

LEHI CITY PLANNING COMMISSION MEETING

Minutes from the Lehi City Planning Commission Meeting held on Thursday, July 14, 2011 in the Lehi City Council Chambers.

Members Present: Kerry Schwartz, Ed James, Carolyn Nelson, Carolyn Player, Marilyn Schiess, Janys Hutchings, Kordel Braley, Derek Byrne

Members Absent: None

Others: Christie Hutchings, Kim Struthers, Frankie Christofferson, Lorin Powell, Council member Mark Johnson, Ken Rushton

Meeting began at 7:00 p.m.

CONSENT AGENDA

3.1 Approval of minutes from the June 9, 2011 regular meeting.

Ed James moved to approved the Consent Agenda, items 3.1, 3.2, and 3.3, with any applicable DRC comments. Second by Marilyn Schiess. Motion carried unanimous.

3.2 Megan Hinckley – Requests approval of a Major Home Occupation permit to operate Happy Day Preschool from her home located at 2221 North 600 West in an existing R-1-8 zone.

Ed James moved to approved the Consent Agenda, items 3.1, 3.2, and 3.3, with any applicable DRC comments. Second by Marilyn Schiess. Motion carried unanimous.

3.3 Karen Smedley – Requests approval of a Major Home Occupation permit to operate Karen’s Kinder Kare, an in-home daycare located at 765 West 700 South in an existing RA-1 zone.

Ed James moved to approved the Consent Agenda, items 3.1, 3.2, and 3.3, with any applicable DRC comments. Second by Marilyn Schiess. Motion carried unanimous.

REGULAR AGENDA

4.1 Richard Chiu – Requests approval of a Moving of Buildings application to allow 3 accessory buildings to be moved onto property he owns located at approximately 2600 West 700 South in an A-5 (Agricultural) zone.

Kim Struthers presented the request. He indicated the applicant would like to move 3 accessory structures onto property in west Lehi. In order to move an existing structure, approval by the Planning Commission is required. The applicant has purchased 3 sales offices from a local builder in a near-by subdivision. He would like to use these as accessory structures for agricultural uses. The property is at approximately 2600 West and 700 South. There is an existing home on the property that is currently vacant, and he would like to place the accessory structures around the home. The structures cannot be used as residential structures, nor can they be connected to City utilities.

Ed James stated that he was reading through the packet, and asked about the DRC comment to put the buildings on the ground.

Kim Struthers indicated the buildings are just resting on railroad ties, as they have already been brought in. These are temporary accessory buildings and would not require a permanent foundation.

Ed James asked what assurances does the City have that one of the buildings is not used as an office or as another type of use. He is concerned with the buildings just sitting there on the ground.

Kim Struthers indicated that the DRC comments state the buildings cannot be used for human occupancy. Enforcement would be by the City.

No applicant was present for the request.

Jany's Hutchings asked if the Power Department could be notified not to hook the buildings up to power.

Kim Struthers indicated that the Building Inspections Department would receive the request to hook up the power, and they are aware of this situation.

Ed James moved to continue this item to the next Planning Commission meeting, until the applicant can be present. Second by Kordel Braley. Motion carried unanimous.

4.2 Kevin Thode w/ RSP Architects – Requests Site Plan approval for Buffalo Wild Wings located at 92 North 1200 East in an existing C (Commercial) zone.

Kim Struthers presented the request. He indicated this request is for a new restaurant. The location is between Walgreen's and Pollo Loco, adjacent to Costco and Lowe's. This is the one remaining vacant pad in the shopping center. The DRC has reviewed this request, and it does meet the site plan standards. There are a few remaining red line comments that need to be addressed before construction can begin.

Kerry Schwartz asked about the shared parking agreement.

Kim Struthers indicated there is shared parking between Lowe's and Costco. Most of the site improvements are already in place. Landscaping will be added to parking islands and around the building. There is outdoor dining on the east side of the building. Architectural renderings of all sides have been presented. With the rock and brick building materials, it does meet the Commercial Design Standards.

David Anderson, with Great Basin Engineering, stood as the representative for this request.

Kordel Braley asked about the shared parking agreement.

David Anderson stated that the shared parking agreement was created by the original developer of the entire commercial development, including Pollo Loco and Walgreen's. He's unsure if Costco and Lowe's are included in the agreement.

Kordel Braley indicated that he wanted to make sure the shared parking agreement included Lowe's and Costco, as they seem to have more parking than the adjacent restaurant. He also noted the painted cross walk.

