



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, **June 29, 2021**, at Lehi City in the Council Chamber, 153 N 100 E. Lehi, UT.

Members Present: Mark Johnson, Mayor
Paige Albrecht, Council Member
Chris Condie, Council Member
Paul Hancock, Council Member
Katie Koivisto, Council Member
Mike Southwick, Council Member

Others Present: Jason Walker, City Administrator; Cameron Boyle, Assistant City Administrator; Beau Thomas, Assistant to the City Administrator; Kim Struthers, Community Development Director; Ryan Wood, City Attorney; Lorin Powell, City Engineer; Dean Lundell, Finance Director; Chief Jeremy Craft, Fire Department; Shaye Ruitenbeek, Management Analyst; and Teisha Wilson, City Recorder.

Pre-Council, 5:30 p.m.

1. Welcome and Invocation

Mayor Johnson welcomed everyone and noted that all Councilmembers were present. Councilor Condie gave the invocation.

2. Presentations and Reports

2.1 Discussion of Letter of Intent for Compass Pointe and Sanctuary

Marlin Eldred stated that the letter was emailed to the Council. He said that that letter of intent will act as the framework for the development agreement. This letter is non-binding and states that the city will negotiate in good faith. Mr. Eldred stated that the Redevelopment Agency would still need to approve the tax increment.

2.2 Fireworks Discussion

Chief Jeremy Craft briefed the Council on his concerns with fireworks this year due to the drought conditions. He said that his proposal to restrict some areas in the city will help mitigate much of the larger hazards while still allowing for some fireworks in designated areas, including some City parks. The Fire Department will also forego the early morning salutes this year. The Council agreed to move forward with the proposal.

3. Agenda Questions

None.

4. Administrative Report

None.

5. Mayor and Council Reports

None.

6. Consideration of adjourning into a Closed Executive Session to hold a strategy session to discuss the purchase, exchange, or lease of real property.

Motion: Councilor Condie moved to adjourn into a Closed Executive Session to hold a strategy session to discuss the purchase, exchange, or lease of real property; and to discuss pending or reasonably imminent litigation. Councilor Koivisto seconded the motion.

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

The Council recessed at approximately 6:20 p.m.

The meeting reconvened at approximately 7:00 p.m.

Regular Session, 7:00 p.m.

1. Welcome, Roll Call, Pledge of Allegiance

Mayor Johnson welcomed everyone and noted that all Councilmembers were present. Councilor Albrecht led the Pledge.

2. 20 Minute Citizen Input

Liz Anderson was concerned that the Peck name was stripped from Family Park and requested that it be reinstated.

3. Consent Agenda

3.1 Approve Minutes from the June 8, 2021 City Council meeting.

Motion: Councilor Hancock moved to approve the consent agenda items. Councilor Koivisto seconded the motion.

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

Item #19 was heard first on the regular agenda followed by item #15

19. Consideration of Ordinance #29-2021, expanding firework restrictions in Lehi City due to existing drought conditions.

Chief Craft proposed that there be firework restrictions in some areas of the city which were designated on the map. They are also opening 4 city parks for residents that may live in the restricted areas. He also encouraged residents to skip the fireworks this year and instead attend a professional firework show.

Motion: Councilor Southwick moved to approve Ordinance #29-2021, expanding firework restrictions in Lehi City due to existing drought conditions as it was presented at the meeting. Councilor Hancock seconded the motion.

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

15. Consideration of approval for the Lehi Tech Office Condo Conversion located at 300 South 1350 East.

Pete Evans was representing the applicant.

Motion: Councilor Koivisto moved to approve Lehi Tech Office Condo Conversion located at 300 South 1350 East; including the Development Review Committee and Planning Commission Comments. Councilor Southwick seconded the motion.

Mr. Evans requested that the comment regarding permission from UDOT be removed because it will take time for UDOT to work through their approval process and they would like to record the plat as soon as possible. He said that the city will still be protected with the bond.

Amended Motion: Councilor Koivisto agreed to amend her motion to allow the developer to record the plat before the DRC comment regarding UDOT is resolved. Councilor Southwick seconded the amendment to the motion.

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

4. Consideration of Concept approval for the Micron Area Plan, changing the Land Use Map of the existing Micron Area Plan. (Tabled from the June 8th meeting.)

Motion: Councilor Condie moved to untable this item. Councilor Hancock seconded the motion.

