers discussed that the applicant is also required to grade the proposed City park as part of this permit. He stated that the City will have to tell them how to grade it. It was discussed to also include that in the motion.

Item 10.12 Statewide Utility License Agreement was discussed. Ryan Wood stated that there are places where Lehi City crosses UDOT's right of way and this agreement is needed if Lehi wants to be in their right-of-way.

#### **4. Administrative Report**

Mayor Wilson reported that the April Work Session will be canceled as they will be attending the Utah League of Cities and Town's conference in St. George. He inquired if the City Council was able to attend a combined meeting with the Planning Commission on April 19, 2016 to tour developments around the City. It was decided that there would be a joint meeting on April 19, 2016 beginning at 5:30 p.m.

#### **5. Mayor and Council reports**

This item was heard at the end of the regular Council meeting.

The meeting recessed at 6:54 p.m.

The meeting reconvened at 7:00 p.m.

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

#### **6. Welcome, Roll Call, Pledge of Allegiance**

Mayor Wilson welcomed everyone and noted that all Council members were present, except Councilor Southwick who is excused. Councilor Hancock led the Pledge of Allegiance.

#### **7. Presentations and Reports**

##### 7.1. Presentation of Eagle Scout Awards.

No Eagle Scouts were present.

## **8. Citizen Input (for public comments on items not listed on the agenda)**

Julie McNamara stated that she wants to discuss the proposed Willow Cove subdivision being built by Ivory Homes. Mayor Wilson stated that this is on the agenda tonight and he will allow her to talk about this item then.

Ross Carter stated that Hadco has existed for 20 years and has changed significantly as it is now an operational hub. He reported that he has sent the Mayor and Council videos. He stated that he is 280 yards away when it is making that much noise and that they are disturbed daily. He stated that they cleaned their house and it is covered with dust. He wonders how they get their backyard back. He stated that he doesn't get to sleep in his bed. He stated that if you look at the world's Light Industrial description he feels that any jury would laugh at what we say Light Industrial is. He stated that in fairness to Mr. Hadfield, he has made a ton of changes and there has been progress. He urged the Mayor and Council to watch the videos. He stated that they get hung up on hours of operation and some things that happen in the middle of the day are out of line.

Mike Bently stated that he also emailed the Mayor and Council. He would like to address some things John Hadfield said. He stated that Mr. Hadfield tore out trees and that is baffled that he moved the road to the east fence. He stated that his house is behind where the belly dumps are stored. He played a sound bite of the truck noise that was taken out of his bedroom window. He stated that this happens early on Saturdays. He stated that those trucks go down that road and they didn't slow down pre-speed bump and he feels they won't slow down post-speed bump. He stated that he has effectively lost his back yard and had to tear down his pool due to the dust. He stated that he can't have a BBQ in the backyard due to the noise. He stated that from a citizen standpoint, Hadco has done a lot to address the night noise, but in the day, they are doing what they want. He has called Hadco and hasn't got a call back from Mr. Hadfield.

David Goss stated that he lives close to Hadco and part of the problem is that the subdivision has been there since the late 1970's and a lot of things have happened there. He stated that the houses preceded the business and that it was a residential area. He realizes Lehi is growing and that things have changed, but part of it, is to respect the homeowners that are there. He hopes there is a compromise that can work for both parties.

## **9. Consent Agenda**

### 9.1. Approval of meeting minutes from:

March 8, 2016 Budget Retreat

March 8, 2016 City Council

March 15, Town Hall Meeting

### 9.2 Approval of Purchase Orders.

### 9.3 Consideration of Resolution #2016-16 approving the Governmental Profit-Sharing Plan & Trust Adoption Agreement between ICMA Retirement Corporation and Lehi City.

### 9.4 Consideration of Resolution #2016-17 approving a Participation Agreement between Vantage Trust Company LLC and Lehi City.