Ed James asked about the 34 shared stalls.

Kerry Schwartz asked about the elevation on the north end, with the DRC comment asking for an additional awning over the man door.

David Anderson indicated they would prefer to add more brick or other accents to the north side of the building, instead of the awning, as this is simply a service entrance and do not want the appearance that it is a main public access.

Kim Struthers indicated he had a discussion with the architect. There is wall variation at the top, and additional variations can be added. The concern is that this is the side that will be seen from the main access through the commercial development. They do not want to place an awning if it gives the appearance this is a public entrance, because it is a service entrance only.

Carolyn Nelson asked about the wall pack light, and if it would impact the awning.

David Anderson indicated that the light would need to be moved if an awning was placed.

Kerry Schwartz reminded the Commission the issue with the awning is addressed in item #9 from the DRC general comments.

Derek Byrne asked about the fencing materials around the dumpster enclosure.

David Anderson indicated that it would be an opaque fencing, as per City Code.

Derek Byrne would prefer nice fencing around the dumpster rather than an awning.

A discussion was held regarding the requirements for opaque fencing around the dumpster and for an awning over the man door on the north side of the building.

Kordel asked about the west side of the building, behind the parking lot where the drive-thru with Walgreen's is located.

David Anderson indicated that access has been verified.

Ed James moved to approve item 4.2, Site Plan approval for Buffalo Wild Wings, and to approve with the following: DRC redline comments, including item #9 from the General Comments, and that a parking agreement be provided to Staff prior to issuance of the building permit. Second by Marilyn Schiess. Motion was amended to include that the opaque fencing around the dumpster be either wood or metal in a color scheme to match the building. Motion carried unanimous.

4.3 Brett Boren – Requests discussion on the Cross Creek Commercial site located at approximately 1350 East 200 South (discussion only, no action).

Kim Struthers indicated that the applicant has asked to be pulled from the agenda. They will be placed on the July 28, 2011 meeting.

4.4. DJ Investment Group LLC – Requests review and recommendation for a Zone District and Zone District Map Amendment on approximately 78 acres of property located at approximately 4200 North 600 West from an R-1-12 (Residential) to an R-1-8 (Residential) zone. (Continued from 5/12/11)

Kim Struthers presented the request. He stated that this item has been continued from the June regular meeting. The public hearing was held and has been closed. The property is located in North lehi, adjacent to Traverse Mountain at the base of the low hills and west of Micron property. The existing General Plan Land Use Designation is LDR and the existing zoning is R-1-12. The property surrounding this site is TH-5. The request is to change the property from R-1-12 to R-1-8, taking it from 3 units per acre density to 4 units per acre density. He showed pictures of the property. This item was tabled by the

Planning Commission and specific information requested in the motion. The applicant submitted an email with his response to the Planning Commission's concerns.

Ed James asked for a confirmation as to whether additional conceptual information or studies have been presented by the applicant to address the Planning Commission's concerns.

Kim Struthers confirmed that the email is the only additional information that has been submitted.

Dave Mast with DJ investments stood as the applicant. He gave a background on the project, and noted this is his 3rd attempt at a rezone on this property. If he receives approval, he would like to start the first phase of construction by this time next year. He wants to remain LDR, and does not want high density housing. He has indicated that the R-1-12 lots are unmarketable and he has spent over \$1 million in water shares for his annexation. He has a copy of the Staff Report, and feels he has complied with all the points of concern from the last Planning Commission meeting.

Kerry Schwartz clarified that the Commission had asked for the information, and not staff.

Dave Mast has indicated he has relevant information. Lehi City has contracted with consultants to look at revisions to the General Plan. The City has asked the consultant to view issues such as economics. There is also 21% of his property that is TH-5 where community services could be put in, such as water tank facilities. He would surrender the land to Lehi City for those purposes. He has also entered into a joint venture with Micron for sewer infrastructure. He also received an email from Kim Struthers stating the Planning Commission's motion, and feels he has answered the concerns. He has 5 accesses to the property – 3 of which the City told him in DRC would be required.

Kerry Schwartz reminded the Commission that the recommendation for zoning is the item before them. Some of the discussion on access and grading may be more appropriate at the time of development approvals.

Dave Mast also provided an exhibit for the RFP that the City placed for consultants on the General Plan revisions.

Kordel Braley indicated that he wanted the applicant to investigate a the possibility of a PRD on the property.

