



153 North 100 East  
Lehi, UT 84043  
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Minutes of the **Regular Session** of the **Planning Commission** held Thursday, **January 28, 2016**, at 7:00 p.m. at the Lehi City Administration Building, 153 North 100 East, Lehi, Utah.

**Members Present:** Kelly Ash, Commissioner  
Scott Dean, Commissioner  
Mark Hampton, Commissioner  
Matt Hemmert, Commissioner  
Janys Hutchings, Commissioner  
Jared Peterson, Commissioner  
Steve Roll, Commission Chair

**Others Present:** Kim Struthers, Planning Director, Tippe Morlan, City Planner, Ross Dinsdale, Engineer, Morgan Cummings, Assistant City Attorney; Teisha Wilson, Deputy Recorder; and approximately 25 citizens.

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**1. CALL TO ORDER**

Commission Chair Steve Roll welcomed everyone and noted that all members were present.

**2. OPENING OF PUBLIC HEARING ITEMS**

Items opened for public hearing at approximately 7:04 p.m.

**3. CONSENT AGENDA**

3.1 Approval of minutes from the January 7, 2016 meeting.

3.2 Approval of minutes from the January 14, 2016 meeting.

**Motion:** Commissioner Dean moved to approve the consent agenda. The motion was seconded by Commissioner Hutchings.

The Motion passed unanimously.

**4. REGULAR AGENDA**

**4.1 Edge Land 16 – Requests review and recommendation of a General Plan Amendment on approximately 8.9 acres of property located at 2300 West Main Street changing the land use designation from C (Commercial) to HDR (High Density Residential). (Tabled from the December 10, 2015 meeting)**

Tippe Morlan, City Planner, informed the Commission about the details of the property. She said that this is a General Plan amendment for 8.9 acres. She said that Doug Meldrum, the City's Economic Development Director, conducted a market analysis on this property and that the results showed that the corner was viable for retail commercial, but not on the entire 9 acres, so they are proposing this change in accordance with that study. She said that the other portion would be high density residential. Tippe showed the Commission the elevations of the residential townhomes.

Commissioner Dean inquired about this item being tabled at the previous meeting due to the concerns with sewer capacity. Ross Dinsdale, City Engineer, replied that the sewer concerns have been resolved with staff and he is sure that the needs will be met for this project. Mr. Dinsdale said that they have plans for upgrades in the far future if needed.

The applicant, Steve Maddox with Edge Land, was present and available for questions. He said that the concerns with sewer capacity were resolved with staff and they now feel comfortable moving forward. He said that they are also working on a development agreement with the city.

Commissioner Peterson inquired about the acreage amount of the commercial zone. Mr. Maddox replied that it is 1.6 acres.

Commissioner Hampton inquired about the elevations to the proposed residential area. Mr. Maddox showed a rendering with the buildings moved to the front and will include a wider than normal sidewalk, planter strip and lighting fixtures. He said that the elevations of the residential units and commercial building will be tied together, and that they have procured an easement from Alpine School District for pedestrian access to the school property through this property. He said that all of the residential units will access their driveways from inside the project and not from Main Street.

Commissioner Dean inquired about the Development Agreement. Kim Struthers, Planning Director, stated that they are working on an agreement with the developer and would continue fine tuning the agreement.

Chair Roll stated that he does not want to give up commercial, but the study does show that it is not viable in that area. He also said that General Plan amendments need to be seriously considered. Commissioner Hutchings agreed with Chair Roll.

Commissioner Hampton expressed his concerns with the narrowness of the property in regards to commercial development.

Commissioner Dean is supportive of the change and believes that a residential zone next to a school is a better fit than commercial, and was also complimentary of their design plan.

Commissioner Hutchings doesn't think that commercial should be next to a Jr. High, so she is in support of this change.

**Motion:** Commissioner Hutchings moved to approve with a positive recommendation the General Plan Amendment of 7.3 acres of property

located at 2300 West Main Street changing the land use designation from C (Commercial) to HDR (High Density Residential); including that it does fit in with the General Plan in that area; and that it would be an improvement in the area; noting that the city and developer are working on a development agreement; including all DRC comments; with the finding that it is not detrimental to the health, welfare and safety of Lehi City. Commissioner Dean seconded the motion.

Commissioner Hampton inquired if the development agreement stays with the property even if the owners change. Mr. Struthers replied that it does.

The Motion Passed Unanimously.

#### **4.2 Edge Land 16 – Requests Concept Plan review and recommendation for Willow Creek, a 113-unit residential development located at approximately 2300 West Main Street. (Tabled from the December 10, 2015 meeting)**

Ms. Morlan stated that this will include the commercial development and the residential development. She said that this includes the design of the street which have similar design features to Lehi's Historic Downtown Main Street.