Councilor Condie inquired about the Downtown replacement purchase order. Lorin Powell stated that this is a Community Development Block Grant program that encompasses a three year span. It will be doing the improvements along 3<sup>rd</sup> West to 2<sup>nd</sup> North.

**Motion:** Councilor Condie moved to approve the consent agenda. Councilor Hancock seconded the motion.

**Roll Call Vote:** Councilor Revill, Yes; Councilor Hancock, Yes; Councilor Albrecht, Yes, and Councilor Condie, Yes. The motion passed unanimously.

## 10. Regular Agenda

### 10.1 Public Hearing and Consideration Resolution #2016-14 amending the budget for the City of Lehi for Fiscal Year 2016 (July 1, 2015 - June 30, 2016).

Mayor Wilson opened the public hearing.

There were no comments from the public.

Mayor Wilson closed the public hearing.

**Motion:** Councilor Revill moved to approve Resolution #2016-14 amending the budget for the City of Lehi for Fiscal Year 2016 (July 1, 2015 - June 30, 2016). Councilor Condie seconded the motion.

**Roll Call Vote:** Councilor Hancock, Yes; Councilor Albrecht, Yes, Councilor Condie, Yes; and Councilor Revill, Yes. The motion passed unanimously.

### 10.2 Consideration of Ordinance #18-2016, a Zone Change on 8.9 acres of property located at 2300 West Main Street changing the zoning designation from A-5 (Agriculture) to Commercial and R-3 (High Density Residential).

Councilor Condie stated that he thought they already approved this. Kim Struthers replied that they amended the General Plan and now they are coming forward to zone the property.

Julie McManara inquired as to what High Density includes. Kim Struthers stated that the applicant has already filed for preliminary subdivision approval and there will be townhomes and condos. Ms. Mcmanara inquired how this development will affect water. Mayor Wilson replied that when they come into the City, they have to provide water in order to develop.

**Motion:** Councilor Condie moved to approve Ordinance #18-2016, a Zone Change on 8.9 acres of property located at 2300 West Main Street changing the zoning designation from A-5 (Agriculture) to Commercial and R-3 (High Density Residential); subject to the completion of all Development Review Committee and Planning Commission comments. Councilor Albrecht seconded the motion.

**Roll Call Vote:** Councilor Albrecht, Yes, Councilor Condie, Yes; Councilor Revill, Yes; and Councilor Hancock, Yes. The motion passed unanimously.

10.3 Consideration of Ordinance #19-2016, a Zone Change on 2.69 acres of property located at 820 North 500 West from an A-1 to R-1-8 and R-2 zones.

This item was withdrawn from the agenda by the petitioner.

10.4 Consideration of Concept Plan approval for Willow Cove Phase 2, a 20-lot residential development located at 900 West 300 South in a proposed R-1-Flex zone.

Julie McNamara displayed a picture of the plat and pointed out her home. She stated that there will be four homes going in behind her home. She is concerned that the turnaround isn't large enough for a fire truck to turn around in. She stated that she talked to someone at the Fire Department and they told her it wasn't feasible. She expressed concern about the fence between properties as the cows go right through the fence and feels it will need to be stabilized. She stated that the no-climb fence they put up on the other side is damaged from horses and that kind of fence will not work. She feels they will need to put up a concrete fence. She expressed concern about water getting into her basement if the homes behind hers take down the berm. She asked that a drain for the neighborhood be put behind her house.

Mayor Wilson stated that this item will have a public hearing at the Planning Commission for preliminary subdivision approval. Councilor Condie inquired if staff could answer the questions about the fire truck and fencing. Kim Struthers stated that if this is concept plan is approved they will file a separate application for preliminary subdivision approval, where it goes to the Planning Commission for a public hearing. It will then come to the City Council for approval. The next step is back to the Development Review Committee for final subdivision approval from the City Council. He stated that as far as the turnaround for the fire trucks, the City's bare minimum turnaround requirement is 84 feet and the applicant is showing a standard cul-de-sac which has a 132 radius. He stated that there should be plenty of room for the fire trucks to turnaround. He stated that the City standard is the six foot no-climb fence and by code, that is all they can require. He stated that they always encourage discussion between the land owner and the developer to agree on fencing.