Dave Mast indicated that they have taken Kim Struthers to visit a development in Draper, and that is the model for development of this property that they would like to use. R-1-8 is a more affordable lot size. There are proposed high density land uses surrounding this property. He doesn't like clustered developments.

Kordel Braley asked him to run the numbers again to see how many lots he would get with a PRD overlay on the R-1-12 and with a standard R-1-8 subdivision.

Dave Mast indicated there are 94 gross acres. He would like to develop 78 acres. Of the remaining 18 acres, he would like to surrender that to the City for their use. There may even be trail heads that would provide access into the mountains.

Ed James asked the applicant to generally describe the topography of the 18 acres.

Dave Mast indicated that some of the property is 30 percent grade and higher while some is 20 percent. There is a knoll that is flat on top with a panhandle, and the top ½ of the knoll and panhandle being unbuildable.

Ed James wanted to know how much of the 18 acres would be available for public use.

Dave Mast indicated that about ½ of the 18 acres, or 9 acres, would be available for public use.

Ed James indicated that his intent for the motion from the last meeting was to ask the applicant to provide some creative thoughts on how the property could be developed. He also asked how the information presented would mesh with the Micron property.

Kim Struthers indicated that on the adjacent Micron property, there is a proposed school site and some property proposed to be medium density residential that is shown immediately adjacent to the Mast property.

Dave Mast showed that there is proposed to be high density on the south and west boundaries of his parcel. This site is narrow and long.

Ed James asked for a clarification on the 78 acres for the zoning proposal, and whether there would be amenities.

Dave Mast indicated he would also be willing to enter into a development agreement with Lehi City to surrender the 18 acres of property to Lehi, and that is where the amenities would be.

Kordel Braley asked where the nearest park would be.

Dave Mast indicated that there are park areas proposed in the Micron Area Plan to the west.

Kordel Braley feels that this site is large enough that if a PRD was done that amenities would be provided and higher densities/smaller lots could be developed, which would benefit both the City and the Developer.

Dave Mast indicated that he prefers a traditional subdivision to a cluster development.

Kordel Braley indicated that he is not against the proposal, but he would like to see parks and public facility spaces. Families would like to have parks close to where they live

Dave Mast has indicated that the mountains are adjacent to his project, and that would serve as open space.

Kerry Schwartz would like some way to for the development to provide amenities for the residents that choose to live there.

Kordel Braley indicated that there was previous discussion in a meeting where Traverse Mountain was discussed about possibly transferring density from Traverse Mountain to this development.

Kim Struthers indicated that proposal is no longer on the table.

A discussion was held regarding the possibilities of a PRD.

Ed James moved to recommend denial on item 4.4, DJ Investment's request for a zone change to 78 acres based upon the lack of information presented by the applicant to the Planning Commission's previous concerns. Motion died for lack of a second.

Jany's Hutchings indicated the Commission is hesitant to lower the lot size without the assurance of any amenities from the developer.

A discussion was held regarding the information presented by the developer.

Ed James indicated that he would like to see some creative features from the developer.

Kordel Braley indicated he would be willing to table this to give the applicant more time to provide additional information.

Kerry Schwartz reminded the Commission that this item has been tabled once before and the information requested was not provided.

Janys Hutchings is concerned about increasing the density and then adding a PRD, which could further increase the density.

Lorin Powell indicated the density is a concern, but in light of the discussion, he feels the PRD would also cut down on the cost of improvements and give the applicant 8,000 square foot lots without changing the zone.

Ed James indicated he would be willing to change the zone with a PRD overlay.

Derek Byrne indicated that it is the responsibility of the applicant to convince the Commission to grant a higher density, and he doesn't feel that the case has been made. Additionally, if the change is made, there are several applicants who have been denied for the very same reasons. If the chair is willing, he would like to make entertain a motion.

Derek Byrne moved to recommend denial of item 4.4, DJ Investment's request for a zone change, because the applicant has not provided sufficient information to persuade the Commission that an R-1-8 is a justifiable zone and to recommend the application look at other ways to reach the required density through some of the tools in the Development Code, such as a PRD or a PUD. Second by Ed James.

Kordel Braley asked if the applicant would like more time to provide information to Planning Commission, or if he would like to move to City Council with a negative recommendation.

Dave Mast indicated that last year they almost passed the Council, but economics were the excuse. He feels the City is updating the General Plan because of economics, and he should be given the same considerations.

Kerry Schwartz indicated that economics is not the reason for the General Plan updates.

Dave Mast indicated the economy is the biggest issue.

Motion carried unanimous.