Commissioner Hutchings inquired about the entrance to the residential area and the proximity to the intersection. Mr. Dinsdale said that a traffic report will be done and it will be looked at in the site plan stage.

There was discussion regarding the design standards and where those apply.

The applicant, Mr. Maddox, was present. He said that they are donating about ½ of an acre along Main Street in order to secure what they are proposing. He said that he will work with staff to determine the colors. He would also like a theme that may be put into an ordinance that would be continued on east of the development. He said that the footprint for the commercial building would be similar to what is currently being developed on 2300 west and Pioneer Crossing. He said that they will continue to work with the city on the development agreement.

Commissioner Hutchings suggested using design features on the commercial building that would blend into the town homes. Mr. Maddox replied that he would like the design features to be similar.

There was discussion regarding the excessive amount of parking stalls in the commercial development. Mr. Maddox stated that that will be further reviewed on the site plan, but that they do see this as a cross user community, meaning that the commercial will shut down at 6 or 7 p.m. and then that parking can be used for visitor parking from the residential development. He said that he will have further discussion with staff on this issue.

Commissioner Peterson inquired about the cattle feedlot next to the development. Mr. Maddox stated that they will disclose that to potential buyers. He said that there will be a 6 foot fence.

Commissioner Hutchings expressed concerns for the density next to the feedlot.

**Motion:** Commissioner Peterson moved to approve with a positive recommendation the Concept Plan review and recommendation for Willow Creek, a 113-unit residential development located at approximately 2300 West Main Street; including all DRC comments; finding that based on the previous General Plan amendment that this conforms to the general plan, noting that there are a few minor things that need to be worked out with staff including the coloring and commercial building; Commissioner Ash seconded the motion.

Commissioner Hutchings inquired if this should be contingent upon the approval of the general plan amendment.

**Amended Motion:** Commissioner Peterson amended his motion to include that the approval of this item is contingent upon the Council's approval of the previous general plan amendment; and to include that staff is working on a development agreement. Commissioner Ash seconded the amended motion.

Mr. Struthers suggested included in the motion that staff will finalize the development agreement with Edge Land.

**Amended Motion:** Commissioner Peterson added to his original motion that they recognize that the development agreement is a work in progress and that it will be finalized with staff before final. Commissioner Ash seconded the amended motion.

The motion passed unanimously.

#### **4.3 Mark Johnson – Requests Concept Plan review and recommendation of the Larsen-Schoonover-Scott subdivision, a 5-lot residential subdivision located at 1150 North 300 East in an existing R-1-8 zone.**

Ms. Morlan stated that is a standard subdivision off of 300 East. She said that it is already an existing cul-de-sac, but is not finished. She said that this would finish it with curb, gutter and sidewalk and subdivide some other lots. She said there are issues with proposed lots 2 and 3 as they do not meet the 80ft. frontage requirements. She also said that lot 3 is below the 8,000 square foot requirement. She said that the DRC commented that one of the two lots needs to be eliminated in order to meet the R-1-8 requirements; however, a density in lieu of payment option can be worked out with the city since there is potential to allow the reduced lot size and frontages in lieu of payment for street improvements.

Commissioner Hutchings inquired if the cul-de-sac was a standard size. Mr. Dinsdale stated that it is not and informed the Council that there is some history regarding this development. He said there is currently a gravel road and a home in the back. He said that there was a subdivision plat done in 1979 and for whatever reason it wasn't recorded with the city. He said that the Planning

and Engineering Departments feel comfortable allowing this even though it doesn't meet the standard, because it's a compromise for the city to get improvements.

Commissioner Hampton inquired as to how the density in lieu of payment works. Mr. Dinsdale stated that if the developer pays for the city improvements then the city will allow extra density.

Commissioner Hutchings inquired about the properties on the south. Mr. Dinsdale stated that the property owners to the south do not want to be a part of the project, and some of those details will still need to be worked out at a later stage.

Commissioner Dean inquired if there was to be curb and gutter on the south. Mr. Dinsdale stated that there is no curb and gutter here, but that it may be an agreement worked out for density in lieu of payment for the improvements to add curb gutter and a small section of asphalt.

There was discussion regarding the turn-around for a fire apparatus. Mr. Dinsdale stated that they are okay with the size as long as the Fire Department is okay with it.

Mark Johnson, representing the applicant, stated that these are plated lots and still contain the corner stakes from 1979. He said that Dennis Schoonover is the property owner of the proposed lots 1, 2 and 3; and his son lives in the existing home on lot 1. He said that 2 other property owners felt it's time for the road to be finished. He said that 300 East has to be constructed to the west now because the east side is finished, so the property owner would have to give up an additional 6 feet more than the standard to meet the 75 feet right of way. He says they are willing to do that to try to get the extra lot and that Mr. Schoonover also owns the property to the south and is willing to dedicate property for future improvements. He said that the proposal was to build curb, gutter and sidewalk on the north side, build curb around the cul-de-sac, and terminate it back to the existing home. Mr. Johnson said they looked at building curb, gutter and sidewalk on the south side, but they had some issues with that.

