



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, **August 23, 2022**, 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
Katie Koivisto, Council Member
Paul Hancock, Council Member
Tyson Eyre, Planning Commissioner
Heather Newall, Planning Commissioner
Emily Britton, Planning Commissioner
Scott Carlson, Planning Commissioner

Excused: Mike Southwick, Council Member

Others Present: Jason Walker, City Administrator; Beau Thomas, Deputy City Administrator; Ryan Wood, City Attorney; Lorin Powell, City Engineer; Kim Struthers, Planning Director; Dean Lundell, Finance Director; Chief Jeremy Craft, Fire Department; Andy Gowans, Management Analyst; and Teisha Wilson, City Recorder.

Pre Council, 5:30 p.m.

1. Welcome and Opening Comment

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

2. Presentations and Reports

2.1 Discussion of a budget amendment for new job position

Mayor Johnson asked the Council to consider a budget amendment to accommodate a new job position for a general contractor. He said that this was brought about due to the very high bids that they received on small construction projects such as bathroom facilities and storage sheds. He believes that this position would save money over time. The Council reached consensus that they would be willing to consider a budget amendment.

3. Joint Planning Commission & City Council Discussion

3.1) Update on UTA's Station Area Plan Study for the Thanksgiving Point Frontrunner Station.

Kim Struthers, Planning Director, introduced the consultants that have been working on the project: The project area includes the 11-acre UTA parcel. They explained that they have done an existing conditions analysis, and community engagement. They said that their goal is to maintain the authenticity of Lehi, and provide a place for future generations. They want to include a mix of uses that create a sense of place. There is a demand for smaller and more affordable units. Right now, there is a significant population increase during the day for those

that work in the office space, so they want to encourage those people to become part of the community.

Transit Oriented Development is an opportunity to promote active street life through an increase in people living, shopping, recreating, and working at Thanksgiving Point.

The consultants presented the preferred concept with 200 units in 2 different buildings with additional office and retail space.

Councilor Koivisto expressed concerns with the additional office space. She believes that there is already too much office space in the area.

Jordan Swade, with UTA, explained that they would like their office space to be used for a specific use such as academics. He explained that UTA plans to create a master development agreement which would include a traffic analysis.

Mayor Johnson asked for the Planning Commissioners to provide their feedback.

Tyson Eyre stated that he would like to see the residential buildings taller. He hopes to see all the pedestrian and bike connections on the final plan.

Heather Newall stated that she would like to see more of the allowed units allocated to this area.

Mr. Swade explained that the number of units in this area was decided based on a series of negotiations with Stack Development.

Scott Carlson stated that he appreciates the effort to change the concept to avoid a free-standing parking structure. He also felt that the area should have more residential units. He hopes they are considering rooftop amenities. He also expressed concerns with parking and hopes that they will provide enough space that the public will use it.

Emily Britton agreed with the previous comments and stated that she would also like to see more residential units here. She also expressed concerns with the impact to the surrounding residents that want to use Frontrunner.

4. Agenda Questions

None.

5. Administrative Report

None.

6. Mayor and Council Reports

None.

7. Consideration of Adjourning into a Closed Session to discuss the purchase, exchange, or lease of real property.

This item was moved to the end of the Regular Meeting.

The meeting recessed at approximately 6:55 p.m.
The meeting resumed 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, except for Councilor Southwick who is excused. Mayor Hancock led the Pledge of Allegiance.

2. 20 Minute Citizen Input

Kashia Keith had a question about the boundary change that's on the agenda.

3. Consent Agenda

3.1) Approve Minutes from the August 9, 2022 City Council Meeting.

3.2) Approve Assignment Order between Lehi City and Jones & Demille Engineering for the FEMA BRIC study for Dry Creek and Waste Ditch.

Motion: Councilor Condie 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, Absent. The motion passed with 4 in favor and 1 absent.

4. Consideration of Resolution #2022-76, adopting the Final Budget and Consolidated Fee Schedule for the City of Lehi for Fiscal Year 2023.