PUBLIC HEARINGS

5.1 Rulon Nixon - Requests Site Plan and Conditional Use approval for Culver's, a restaurant with a drive-thru window located at approximately 1375 East Main Street in an existing C (Commercial) zone.

Public hearing opened at 7:02 p.m.

Kim Struthers presented the request. This request is for a new restaurant located on east Main Street. The City feels fortunate to have so many new businesses. This restaurant has a drive-thru, which triggers the conditional use permit. The applicant plans to demolish the old Kemco building, just west of Texas

Road House. This site plan does meet parking and landscaping Development Code requirements for the size of this restaurant. He also showed photos of the site, as well as the building elevations and interior layout of the building. All proposed building materials, including the hardy board meet the Commercial Design Standards from the Development Code.

Rulon Nixon stood as the applicant.

Jany's Hutchings noted that the applicant should change the elevation labels to north, south, east and west, because she feels the way it is labeled now is confusing. On the shared access agreement with Texas Roadhouse, she is concerned with the access and potential for vehicle stacking.

Rulon Nixon indicated he feels the cross access agreement will help, because it gets traffic out to 1350 East.

Jany's Hutchings asked the City engineer if a traffic signal would be warranted at this intersection.

Lorin Powell indicated this is a UDOT road.

Derek Byrne asked staff to address the front door access issues, with the requirement for the building to be oriented to Main Street.

Kim Struthers indicated this issue was addressed in DRC, and the façade facing Main Street has been upgraded so it did not appear the back of the building was facing Main Street.

Dane Hansen from Metal Mart welcomes this business but has concerns with the traffic flow onto 1350 East. Traffic there is already dangerous and inconvenient, and feels this will make the problem worse. He met with the City Engineer today to discuss these problems. He asked that the Commission consider adding a requirement that no street parking be permitted on 1350 East to help solve some of these problems. There also needs to be some turn lanes added to help turn out to Main Street.

Public hearing closed at 8:10 pm.

Rulon Nixon commented on the traffic situation. The restaurant will open at 10am, and there will be very little morning activity.

Jany's Hutchings indicated she thinks a lot of traffic comes from Wal-Mart, as this way is a shortcut onto Main Street from the Meadows development.

Kordel Braley asked for the City Engineer's opinion on the traffic situation at this location.

Lorin Powell indicated that he visited the site today and 1350 East is not a very wide commercial road. He agrees that parking along 1350 East could be an issue, and he thinks a left turn lane could be added and would help with the situation.

Kordel Braley moved to grant final approval for item 5.1, a conditional use approval for Culver's Restaurant with the conditions that the applicant address any applicable DRC redline comments and to direct Staff to investigate street improvements on 1350 East. Second by Carolyn Player.

Derek Byrne noted that there may be some Texas Roadhouse parking in Culver's parking lot. He wonders if the City will paint the curb red along 1350 East.

Lorin Powell indicated that the City will investigate what can be done to alleviate the traffic concerns.

Motion carried unanimous.

5.2 EMA Architects – Request Site Plan and Conditional Use approval to locate Mountain America Credit Union with a drive-thru at approximately 1704 East SR-92 in a C (Commercial) zone.

Public hearing opened at 7:02 p.m.

Kim Struthers presented the request. This request is for a credit union in the Center Pointe shopping center by Smith's. The drive-thru necessitates the Conditional Use approval. He showed slides of the site, as well as the proposed site plan and building elevations. He indicated that the parking exceeds the required parking and landscaping requirements from the Development Code.

Ed James asked what will happen in the area between SR-92 and this property.

Kim Struthers indicated that in this area the road will be directly adjacent to SR-92, and property has even been taken from this parcel for right of way. There will be landscaping and a trail on the north side of this parcel before SR-92.

John Wettendorf stood as the applicant.

Kordel Braley asked if there is a need for the east access to be so close to the road, and wonders if it can be moved to the west.

John Wettendorf indicated the access have been placed as to create more circulation for people and to reduce on-site congestion. It will be primarily an inbound access for the credit union.

Jany's Hutchings asked where the access is to the buildings are on the west.

Kim Struthers indicated the accesses are to the west side of the adjacent building.

Kordel Braley indicted to staff that he would like an overall site plan for Center Pointe to see how this use fits into the existing and planned developments.

Public hearing closed at 8:24 p.m.

Ed James moved to approve item 5.2, site plan and conditional use approval for Mountain America Credit Union with all DRC redline comments. Second by Marilyn Schiess. Motion carried unanimous.