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

Scott Bishop with DR Horton stated that they've been working with staff and have made some modifications. They moved the open space to the west side to create more of a buffer between the current residents and the active adult community zone. They also changed the triangle piece to open space. Mr. Bishop presented a detailed fiscal analysis with the current plans and the proposed plan which showed that the amenities will greatly improve. He stated that the acreage of open space isn't the same, but the amenities will be much better.

Councilor Hancock stated that his expectation is that the 580 units on the east side will be tied to the Utah County land, so if Lehi annexes it, then the 580 units on the east side will be in Lehi, but if Highland annexes it, the developer would still be entitled to the 580 units in Highland.

Brad Kenison stated that they are encouraging the east west connection in this plan, but the location is currently in Draper, so the city hopes to annex that also. It's also possible that the property owner could grant an easement for a road. Mr. Kenison also explained how the total number of ERU's were calculated, which was based on the sewer capacities.

Mr. Bishop stated that they can address the trail connection and natural waterways concerns that were raised by the Highland City residents.

Mayor Johnson asked for public comment.

Danny Morris brought up a landscaping maintenance issue on the west side (“the panhandle”).

Lori Le stated that she likes the trail access that this development will provide.

John Spencer was concerned about how traffic would dissipate to his street on the west side. He also preferred to see more open space in the plan.

Paul Rastrum was in support of the triangle piece being changed to open space.

Abe Ford stated that he likes the proposed buffer with the active adult zone, but would like the buffer distance to remain consistent.

Nate stated that the buffer acts as a separator between the zones, so there is no need for a fence on the west side of the active adult zone.

Motion: Councilor Hancock moved to approve the Concept for the Micron Area Plan and to include the following: the area referred to as the “Bermuda Triangle” is going to be a park and that the owner and developer of that space will be determined at a future date; and direct the developer to work with City staff to address the maintenance of the newly named “panhandle” area; and with the condition that the 580 units on the east will be either a combination of Lehi/Utah County land, or Utah County/Highland land. Councilor Condie seconded the motion.

There was discussion and suggestions made to the motion.

Amended Motion: Councilor Hancock amended his motion to state that the triangle piece be designated as open space on all maps, but that it could become a park in the future; also, the approved concept map is referred to in the packet as the “recap of proposal west side east side”; also that the units on the east side be adjusted to 597 based on the engineers calculations. Councilor Condie seconded the motion.

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

5. Consideration of Concept approval for X Development’s 2100 North Subdivision, a 65-lot residential development located at approximately 2100 North 2300 West.

Erin Towner was representing the applicant. He said that they are proposing that the private drives be widened to 32 feet which would allow for 28 feet of asphalt to allow for parking on the private drive. They are also proposing a 20-foot driveway. They are requesting 66 lots for density in lieu of trail improvements.

Mr. Struthers stated that they haven't done the calculations to determine the exact number of bonus lots for improvements to the trail.

There was discussion regarding the 2100 north access from this development. The applicant stated that they removed the access because it may not be legally required and the neighbors don't want it. Brad Kenison, Assistant City Engineer, stated that the City won't seek the permit for access until the applicant shows it as part of the concept plan. Councilor Hancock stated that the Council has received comments both in favor and against this access. He said that it may relieve traffic in some area, but it could increase traffic in the neighborhood to the south. Mr. Struthers stated that the staff's opinion is that the access is important for connectivity. Mr. Ryan Wood stated that the access is required by code, so an application should be made to UDOT. If UDOT says no, then the city can't require that access. Mr. Wood also stated that the Council could do a development agreement that waives the connectivity requirement. Mayor Johnson stated that he would like to see a traffic analysis by the traffic engineer to help determine which scenario would be best, with or without an access to 2100 North. Mayor Johnson stated that there is a huge issue with the subdivision on the north of this development because there is not an access to 2100 North and he sees this creating that same issue.

Mayor Johnson also stated that the applicant is requesting a 3 lot density bonus, but the calculations have not been done to determine if that's the correct number.

Jason Lethbridge stated that he was concerned with a 2100 access because of safety concerns. He said that the access will be used to bypass the intersection, so it may not be best for the neighborhood. He supports the concept as proposed.

Angie Lethbridge stated that the proposed plan is fair, and she doesn't want to see smaller lots.

Skyler Beltran stated the homes are needed, and that the Council should hold the developer to what's required in the development code.