Mr. Johnson feels that with the 6 additional feet being constructed on 300 East, and the construction of curb, gutter and sidewalk on 300 East, and also the donation of the additional property south at the proposed edge of asphalt for future construction, is good consideration for the extra lot.

Commissioner Hutchings inquired about the fire hydrants. Mr. Johnson stated that the hydrant on 300 East would need to be relocated and there would be another hydrant by the cul-de-sac. Mr. Johnson stated that he would like the Commission to address some of the DRC comments in their motion. He said the first is item number 3 in regards to the density bonus and the other is item 5. He said that he thought this was resolved in DRC. He said that the DRC is asking for curb gutter and sidewalk around the cul-de-sac on lots 4 and 5, but if they do that it's unclear to him if it should be constructed inside or outside of the right away. He also said that the sidewalk in the cul-de-sac doesn't serve a purpose and is only benefiting the two homes. Mr. Johnson is proposing no sidewalk, just curb and gutter back there.

Commissioner Hutchings stated that she does not see the need for a sidewalk in the back of the cul-de-sac.

Mr. Dinsdale stated that the DRC would be okay with no sidewalk in the cul-de-sac. He also said that the decision doesn't have to be made now unless the Planning Commission sees the need. Mr. Dinsdale said that when they consider allowing density bonuses they look at the cost of the improvements to be at least \$50,000. He said that improvements made for this project would be about half of that.

**Motion:** Commissioner Hutchings moved to approve with a positive recommendation the Concept Plan of the Larsen-Schoonover-Scott subdivision, a 5-lot residential subdivision located at 1150 North 300 East in an existing R-1-8 zone; taking into mind that the DRC comment #5 be eliminated as it was taken care of in the DRC meeting that the sidewalk be eliminated in the cul-de-sac, but curb and gutter are still required; also include curb, gutter and sidewalk on the properties north and along 300 East; on lots 2 and 3 that do not meet the requirements, we recommend approval of in lieu of payment for improvements; include all other DRC comments; with the finding that this will not be injurious to the health safety or welfare of Lehi; and include that this is clearing up a problem that was established back in the 1970's. Commissioner Peterson seconded the motion.

Mr. Dinsdale asked for clarification on the improvements if they included the south side or not. Commissioner Hutchings inquired how they can improve the property if they don't own it. There was discussion regarding the sidewalk and asphalt on the south side. Mr. Struthers stated that staff would like to see improvements made to the south.

**Amended Motion:** Commissioner Hutchings amended the motion to include that the applicant work with staff to resolve the south side road improvement issues. The amendment to the motion was seconded by Commissioner Peterson.

Motion passed unanimously.

## **5. PUBLIC HEARINGS**

### **5.1 BLJ Construction – Requests Preliminary Subdivision review and recommendation of Rockwell Estates Plat B, a 20-lot residential subdivision located at approximately Grey Hawk Drive and Chestnut in an existing Planned Community zone.**

Ms. Morlan stated that the applicant has redone the property and is changing it to a single family subdivision. She said the property is designated as high density residential, so it still meets the requirements. She said that to the north there is a powerline easement and a trail easement. She said the property included 4.7 acres of open space. She said this is a steep area, and it needs to be clarified as to whom will maintain the open space area.

Commissioner Hutchings inquired if the cul-de-sac meets the standard requirements. Mr. Dinsdale replied that it does.

The applicant, Brandon Jones with BLJ Construction, was present. He said that the open space will be maintained by the Traverse Mountain HOA. He also said the trail easement is to allow city access to construct the trail when it's time for the trail is to be built.

Commissioner Hutchings inquired about the building envelopes for each lot due to the steep slopes. Mr. Jones replied that the retaining walls will start around 30 feet and gradually decrease to about 7 feet. He said that he was able to identify the building envelope on each lot. He said that they may add one more lot next to lot 13 because there is a power easement that would allow for an additional lot.

Chair Roll asked for Public Comment.

Kevin Taylor, a resident, expressed concern for the undeveloped cul-de-sac and would like to see bumper guards there to protect the homes. There is no curb, gutter or sidewalk and he would like to see the rail guards there to prevent any slide offs of cars into the back of their homes. He is not sure if BLJ Construction is responsible or if it's Traverse Mountain, but he would like someone to look into it.

*Chair Roll closed the Public Hearing at 8:16 p.m.*

Commissioner Hutchings inquired about the cul-de-sac that Mr. Taylor referred to. Ms. Morlan stated that it is used as a temporary turnaround. Mr. Dinsdale stated that there may be a portion of that that needs to be dedicated to Lehi for a city street. He also said that they can work with them to put up some barricades.