5.3 Dennis Johnson – Requests Site Plan and Conditional Use approval to operate Complete Auto, an automotive service business in an existing building located at 1560 North Trinnaman Lane in an existing MU (Mixed Use) zone.

Public hearing opened at 7:02 p.m.

Kim Struthers presented the request. He indicated that this item is for approval of an automotive repair business to be located in an existing building on Trinnaman Lane, for which we have seen several different uses. There is existing parking and landscaping, and no changes are proposed for the site, as the applicant is simply leasing a small portion of the building. There is a small office and shop space from which he plans to operate an auto repair business. The nature of the use is a Conditional Use in the zone.

Kerry Schwartz asked which tenants are leasing the rest of the building.

Christie Hutchings informed the Commission of the other businesses that are operating from the building.

Dennis Johnson stood as the representative

Kerry Schwartz indicated the application stated no outside parking of vehicles would be on site

Dennis Johnson indicated that he cannot completely anticipate it, but he typically does same day services and does not think he will have overnight parking of vehicles outside.

Kerry Schwartz asked what specific repairs will be completed.

Dennis Johnson stated that he rebuilds transmissions.

Carolyn Player asked if it was a problem to park vehicles overnight, if on occasion a vehicle needed to be parked outside.

Kerry Schwartz stated that there is parking available, but wants to make sure the business doesn't expand to a point where inoperable and unsightly vehicles begin to be parked for long periods of time outside of the building.

Janys Hutchings indicated that there have been parking issues in this area in the past.

Public hearing closed at 8:29 pm

Carolyn Nelson moved to approve item 5.3, Conditional Use and Site Plan approval for Complete Auto, including item #4 of the DRC comments and with the findings that the proposed use at the proposed location will not be detrimental or injurious to property or improvements in the vicinity and will not be detrimental to the public health, safety, general welfare or convenience; the proposed use will be located and conducted in a manner in compliance with the goals and policies of the Lehi City General Plan and purposes of this Code; and that the property on which the use, building or other structures is proposed to be established is of adequate size and dimensions to permit construction of the facilities and the conduct of the use in such a manner that it will not be detrimental to adjoining properties in the area. Second by Ed James. Motion carried unanimous.

5.4 Mountain Home Development – Requests Concept Plan review and recommendation for Traverse Mountain Planned Community, an approximately 2,700 acre master planned development located at approximately 3940 North Traverse Mountain Blvd. in an existing PC (Planned Community) zone.

Public hearing opened at 7:03 p.m.

Kim Struthers presented the request. In 2001, the original area plan for Traverse Mountain was approved and included 3,500 residential uses. The original area plan was adopted in 2000. The density for the original area plan was 3,500 residential units. In 2004, as part of a joint agreement between Lehi City and Traverse Mountain, an amendment to the ADA was made, which allowed over 7,700 units. In addition to the increase, there was also property added on the east side which is proposed to be incorporated into the plan, and that is where the 7,982 units of full max density was determined. He showed the current area plan, which is the active version, and then the current proposed amended concept plan. The concept is to take the 3,500 units and add the additional density that was granted in 2004 to try and show graphically how the density will be accommodated in Traverse Mountain. He explained the process for approval as recommendation by Planning Commission and final approval by City Council, which will have a second public hearing. The earliest date for that will be July 26, 2011, pending the outcome of tonight's meeting. If this concept plan is approved, it will trigger an area plan review. The area plan gets into much more detail. The concept is just a conceptual plan of how density will fit within the project. The area plan will follow the concept plan, and will include a full traffic analysis, utility analysis, an in-depth analysis of the property and how it will be serviced. Several DRC meetings and public hearings at Planning Commission

and City Council will be held before the area plan is approved. After the area plan is approved, development can occur. Until that time, the City and Traverse Mountain operate under the previous area plan. There has been a lot of written comment from Traverse Mountain residents. All of those have been printed out and distributed to the Commission. Staff has tried to respond to as many as possible.

Kordel Braley read from section 06.060(B) of the Development Code where it states that no approval of a concept is given, and asked for a clarification of the process.

Kim Struthers indicated that, while the Code stated that a formal approval is not required, city policy has always been to take the concept through a public hearing process because it sets the framework for the future development. A formal motion will be required.

Ed James pointed out that in the same paragraph it states that the specific density shall be established with the concept plan.

A general discussion was held regarding how the Code reads and what the process of approval shall be.