Matt stated that an access to 2100 North should be required.

Breanne Franklin stated that she was glad to see that the developer removed the access because she was concerned for her children's safety.

The Council agreed that it was important to review the data and traffic studies to determine if an application for an access to 2100 North should be made.

Motion: Councilor Condie moved table this item and direct that a traffic study with the City Traffic Engineer be conducted and that the applicant work with staff to determine if an application to UDOT should be made for an access to 2100 North. Councilor Condie seconded the motion.

There was discussion of including a timeline.

Amended Motion: Councilor Condie clarified that if it's determined that the access is not needed then the applicant does not need to go through the process of applying for a permit and that the applicant can return and petition for a development agreement.

And include that staff will determine the number of density bonus lots that can be granted.

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

6. Consideration of Ordinance #25-2021, a General Plan Amendment on approximately 13.05 acres located at approximately 1700 West 1500 North, changing the designation from VLDR (very low density residential agriculture) to VLDR (very low density residential).

Steve Tripp was representing the applicant. He stated that he is applying for the zone change because of the other zone changes that have been made. He said that the 22,000 square foot lots aren't desirable and discussed other reasons why he felt the Council should make the change.

Council Koivisto stated that she would like to see what the applicant could accomplish within the current designation.

The Council agreed that they would like to see this area have more of an open space feel with the larger lots and they were also concerned with infrastructure needs if they continue to make even small changes like this, it could have a negative impact overall.

Mayor Johnson asked for public comments.

Mike Brems stated that he is an adjacent property owner and asked that the Council not change the General Plan.

Bart Peacock was also opposed to the change.

Motion: Councilor Koivisto moved to deny this application with the findings that increasing density in the VLDR zones will take away density and utility capacity from other areas better suited for density such as the TOD areas along UTA's corridors. Councilor Southwick seconded the motion.

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

7. Consideration of Preliminary subdivision approval for the Gardner Point Phase 2, a 635-unit residential development located at approximately 3600 West 1500 North.

Ed Stewart was representing the applicant.

Motion: Councilor Southwick moved to grant Preliminary subdivision approval for the Gardner Point Phase 2, a 635-unit residential development located at approximately 3600 West 1500 North; including the Development Review Committee and Planning Commission Comments. Councilor Koivisto seconded the motion.

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

8. Consideration of approval for the Waterford at Millpond Lot 3 plat amendment, amending lot one located at 195 South 850 East.

Johnathan Myers was representing the applicant.

Motion: Councilor Condie moved to approve the Waterford at Millpond Lot 3 plat amendment, amending lot one located at 195 South 850 East; including the Development Review Committee and Planning Commission Comments. Councilor Koivisto seconded the motion.

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

9. Consideration of Preliminary subdivision approval for the Taylor Meadows Plat B, a 22-lot residential subdivision located at 1550 South 500 West.

The applicant was available for questions.

Motion: Councilor Koivisto moved to grant Preliminary subdivision approval for the Taylor Meadows Plat B, a 22-lot residential subdivision located at 1550 South 500 West; including all Development Review Committee Comments and Planning Commission comments. Councilor Hancock seconded the motion.

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

10. Consideration of Ordinance #26-2021, the Lewis Flex Office Zone Change, amending the zoning from Commercial to Heavy Commercial on 10-acres of property located at approximately 4100 West and 2100 North.

Howard Cook was representing the applicant.

Mayor Johnson stated that they received many emails about this item. He believed that most of the comments and concerns were that there would be lots of semi-trucks and large manufacturing with this zone change, so the Mayor asked Mr. Struthers to clarify what the Heavy Commercial zone is. He said that it does allow for office warehouse and noted that a good example of that is the Blender Bottle building on 850 East. Mr. Cook stated that they are still looking to find the right use, but wanted to move forward with the zone change as it is allowed by the General Plan.

The Mayor asked for public comment.

Chris Brown stated that he lives near this area. He doesn't want to see manufacturing or an auto dealership and was against the zone change.

The Mayor and Council discussed how this zone is allowed in the current General Plan land use map.

Motion: Councilor Condie moved to approve Ordinance #26-2021, the Lewis Flex Office Zone Change, amending the zoning from Commercial to Heavy Commercial on 10-acres of property located at approximately 4100 West and 2100 North.; including all Development Review Committee Comments and Planning Commission comments. Councilor Koivisto seconded the motion.