Dean Lundell reported that this is the final budget after the Truth in Taxation process.

Motion: Councilor Hancock moved to approve Resolution #2022-76, adopting the Final Budget and Consolidated Fee Schedule for the City of Lehi for Fiscal Year 2023. Councilor Koivisto seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Hancock, Yes; Councilor Koivisto, Yes; and Councilor Southwick, Absent. The motion passed with 4 in favor and 1 absent.

5. Consideration of Resolution #2022-73, approving an agreement between Lehi City and Hydro Vac Excavation for the installation of pressurized irrigation meters.

Motion: Councilor Albrecht moved to approve Resolution #2022-73, approving an agreement between Lehi City and Hydro Vac Excavation for the installation of pressurized irrigation meters. Councilor Koivisto seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Hancock, Yes; Councilor Koivisto, Yes; and Councilor Southwick, Absent. The motion passed with 4 in favor and 1 absent.

6. Consideration of Ordinance #41-2022, amending Title 9 Chapter 2 Article B Section 15, for the installation of secondary water meters.

Ryan Wood stated that this is to clarify the code to allow for the secondary water meter installation.

Motion: Councilor Condie moved to approve Ordinance #41-2022, amending Title 9 Chapter 2 Article B Section 15, for the installation of secondary water meters. Councilor Koivisto seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Hancock, Yes; Councilor Koivisto, Yes; and Councilor Southwick, Absent. The motion passed with 4 in favor and 1 absent.

7. Consideration of Ordinance #2022-42, amending Title 9 Chapter 2 Article A Section 5, to explicitly limit the use of secondary water for outdoor watering use only.

Dave Norman, Public Works Director, stated that this is to clarify that secondary water cannot be used for indoor purposes.

Motion: Councilor Hancock moved to approve Ordinance #2022-42, amending Title 9 Chapter 2 Article A Section 5, to explicitly limit the use of secondary water for outdoor watering use only. Councilor Albrecht seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Hancock, Yes; Councilor Koivisto, Yes; and Councilor Southwick, Absent. The motion passed with 4 in favor and 1 absent.

8. Consideration of Resolution #2022-74, approving an agreement between Lehi City and SIRQ Construction for pre-construction and construction management/general contractor services for Station 84.

Motion: Councilor Albrecht moved to approve Resolution #2022-74, approving an agreement between Lehi City and SIRQ Construction for pre-construction and construction management/general contractor services for Station 84. Councilor Koivisto seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Hancock, Yes; Councilor Koivisto, Yes; and Councilor Southwick, Absent. The motion passed with 4 in favor and 1 absent.

9. Consideration of Resolution #2022-75, approving an agreement between Lehi City and Navigate CM & Development for the design and construction of a city center and library.

Ryan asked that the Council add to their motion to remove the performance and warranty bond section of the agreement because that is not needed.

Motion: Councilor Koivisto moved to approve Resolution #2022-75, approving an agreement between Lehi City and Navigate CM & Development for the design and construction of a city center and library, and remove the warranty bond section of the agreement. Councilor Albrecht seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Hancock, Yes; Councilor Koivisto, Yes; and Councilor Southwick, Absent. The motion passed with 4 in favor and 1 absent.

10. Consideration of Final subdivision approval for the 2100 North Subdivision, a 66-lot residential development located at 2100 North 2300 West.

Motion: Councilor Condie moved to grant Final subdivision approval for the 2100 North Subdivision, a 66-lot residential development located at 2100 North 2300 West; including any 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, Absent. The motion passed with 4 in favor and 1 absent.

11. Consideration of a Condo Conversion approval for the R&E Properties located at 550 West State Street.

Ken Berg was representing the applicant.

Motion: Councilor Koivisto moved to grant approval Condo Conversion approval for the R&E Properties located at 550 West State Street; including any Development Review Committee and Planning Commission comments. Councilor Albrecht seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Hancock, Yes; Councilor Koivisto, Yes; and Councilor Southwick, Absent. The motion passed with 4 in favor and 1 absent.