Kim Struthers indicated that legal counsel for the City is here tonight to answer any questions that may arise. The concept gives the developer vesting in density and general location; however during area plan review things may be slightly adjusted. He also showed the trails plan that will show pedestrian trails and accesses, and typical housing products to illustrate the proposed densities; a slopes analysis; and a re-vegetation plan addressing slopes and how the disturbed areas will be re-vegetated after grading. He showed updated maps that were submitted today by the developer to address comments that were discussed during the work session with the Planning Commission.

Jack Hepworth stood as the representative for the applicant, Mountain Home Development Group. He stated that he appreciates the time that Planning Commission has taken to give input on the proposed concept plans, and with staff for being very accommodating. Traverse Mountain at build out represents about 1/3 of Lehi City's proposed residential growth and about 1/4 of the residential units in the City. This size of development requires a lot of time for review. In October 2010, MHDG brought a concept plan to the Planning Commission and Council showing 7,982 residential units and commercial development. At that time, Central Canyon had a net developable footprint of about 65 acres with 556 residential units. To accommodate that development, it would require 40 million cubic yards of material. That concept also showed the topographic knolls at the front of the community to be removed. This concept plan eliminates the export of Central Canyon and the preservation of the knolls. There is no longer any net export of materials for East and Central Canyons. West Canyon is still a mass export, either through Geneva property or out flight park road. The truck traffic through the project should be eliminated. The units have been reduced from 7,982 units to 7,025 units, reduced by 957 units. The developer has met with Alpine School District. There will be an elementary school site in East Canyon and there is a potential additional school in the flex area of Central Canyon. In the work session with the Planning Commission, the recommendation was made for flight park road to be labeled – there is a current road where flight park road is accessed through the development. The access to the east has been reviewed, and the developer asks for more time to review. They identified the existing open space/passive use areas on the plan, and this has also been done. There have been several discussion with the City and applicant as to how the open space will be treated – public and open to the entire city, dedicated to a conservancy, or to stay in the ownership of the HOA. The City has requested that the approximately 900 acres of open space be deeded to the City, and that the City would maintain the existing trails. The developer will consider deeding the open space to the City. He also showed the area adjacent to the front that was open space to become commercial. He showed a 5 acre private park adjacent to the roundabout and Vialetto, and proposed to deed it to the Traverse Mountain HOA and contribute \$1million to amenities built/constructed at the site, to be refined at the area plan process. There will be a fee with each platted lot and/or unit to be given towards the \$1million to be further defined during the area plan process. There has been lots of discussion within the community as to what

type of private amenities there will be and this will be left to the HOA board and residents. Regarding density, in the area along Vialetto to the school, which is shown as higher densities, as well as Central Canyon and areas above Eagle Summit – in the current area plan, there are currently 1973 units approved. This concept for that same geographic area contemplates 1462 for a difference of 511 less units than what is currently approved. The 27.3 acres on the southwest corner that is designated as office campus by the proposed concept, could be considered as flex area where some densities may be transferred.

Kerry Schwartz clarified that the concept of flex means that densities could be brought to this area.

Jack Hepworth indicated that it would be a shifting of densities from one area in the plan to another, and not an increase of units.

Ed James asked for clarification on the \$1million contribution by the developer for the proposed private amenities by Vialetto.

Jack Hepworth stated that the assessed fee would be on new construction, and would be collected by the developer.

Ed James asked about the 1,000 approved units in Central Canyon.

Jack Hepworth clarified that he meant there would be a reduction of units. In the area around Central Canyon, this concept reduces the density by approximately 1000 units in that area from the previous plan.

A discussion was held regarding the exact number of units of change in this area.

Jack Hepworth addressed the concerns about pride in ownership – rental vs. owned units – from the comments of the residents. He indicated that the developer may consider regulation in some areas of the high density residential.

Kordel Braley indicated that in the sample developments illustration graphics, it is unclear if the development will townhomes or apartments.

Jack Hepworth showed some of the high density areas over 12+ units per acre. Some of those areas could be apartments in the areas above Eagle Summit, Fox Canyon, and East Canyon. He also showed a 3D graphic showing some of the areas in relation to proposed land uses and densities from topography flown in May 2010. The road up Central Canyon will have a consistent grade of 8%.

Kerry Schwartz reminded the public to be respectful, to state their names clearly, and that each person will be given 2 minutes to comment. Comments do not need to be restated and group of individuals can send a spokesperson.