Ms. McManara inquired if people were to park on the cul-de-sac would there be enough room for the fire trucks to turnaround. Mr. Struthers stated that they do allow for parallel parking in that calculation and have adequate turnaround space for emergency vehicles

**Motion:** Councilor Condie moved to grant Concept Plan approval for Willow Cove Phase 2, a 20-lot residential development located at 900 West 300 South in a proposed R-1-Flex zone; subject to the completion of all Development Review Committee and Planning Commission comments.

Ms. McNamara inquired if these lots are smaller than 1/2 acre. Mr. Struthers replied that the lot size minimum is 8,000 square feet, which is the same size as the subdivision to the west of this. He explained that they can go up to 3.5 units per acre.

He stated that the largest lot is 12,000 square feet and the smallest is 8,000 square feet. Ms. McNamara inquired if there a way to limit the lot size to be no less than 1/2 acre lots. Mr. Struthers replied at a 1/2 acre is 22,000 square feet and these lots are 0.18 acres for 8,000 square foot lot. Mayor Wilson stated that the zoning dictates what size lots can go in. Ms. McNamara stated that she was told that Lehi City wasn't allowing anything less than 1/2 acre when they get closer to downtown. Councilor Revill stated that there is different zoning in all areas of the city.

Councilor Hancock seconded the motion.

**Roll Call Vote:** Councilor Condie, Yes; Councilor Revill, Yes; Councilor Hancock, Yes; and Councilor Albrecht, Yes. The motion passed unanimously

10.5 Consideration of Resolution #2016-18 a resolution of intent to annex the Peggy-Stan Lewis Annexation, 13.69 acres of property located at approximately 1500 West 1450 South.

**Motion:** Councilor Revill moved to approve Resolution #2016-18 a resolution of intent to annex the Peggy-Stan Lewis Annexation, 13.69 acres of property located at approximately 1500 West 1450 South; subject to the completion of all Development Review Committee comments. Councilor Condie seconded the motion.

**Roll Call Vote:** Councilor Revill, Yes; Councilor Hancock, Yes; Councilor Albrecht, Yes; and Councilor Condie, Yes. The motion passed unanimously

10.6 Consideration of Final Subdivision approval for Madison Meadow, an 8-lot single-family subdivision to be located at 700 South 300 East in an R-1-22 zone.

**Motion:** Councilor Hancock moved to grant Final Subdivision approval for Madison Meadow, an 8-lot single-family subdivision to be located at 700 South 300 East in an R-1-22 zone; subject to the completion of all Development Review Committee comments. Councilor Revill seconded the motion.

**Roll Call Vote:** Councilor Hancock, Yes; Councilor Albrecht, Yes; Councilor Condie, Yes; and Councilor Revill, Yes. The motion passed unanimously

10.7 Consideration of a street name change, changing a portion of Cabela's Blvd to Chapel Ridge Road.

Nate Boyer, with the Boyer Company reported that Entrada, formerly Property Solutions is looking to occupy a building on Cabela's Blvd. He stated that they are currently in Lehi and employ 450 people. The new building on Cabela's Blvd will allow them to grow to 600 employees. He explained that they are asking for this address change to avoid being on Cabela's Blvd as they are a technology company. He stated that this change doesn't affect any current addresses on the street and Entrada will pay for the street sign changes. He stated that if you search 4205 N. Chapel Ridge Road on google you end up at the new building, but if you search 4205 Cabela's Blvd. you end up at the Traverse Mountain Outlets. He stated that from a public safety

perspective, Entrada will be the only one at 4205 N. Chapel Ridge Road and this would solidify their expansion.