12. Consideration of Preliminary subdivision approval for the River Point Phase 2, a 257-unit residential development located at 1200 North 3600 West.

Brandon Watson with Edge Homes was representing the applicant. There was discussion about adding a pedestrian connection, but there were concerns with the grade separation. The stairs may be an eye sore because there could be a 20-foot drop on the sides.

Motion: Councilor Condie moved to grant Preliminary subdivision approval for the River Point Phase 2, a 257-unit residential development located at 1200 North 3600

West; including any Development Review Committee and Planning Commission comments. Councilor Koivisto seconded the motion. Councilor Koivisto withdrew the second. Councilor Albrecht seconded the motion.

Councilor Hancock suggested adding to the motion that the developer work with staff to determine if they can make the pedestrian connection without it being an eye sore.

Amended Motion: Council Condie amended the motion to include Council Hancock's suggestion. Councilor Albrecht seconded the amendment to the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Hancock, Yes; Councilor Koivisto, No; and Councilor Southwick, Absent. The motion passed with 3 in favor, 1 opposed, and 1 absent.

13. Consideration of Ordinance #44-2022, approval of the Karren zone change, from R-1-Flex (residential) to R-2 (medium density residential) on 0.75-acres located at 105 South 500 West.

James Karren was the applicant. He stated that this would allow his property to have two building lots.

Motion: Councilor Koivisto moved to approve Ordinance #44-2022, approval of the Karren zone change, from R-1-Flex (residential) to R-2 (medium density residential) on 0.75-acres located at 105 South 500 West; including any Development Review Committee and Planning Commission comments. Councilor Albrecht seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Hancock, Yes; Councilor Koivisto, Yes; and Councilor Southwick, Absent. The motion passed with 4 in favor, and 1 absent.

14. Consideration of Ordinance #46-2022, approval of the Skye Area Plan amending the Micron Area Plan and including 2,436 equivalent residential units (ERUs), mixed-use space, a civic site, open space, trails and roadways. Located at approximately Timpanogos Highway and Center Street.

Items #14- 17 were heard together.

Scott with DR Horton was representing the applicant. He presented the current proposed plan and said that there were only a few minor changes from the original concept plan. He stated that the tech manufacture buffer was to be left as native open space, but TI is looking into installing solar panels and asked that they allow 60% of the buffer for possible solar panels, while still maintaining a 500 foot buffer between residential areas. He also explained that the dedicated open space next to Draper will be placed in a conservation easement.

Blake Bowman was representing TI. He said that they need some flexibility with the buffer space as they may want to install solar panels and other storage facilities.

Mayor Johnson opened the public hearing.

Rob Ludlow was concerned with the overall Area Plan. He expressed concern that there was not a public park. He was also concerned with the lack of Development Review Committee comments and felt that more time should be taken to analyze the plan.

Lindsay Gehman was concerned with the lack of open space. She was also concerned with overwhelming the schools and stated that the traffic numbers aren't accurate. She was also concerned with fire evacuations.

Motion: Councilor Koivisto moved to approve Ordinance #46-2022, the Skye Area Plan amending the Micron Area Plan and including 2,436 equivalent residential units (ERUs), mixed-use space, a civic site, open space, trails and roadways. Located at approximately Timpanogos Highway and Center Street, including any Development Review Committee and Planning Commission comments. Councilor Hancock seconded the motion.

1st Amendment to the Motion: Councilor Koivisto added to her motion that she suggested that the developer work with Alpine School District to ensure they have the infrastructure to support additional students and that those findings be presented at a future meeting, specifically noting that they ensure that the road grade will meet the District's busing standards. Councilor Hancock seconded the amendment to the motion.

2nd Amendment to the Motion: Councilor Koivisto added that the total amount of ERUs for this amended plan will be entitled to 1751. Also, regarding the Texas Instruments property, 20% of the buffer can be used for any use allowed in the table of uses identified and an additional 40% can be used only for solar, and the other 40% is to remain native, with a 500-foot buffer between residential, and note that they are exempt from the architectural standards of the area plan that relate to housing. Councilor Hancock seconded the amendment to the motion.