Kim Struthers reviewed the history of this concept submittal. The original request came in August 2010. A joint work session was held in October 2010 with the Council and Commission – at that time there was much more mass grading proposed in the project. Since that time, the developer and staff have met several times. This spring there was a joint work session held with Planning Commission and City Council and another work session was held with the Planning Commission in July.

Kerry Schwartz indicated that the public can always come to those work meetings.

Marianne Ludlow stood in opposition of the request. She has organized many of the issues, and divided into 5 categories. This concept plan is unacceptable. It doubles the density but reduces the parks. There were 60 acres in the previous plan, but now there are only 57 acres with twice the density. The commitments in the area plan need to be kept for the parks and open space. Based upon the Lehi City

standard for parks, Traverse Mountain should have 147 acres of park. This is a 90 acre deficiency. There will be 25,000 residents at build out.

A discussion was held regarding how much time will be given for each public comment. It as determined that a two minute time was sufficient.

Vicki Harris has lived in Traverse Mountain for 7 years and she spoke in opposition of the project. She is upset because she was promised many things that have never taken place. She is upset with the changes to the plan, because the developer has made promises that have never been kept. The developer has gone back on their promises so many times that she no longer trusts them.

Connor Boyock spoke in opposition to the proposed concept plan. 4 years ago the Planning Commission recognized that prior conditions have not been met. He feels that is still a consistent problem with the project. MHDG representatives have indicated they do not plan to adhere to previous commitments by stating this plan gives them a "reset button". He believes that much of the land needs to be graded on the 5 acres of park promised by the developer for the private park. He feels the high density will ruin the community

Brent Venter, a resident who lives at 5122 Ravencrest, spoke in opposition to the proposed concept plan. He has been the city engineer for other cities, and he understands the process. He is in opposition to the concept plan because it gives vesting to the densities. He feels that the size of this development should necessitate a more extensive process than just a concept, because it affects traffic, utilities, and civic facilities. He feels more analysis needs to be done to consider this proposal.

Dan Reeves, a resident of Eagle Summit, spoke in opposition to the proposed concept plan. He has met with Jack and respects the developer, but would like to address the possibility that since the development has doubled in density, that the City should compensate the developer for some of the density by means such as discounting impact fees. This would limit some of the high density areas to make a more reasonable density.

Wade Crader, a residential of Eagle Summit who has been a developer and landlord of high density projects, spoke in opposition to the proposed concept plan. He is concerned with the impact of the high densities on the existing single family residential areas. He has a concern that there is no fire station in a hillside community with the elevated fire potential because of existing terrain and vegetation. He also feels the concept plan is mislabeled in some areas. He also challenged the Flight Park Road issue, and knows Geneva rock owns the road and that there is no public access.

Rob Ludlow spoke in opposition of the proposed concept plan. As a resident of Traverse Mountain of 5 years, he was sold a premium master planned community. This proposed concept plan changes mix of residential uses that currently exists to where over 50% will be high density residential. It is critical that the Commission state no apartments are permitted above Traverse Mountain Blvd. Lehi permitted the density in steep slope areas that should not have been granted. The developer has failed to deliver on amenities that were initially promised. He feels the \$1million contribution to amenities is not an acceptable compromise. Another concern is that the Perry Homes property is entirely unplanned.

Brant Griffiths, a resident of Eagle Summit, spoke in opposition to the proposed concept plan. He is in opposition of the density that has been moved in into areas that are in the foreclosure process. His concern is that the plan is being motivated by financial urgency of the developer to get property that can be sold quickly. He does not feel that the financial burden should be passed onto the homeowners and existing residents of Traverse Mountain.

Scott Wilson, a resident of Eagle Summit, spoke in opposition of the proposed concept. He has 4 concerns. His first concern deals with the density and how it will change the character of the community,

specially the strip down Fox Canyon. His second concern deals with traffic down the canyons funneled down Fox Canyon past the elementary school. A previous plan had another road. His third concern is with the number of exists for the community. His fourth concern is with the developer's proposal of charging residents to pay for proposed amenities.

Bill Perry with Perry Homes appeared as a major property owner in Traverse Mountain, and spoke in favor of the proposed concept plan. The developer has clearly been given the additional units, which have subsequently been sold to other developers, based upon density commitments. This proposal reduces the approved density by approximately 900 units. He is unhappy with giving up this much density of what he believes to be legally vested. This plan proposes to decrease the mass grading, and he feels this is a good compromise.

Brandon Johnson spoke in opposition of the proposed concept. He is concerned with the parks. Under the proposed concept, there will be approximately 26,000 residents, and 57 acres of park is not sufficient, especially for the number of families with children. He also doesn't think the HOA should be tasked with paying for the development of the parks.