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

11. Consideration of Preliminary and Final subdivision approval for the SOA Plat 1, a 4-lot commercial subdivision located at Blue Sky Road and Orinda Drive.

Motion: Councilor Koivisto moved to grant Preliminary and Final subdivision approval for the SOA Plat 1, a 4-lot commercial subdivision located at Blue Sky Road and Orinda Drive; including all Development Review Committee Comments and Planning Commission comments. Councilor Hancock seconded the motion.

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

12. Consideration of Resolution #2021-39, approving a development agreement between JJR Tennis Club and Lehi City.

Jacob Hansen was representing the applicant. Mr. Wood stated that there are some redline items that they need to review tonight that weren't included in the packet. Councilor Condie would like to see some consideration for the neighbors to the west and ensure that they have a fence to mitigate impacts. Mr. Struthers stated that they could add language to include either a fence or landscape buffer to ensure the impact is minimal. Mr. Struthers stated that the school has purchased property to the west, so there may not be a lot of concern there, but there is still the one house to the west that they need to mitigate the impact to them. Mr. Struthers presented the changes, which mostly includes exceptions to setbacks and height restrictions in the current zone.

Motion: Councilor Condie moved to approve Resolution #2021-39, approving a development agreement between JJR Tennis Club and Lehi City; including the redline comments made by Planning Staff that was presented tonight. Councilor Koivisto seconded the motion.

There was discussion regarding a landscape buffer for the neighbor to the west.

Amended Motion: Councilor Condie amended the motion to include that the applicant work with staff and communicate with the neighbor to the west on screening. Councilor Koivisto seconded the motion.

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

13. Consideration of Ordinance #22-2022, a General Plan amendment on 3-acres located at 2029 West 900 North, changing the designation from VLDRA (very low density residential agriculture) to Commercial. (Tabled from the June 8th meeting)

This item was withdrawn from the agenda.

14. Consideration of Preliminary and Final subdivision approval for the Clover Leaf Fields subdivision, a 6-lot residential subdivision located at approximately 2300 West 700 North. (Tabled from the June 8th meeting)

Brad MacKay was representing the applicant.

Motion: Councilor Koivisto moved to grant Preliminary and Final subdivision approval for the Clover Leaf Fields subdivision, a 6-lot residential subdivision located at approximately 2300 West 700 North; including the DRC comments and planning Commission comment. Councilor Hancock seconded the motion.

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

Item 15 was heard earlier on the agenda.

16. Consideration of Ordinance #28-2021, the Lamb Property General Plan Amendment, changing the designation from MDR (medium density residential) & Mixed Use to just Mixed Use for 0.54-acres located at 1190 North 500 West.

Jamie Ray was representing the applicant.

Motion: Councilor Condie moved to approve Ordinance #28-2021, the Lamb Property General Plan Amendment, changing the designation from MDR (medium density residential) & Mixed Use to just Mixed Use for 0.54-acres located at 1190 North 500 West; including the DRC comments and Planning Commission comments. Councilor Koivisto seconded the motion.

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

17. Consideration of Ordinance #27-2021, a General Plan Amendment for Public Facilities in various locations of the City.

Motion: Councilor Koivisto moved to approve Ordinance #27-2021, a General Plan Amendment for Public Facilities in various locations of the City; including the

DRC comments and Planning Commission comments. Councilor Southwick seconded the motion.

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

18. Consideration of Resolution #2021-38, approving a mutual aid mobile field force agreement with various city and county entities.

Motion: Councilor Hancock moved to approve Resolution #2021-38, approving a mutual aid mobile field force agreement with various city and county entities. Councilor Koivisto seconded the motion.

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

Item 19 was heard earlier on the agenda.

20. Consideration of Ordinance #24-2021, amending the Lehi Bike and Pedestrian Master Plan map.

Mike West, City Planner, highlighted some aspects of the updated plan.

Motion: Councilor Southwick moved to approve Ordinance #24-2021, amending the Lehi Bike and Pedestrian Master Plan map. Councilor Koivisto seconded the motion.

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

21. Adjournment

With no further business to come before the City Council at this time, Councilor Condie moved to adjourn the meeting. Councilor Koivisto seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 1:03 a.m.

Approved: July 13, 2021

Attest:

Mark Johnson, Mayor

Teisha Wilson, City Recorder