Councilor Condie suggested that staff talk with TI to possibly extend the park on the south.

3rd Amendment to the motion: Council Koivisto added Councilor Condie's suggestion to the motion. Councilor Hancock seconded the amendment to the motion.

Councilor Condie was concerned with the buffer zone location to the south of TI, toward SR-92. He doesn't want the usable buffer area to extend south of the TI building but noted that that would affect the 500-foot buffer between residential.

4th Amendment to the Motion: Councilor Koivisto amended her motion to state that staff and the developer explore other options to ensure that the usable buffer area is still aesthetically pleasing. Councilor Hancock seconded the amendment.

There was discussion about changing the percentages and location of the usable buffer space. The Council would like to preserve the open space along the highway.

There was discussion regarding the property rights of the developer and if they were entitled to any kind of use in the open space area.

A representative from TI stated that they are conceding rights that they have currently to construct supportive uses that aren't impacting the city infrastructure. He believes they do have vested property rights. He said that they have good reason to ensure that the entrance is esthetically appropriate. He said that the 60% is a meaningful number to them.

Mayor Johnson suggested that the percentage could be established tonight and the placement of the buffer could be configured later, even if it means that the buffer may be reduced to 400 or 450 feet between residential. The Council agreed that the 60% may be granted tonight, but that the area be defined at a future date.

Restated Motion: Councilor Koivisto restated her motion to approve Ordinance #46-2022, approval of the Skye Area Plan amending the Micron Area Plan, located at approximately Timpanogos Highway and Center Street, including any Development Review Committee and Planning Commission comments; and adjusting the ERUs to 1751. Also take into consideration that the developer work with ASD to ensure that the infrastructure is adequate; and include the buffer percentages as stated earlier. Also, that the developer work with staff to determine the proper alignment of the useable buffer area.

Councilor Albrecht expressed concerns with the traffic study. She requested that an update be done to the traffic study.

5th Amendment to the Motion: Councilor Koivisto amended her motion to include Councilor Albrecht's suggestion. Councilor Hancock seconded the amendment.

Councilor Hancock suggested adding that he recommends DR Horton work with the Parks Department to look at the open space near SR 92 and determine if it can be leveraged for more park space opportunities.

6th amendment to the Motion: Councilor Koivisto amended her motion to include Councilor Hancock's suggestion. Councilor Hancock seconded the amendment.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Hancock, Yes; Councilor Koivisto, Yes; and Councilor Southwick, Absent. The motion passed with 4 in favor, and 1 absent.

15. Municipal Boundary Adjustment between Lehi City and Draper, consisting of 1,035.49-acres of property located at approximately 4600 North 1200 East with TH-5 (transitional holding) zoning.

a. Public Hearing

The Public Hearing occurred under item #14.

b. Consideration of Ordinance #43-2022, approving the Skye Lehi Addition Draper-Lehi Municipal Boundary Adjustment.

Motion: Councilor Condie moved to approve Ordinance #43-2022, approving the Skye Lehi Addition Draper-Lehi Municipal Boundary Adjustment; including any 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, Absent. The motion passed with 4 in favor, and 1 absent.

16. Consideration of Ordinance #47-2022, a General Plan Amendment for the Skye-Lehi Addition (boundary adjustment between Lehi City & Draper), on approximately 1,035.49-acres of property with the proposed General Plan Designations of Environmentally Sensitive Area (ESA), High Density Residential (HDR), Medium Density Residential (MDR), and Low Density Residential (LDR).

Motion: Councilor Koivisto moved to approve Ordinance #47-2022, a General Plan Amendment for the Skye-Lehi Addition (boundary adjustment between Lehi City & Draper), on approximately 1,035.49-acres of property with the proposed General Plan Designations of Environmentally Sensitive Area (ESA), High Density Residential (HDR), Medium Density Residential (MDR), and Low Density Residential (LDR); including any Development Review Committee and Planning Commission comments. Councilor Condie seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Hancock, Yes; Councilor Koivisto, Yes; and Councilor Southwick, Absent. The motion passed with 4 in favor, and 1 absent.