Commissioner Peterson inquired about the retaining wall requirements. Mr. Dinsdale stated that retaining walls over 4 feet need to be engineered and reviewed by the building department.

**Motion:** Commissioner Peterson moved to recommend approval to the Council the Preliminary Subdivision of Rockwell Estates Plat B, a 20-lot residential subdivision located at approximately Grey Hawk Drive and Chestnut in an existing Planned Community zone; including all DRC comments; finding that the proposed does meet the requirements of the development code and conforms with the area plan; and is not detrimental to the health safety and general welfare of Lehi City. Commissioner Dean seconded the motion.

Motion passed unanimously.

## **5.2 Ben Hunter – Requests Site Plan and Conditional Use approval for Fox Brothers Office/Warehouse to be located at 459 North 500 West in an existing Light Industrial zone.**

Ms. Morlan informed the Commission about the Conditional Use request. She said the property is 3.67 acres, but only 1.04 acres is proposed to be developed at this time. She said the remainder would be undisturbed, but may be used for storage and that would require proper buffering and screening requirements. She said that the DRC made a comment about providing adequate

buffering and screening along the entire property if they are going to use it for parking vehicles and storing vehicles or equipment. She said the buffering and screening would require a 6 foot fence, a 12 foot buffer area, and trees planted every 30 feet. She said that the applicant is requesting an exception to the 51% hard surface requirement in the design standards of the development code. She said the DRC did not support that exception.

Commissioner Dean inquired about the elevations. Ms. Morlan stated that the commission would like to see more wall variations and appropriate materials.

Ben Hunter, with Blackridge Engineering, was present. He stated that there will be two tenants for this building. He said they included the buffer along the residential areas, and that there are existing trees along the fence line and the applicant will plant trees as necessary to meet the standards. He said that they are planning to construct a 6 foot fence along the residential area. He stated that along the south west property line that parallels the rail tracks, they would like to maintain the current wire fence.

Commissioner Hutchings inquired about any agricultural uses to the north of the property. Mr. Hunter replied that they would install a no climb fence if needed.

There was discussion regarding the proposed building materials.

Ms. Morlan also noted that the applicant would need to show which areas would be used as storage and that they wouldn't be parking or storing any materials within the buffered area.

Mr. Hunter stated that they will provide access for the irrigation company.

Commissioner Dean inquired about what may happen if the irrigation company chose to install pipe. Mr. Hunter stated that the applicant may pipe the ditch on the north side for easier maintenance and allow the irrigation company to have access if the pipe needs to be cleaned.

Chair Roll asked for public comment. There were no comments from the public.

*Chair Roll closed the Public Hearing on this item at 8:31 p.m.*

There was further discussion regarding the proposed metal panels. Mr. Struthers stated that staff proposed some ideas that included more brick that would meet the standards.

Brian Fox, the applicant, looked at the suggestions from staff. He said he likes the proposal on the front of the building, but he expressed concern with the additional brick on the back of the building, towards the residents. He said that with the trees and the fence, the building on that back side would not be seen. He also said that he would like to add awnings around the corner and tie them together.

**Motion:** Commissioner Hutchings moved to approve the Site Plan and Conditional Use for Fox Brothers Office/Warehouse to be located at 459 North 500 West in an existing Light Industrial zone; with the conditions that they need to note on their plat what areas will be used for parking equipment,

and maintain the 12 foot buffer; and have the 6 foot no climb fence and trees as indicated on the plat; also with the conditions that the building has the architectural design features added with the 51% hard surface as city code requires on the front and sides only; noting the DRC comments unless we made changes; including the wall variations as proposed by staff with vertical height differences on the building and wrap around awning. Commissioner Peterson seconded the motion.

Commissioner Peterson stated that this means that the building may not look exactly like the renderings from staff. Mr. Fox replied that it will look even better.

**Amended Motion:** Commissioner Hutchings amended her motion to state that the rock on the north east corner will wrap around the corner. Commissioner Peterson seconded the amendment.

Mr. Morlan asked for clarification on the exception as far as what they need to do on the design of the back of the building.

**Amended Motion:** Commission Hutchings amended her motion to include that the back of the building match the renderings as presented by the applicant. Commissioner Peterson seconded the amendment.

The Motion passed unanimously.

## **6. CITY BUSINESS**

There was discussion regarding the upcoming meetings and possible work session topics.

## **7. ADJOURN**

With no further business to come before the Commission at this time, Commissioner Dean moved to adjourn the meeting. Commissioner Peterson seconded the motion. The motion passed unanimously.

The meeting adjourned at approximately 8:47 p.m.

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Commission Chair, Steve Roll

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Deputy Recorder, Teisha Wilson

Minutes were approved on February 11, 2016