Jared Hunsaker, Legal Counsel for Entrada stated that it might seem trivial to request this name change, but for them it is on every business card, letterhead, and their web site. They think it would mean a lot for them to not be associated with Cabela's. He stated that they have signed an 11 year lease. He lives in Traverse Mountain and drives that road every day. He stated that it is Cabela's Blvd. to the 4-way stop and no one will get an address change. He appreciates their consideration

Josh Anderson stated that he represents Cabela's and they want to object to the name change. He stated that they don't want to lose that name as they are in the process of negotiating with buyers on the north side of the parking lot and they object to the name change.

Eric Woodley stated that he is the Broker for Entrada and represents the group that is buying the north parcel. He stated that it would likely be a tech company and they wouldn't want that to be Cabela's Blvd. Councilor Albrecht stated that the area to the north is not what they are looking at tonight. Mr. Woodley stated it would affect that address.

Councilor Condie stated that there was there an agreement when they changed it to Cabela's Blvd. He stated that he doesn't understand the branding part of it, other than saying it is another company's name. Councilor Hancock stated that his company recently went through a rebranding and they are a tech company. He stated that Cabela's isn't tech.

Councilor Hancock inquired if they can change the request that is before them. Ryan Wood replied that since it has been properly noticed, they can change the parameters tonight if they wish. A discussion was held as to the history of the naming of the Cabela's Blvd, Digital Drive, and Adobe Way.

**Motion:** Councilor Revill moved to approve the street name change, changing a portion of Cabela's Blvd to Chapel Ridge Road; changing it from Adobe Way to the intersection by the school to be changed to Chapel Ridge Road. Councilor Albrecht seconded the motion.

Josh Anderson stated that the initial proposal was from the Cabela's north parking lot entrance but now it is down to Adobe Way up. He stated that is a significant change to the original proposal considering Cabela's is on the hill and was the first one there. He stated that they have a lot of businesses coming to the area and they are starting to lose their identity and customer base. He stated that the original proposal was to the Traverse Mountain intersection and now the Council is proposing that Cabela's lose all the way down to the intersection by Adobe. He asked the Council to re-consider.

A discussion was held as to whether the Council could re-consider the motion. Councilor Albrecht withdrew her second.

Councilor Condie inquired what the impact is if they left the address change at the parking lot entrance and if there is any impact on anyone. Kim Struthers stated that he just knows that generally it is recommended that the City make a change to an address at an intersection and not at an access point. Councilor Condie asked Chief Paul to restate their position in relation to public safety. Chief Paul stated that he thinks 911 dispatch's concern in this isolated case, doesn't cause a large impact, but just the idea that the street name changes mid-street is concerning. Councilor Condie inquired if it helps that this is a big business. Chief Paul replied that they will be able to find them without any problem. Councilor Revill stated that his main concern was with police and fire for safety reasons. He doesn't think changing it that much more will keep anyone from coming to Cabela's. He feels they have such a strong brand that changing the street name won't stop people from shopping there. Councilor Hancock stated that he feels it is fair to entertain what Cabela's says.

Don Rowley inquired to the possibility of putting in a side road into Entrada and they can name it what they want. Councilor Albrecht stated that she would like to get away from people putting their names on the roads. Councilor Hancock stated that if there was an emergency at Entrada they would be able to give an approximate location. He is not opposed to changing it at the access point. Councilor Albrecht can understand why Entrada doesn't want their address Cabela's Blvd., but doesn't understand why Cabela's cares. Councilor Hancock stated that Cabela's took a chance on Lehi and he would feel better respecting Cabela's as much as possible. Lorin Powell stated that Chapel Ridge keeps going a long way and this is just a continuation. He thinks people really think it is Chapel Ridge now when they turn. Councilor Albrecht thinks it makes more sense to take it back down to Adobe Way.