17. Consideration of the Skye Area Plan Second Amendment Concept Plan including 985 additional residential units in the Draper-Lehi Municipal Boundary Line Adjustment Area.

Motion: Councilor Koivisto moved to approve the Skye Area Plan Second Amendment Concept Plan including 985 additional residential units in the Draper-Lehi Municipal Boundary Line Adjustment Area; including any Development Review Committee and Planning Commission comments; and that the reserved ERUS will be part of this from the existing lower property of Lehi City. Councilor Hancock seconded the motion.

Councilor Hancock stated that they want to be careful with the wildland interface and ensure that that area is developed with close coordination with the Fire Department.

Amendment to the Motion: Councilor Koivisto added to the motion that they recommend establishing an evacuation plan in the event of a wildland fire. Councilor Hancock seconded the amendment.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Hancock, Yes; Councilor Koivisto, Yes; and Councilor Southwick, Absent. The motion passed with 4 in favor, and 1 absent.

18. Consideration of Ordinance #48-2022, the Kelly zone change, from RA-1 (residential agriculture) to NC (neighborhood commercial) on 1.08-acres located at 3055 North 1200 West.

Mary Kelly was representing the applicant. She stated that she felt like the NC designation makes sense for this property being that it's next to a busy street.

Motion: Councilor Koivisto moved to approve Ordinance #48-2022, the Kelly zone change, from RA-1 (residential agriculture) to NC (neighborhood commercial) on 1.08-acres located at 3055 North 1200 West; including any Development Review Committee and Planning Commission comments. Councilor Condie seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Hancock, Yes; Councilor Koivisto, Yes; and Councilor Southwick, Absent. The motion passed with 4 in favor, and 1 absent.

19. Consideration of Ordinance #45-2022, a Development Code Amendment to Table 37.080 and Chapter 16 PRD updating the parking requirements for multi-family projects.

Mr. Struthers stated that this amendment will increase overall parking. It also changes the proximity requirements and increases the number of guest parking. This will also eliminate tandem parking.

Motion: Councilor Koivisto moved to approve Ordinance #45-2022, a Development Code Amendment to Table 37.080 and Chapter 16 PRD updating the parking requirements for multi-family projects; including any Development Review Committee and Planning Commission comments. Councilor Albrecht seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Hancock, Yes; Councilor Koivisto, Yes; and Councilor Southwick, Absent. The motion passed with 4 in favor, and 1 absent.

20. Consideration of Ordinance #49-2022, approving an update to the Moderate Income Housing Plan Goals, Strategies and Timeline to come into conformance with State requirements.

Motion: Councilor Koivisto moved to approve Ordinance #49-2022, approving an update to the Moderate Income Housing Plan Goals, Strategies and Timeline to come into conformance with State requirements. Councilor Albrecht seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Hancock, Yes; Councilor Koivisto, Yes; and Councilor Southwick, Absent. The motion passed with 4 in favor, and 1 absent.

7. Consideration of Adjourning into a Closed Session to discuss the purchase, exchange, or lease of real property. (Pre-Council Agenda Item)

Motion: Councilor Condie moved to Adjourn into a Closed Session to discuss the purchase, exchange, or lease of real property. Councilor Koivisto seconded the motion.

Roll Call Vote: Councilor Albrecht, Yes; Councilor Condie, Yes; Councilor Hancock, Yes; Councilor Koivisto, Yes; and Councilor Southwick, Absent. The motion passed with 4 in favor, and 1 absent.

The meeting adjourned into a Closed Session at approximately 10:09 p.m.
The meeting resumed at approximately 11:44 p.m.

21. Adjournment

With no further business to come before the City Council at this time, Councilor Koivisto moved to adjourn the meeting. Councilor Hancock seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 11:45 p.m.

Approved: September 13, 2022

Attest:

Mark Johnson, Mayor

Teisha Wilson, City Recorder