Josh Anderson stated that their concern is if they take it all the way to Adobe, what is to stop them from taking it all the way down to the Hyatt Hotel. He feels that when you start talking about branding, they are losing their identity little by little. Councilor Condie expressed concern about the precedence this could set.

Councilor Revill stated that he will keep his original motion as it is.

Councilor Albrecht seconded the motion.

**Roll Call Vote:** Councilor Albrecht, No; Councilor Condie, No; Councilor Revill, Yes; Councilor Hancock, Yes; and Mayor Wilson, No. The motion fails with two in favor and three opposed.

**Motion:** Councilor Revill moved to approve the street name change, changing a portion of Cabela's Blvd to Chapel Ridge Road; changing it from where Chapel Ridge starts at the Elementary School until the north parking lot entrance at Cabela's and remain Cabela's Blvd until Adobe Way. Councilor Hancock seconded the motion.

**Roll Call Vote:** Councilor Condie, No; Councilor Revill, Yes; Councilor Hancock, Yes; and Councilor Albrecht, Yes. The motion passed with three in favor and one opposed.

10.8 Consideration of Final Subdivision approval for Eagle Ridge Phase 3, a 37-lot subdivision located at approximately 3300 North 200 West in an existing r-1-10 zone.

**Motion:** Councilor Condie moved to grant Final Subdivision approval for Eagle Ridge Phase 3, a 37-lot subdivision located at approximately 3300 North 200 West in an existing r-1-10 zone; subject to the completion of all Development Review Committee and Planning Commission comments. Councilor Hancock seconded the motion.

**Roll Call Vote:** Councilor Revill, Yes; Councilor Hancock, Yes; Councilor Albrecht, Yes; and Councilor Condie, Yes. The motion passed unanimously.

10.9 Consideration of Final Subdivision approval for Rockwell Estates Plat B, a 21-lot residential development located at approximately 5500 North 2750 West in an existing Planned Community zone.

**Motion:** Councilor Revill moved to grant Final Subdivision approval for Rockwell Estates Plat B, a 21-lot residential development located at approximately 5500 North 2750 West in an existing Planned Community zone; subject to the completion of all Development Review Committee and staff comments. Councilor Condie seconded the motion.

**Roll Call Vote:** Councilor Hancock, Yes; Councilor Albrecht, Yes; Councilor Condie, Yes; and Councilor Revill, Yes. The motion passed unanimously.

10.10 Consideration of Resolution #2016-19, a resolution of intent to annex the Rowley Annexation, approximately .073 acres of property located at 510 West 2100 North with proposed R-1 Flex zoning.

Mahlan Rowley, petitioner was present. He stated that he wanted to ensure that he can keep category 3 animal rights with this annexation. Kim Struthers reported that the flex zone doesn't have any animal rights associated with it and that would need to be part of a special agreement. Councilor Revill inquired if this is a county island. Mr. Struthers replied that it is. Mr. Rowley stated that he has 2 miniature goats and wants to be able to keep them. Councilor Revill stated that he doesn't have a problem with it. Ryan Wood stated that by approving this annexation they are going to allow something that is not allowed by the zoning. Councilor Hancock inquired if could this be subdivided. Mr. Rowley stated that he is putting in a flag lot and that just his property needs the exemption. Councilor Revill inquired if Mr. Rowley could ask for the R-1-22 zone to allow this. Mr. Struthers replied that the RA-1 would be the next closest fit but that is a 15,000 square foot minimum, which Mr. Rowley doesn't have. A discussion was held as to what mechanism to use to approve the annexation and allow the animal rights. Mr. Wood stated that they can approve the Resolution of intent and look for a way to preserve the animal rights.

Don Rowley stated that he will own the flag lot and he is fine with the animal rights. Councilor Hancock suggested tying the animal rights to the owner and not the land.

**Motion:** Councilor Condie moved to approve Resolution #2016-19, a resolution of intent to annex the Rowley Annexation, approximately .073 acres of property located at 510 West 2100 North with proposed R-1 Flex zoning; and that staff work with Mr. Mahlan Rowley and Don Rowley with animal rights pertaining to Mr. Mahlan Rowley's property. Councilor Hancock seconded the motion.

**Roll Call Vote:** Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Revill, Yes; and Councilor Hancock, Yes. The motion passed unanimously.

10.11 Consideration of a grading permit for Seasons Towns/Traverse Estates on 108.6 acres of property located at 1400 West Morning Vista Road.

**Motion:** Councilor Hancock moved to approve a grading permit for Seasons Towns/Traverse Estates on 108.6 acres of property located at 1400 West Morning Vista Road; that it complies with the Area Plan in regard to no export of grading material; that the grading permit has a time limit of 1 year and they would have to come back and request an extension of that grading permit; instruct staff to start working on a preliminary idea of what the park will look like so that grading of that park can be done as part of that. Councilor Condie seconded the motion.

**Roll Call Vote:** Councilor Condie, Yes; Councilor Revill, Yes; Councilor Hancock, Yes; and Councilor Albrecht, Yes. The motion passed unanimously.

10.12 Consideration of Resolution #2016-15 approving the Statewide Utility License Agreement between UDOT and Lehi City.

**Motion:** Councilor Revill moved to approve Resolution #2016-15 approving the Statewide Utility License Agreement between UDOT and Lehi City. Councilor Hancock seconded the motion.

**Roll Call Vote:** Councilor Revill, Yes; Councilor Hancock, Yes; Councilor Albrecht, Yes; and Councilor Condie, Yes. The motion passed unanimously.

**Round Table**

Councilor Condie stated that he talked to 323 people at last Tuesday's caucus meetings and got bombarded with questions. He stated that a developer told him that he would like to come downtown and bring in high density and retail but heard that Lehi City won't allow high density in the downtown area. He heard the most the City would allow is two homes per lot. Councilor Condie wondered what anyone else's thoughts were on this. Kim Struthers stated that a lot of the zoning is R-2 and some blocks are R-3 which is 12 units per acre. He stated that the highest density that the City Council has approved is in Traverse Mountain and some in Holbrook Farms. He stated that the Seasons is 18-20 units per acre, so when they talk about 12 units per acre, he feels that isn't high density. He stated that when they did the utility master planning in the Main Street historic area, they reserved utility capacity for 150 units. He stated that they are open to it, but no one has approached the development department with it. Councilor Hancock stated that if they are talking mixed use

such as retail on the bottom and residential on the top, they couldn't get 18 units per area but feels that 12 would be fine. Kim Struthers stated that this area allows up to three stories.

Councilor Condie thanked staff, the Police Department, and anyone involved with the Hadco discussion. He stated that when Mr. Bentley played the recording, he felt it is a difficult situation as that was extremely loud. He stated that when he opens his door at home, he hears Pioneer Crossing, but not when he shuts his door. He feels the only way that gets resolved is through a civil issue. Ryan Wood stated that he is fairly careful to give suggestions, but there is a private right of action to bring a nuisance case to court. Councilor Condie stated that he has already told them that.

Councilor Albrecht stated that she may have made a procedural goof. She stated that at the Planning Commission they don't discuss an item until a second is made. Ryan Wood stated that either way is correct.

Councilor Albrecht the reported that the Lehi Arts Council is putting on Little Women and encouraged everyone to attend.

Councilor Hancock stated that he watched the video streaming of the last Planning Commission meeting and is thrilled about the streaming of the meetings.

**14. Adjournment**

With no further business to come before the City Council at this time, Councilor Condie moved to adjourn the meeting. Councilor Hancock seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 8:36 p.m.

Approved: April 12, 2016

Attest:

\_\_\_\_\_  
Bert Wilson, Mayor

\_\_\_\_\_  
Marilyn Banasky, City Recorder