Cody Kuhnrod spoke in opposition to the project. He is concerned with the opportunity costs of the land. This project represents the gateway to Utah County. He has met with Doug Meldrum to see how the residential climate influences commercial development, and feels that the type of housing should be geared towards providing housing for workers for new businesses. He would like to give the residents more opportunities to move the plan forward.

Shane Allred lives in Shadow Ridge and he spoke in opposition. He asked the crowd if they would have purchased their homes if this was the plan, and most in attendance indicated that they would not have. He worries the high density housing will detract from being able to sell their homes in the future. He feels he has been misled.

Julie McCormick lives in Woodhaven. She spoke in opposition of the plan, and is concerned about the proposed changes. There is a future for this community, and the Commissioners, community, and developer need to work together to assure the future of the community is the most important thing. The developer needs to get back into planning mode and out of panic mode.

Roger Glen, a resident of Eagle Summit spoke in opposition to the proposed concept plan. He moved 1.5 years ago from Minneapolis, where high density housing lowered his quality of life. He feels an environmental impact study should be done on the impact of high density housing, specifically regarding crime.

Richard Rose spoke in opposition to the proposed concept plan. He read a portion of Section 2 from the amended grading ordinance, considering engineering and terrain conditions, from the Lehi City Development Code. He believes it is applicable to this process, and is concerned about the effect of this concept plan on the area plan. He would like to see a workshop between City, residents, and developer to make this a good project that makes sense for everyone.

Paul Hancock, a resident of Woodhaven, spoke in opposition to the project. The density scale is deceptive, and the previous plan had much lower density numbers for the residential areas. This should be denied until the density numbers get into alignment with the City code and prior plans. The park areas should increase as well.

Rebecca Bigney, a resident in Shadow Ridge, spoke in opposition to the proposed concept plan. She specifically addressed high density area between the LDS church and elementary school to be changed from commercial to high density residential. She is concerned that is a poor location for high density because of parking and the types of residents that would move into high density.

Lauren Warren brought in petitions with signatures of between 150 – 200 people in opposition to this proposed concept plan. She doesn't want to see the developer go under, but feel this plan has too much density. She has concerns with the issues associated with all the density.

Lorin Marshall spoke in opposition. He feels there is no compromise to this plan, and it does not benefit the current residents.

Todd Johnson spoke in opposition to the proposed concept plan. He is concerned with the lack of parks, because there are no places for him and his friends to play.

Jim Alvord spoke in opposition to the plan. He is most concerned with the high density area down Fox Canyon, adjacent to the school.

Jessie Mugglestson spoke in opposition to the proposed concept but is grateful for the process. She and her husband love Traverse Mountain. She feels the apartment buildings will bring too much traffic. She wants to keep Traverse Mountain as a nice place to live.

Ron Reeve has lived in Traverse Mountain for 4 years. He spoke in opposition to the concept. These decisions will affect many people and the quality of life for the residents. He urged the Commission to consider how this plan will affect the residents' quality of life.

Mike Jenson just moved to TM a year ago, and echoes the previous speakers. He is concerned with traffic and the high density housing. He also has concerns with fire potential and lack of emergency services.

Marianne Ludlow spoke in opposition to the plan. She recognizes the legal rights of the developer and the residents. With the density, apartments should be prohibited. Lehi City should buy down the density and amenities need to be provided that were promised in the previous approvals. Parks need to be usable areas and add more park area. Studies on emergency services and utilities and environmental studies need to be completed. The Perry Homes property needs to be given more detail.

Darren Hall is a new resident to Traverse Mountain, and he spoke in opposition to the plan. He loves the family environment of the community, and feels these proposals will take away from that. He would not want to move into the environment that the proposed concept will create.

Brandon White, a resident in Winterhaven, spoke in opposition to the plan. He is concerned with high density because low income housing brings crime and violence. He cited the Gateway Project and how the densities have caused problems.

Richard Rose showed the proposed concept and spoke in opposition. He is concerned with the area along Fox Canyon Road that will be built as high density in place of the drainage area and vegetation. He also has concerns with the 5 acre park on the slope that there needs to be more flat area, and it is too much of a slope. There needs to be public workshops.

Greg Holman spoke in opposition, and has big concerns with the parks. He feels that the proposed area is roughly the park ratio of Central Park in Manhattan, which he feels is not enough.

Josh Lundwall spoke in opposition to the proposed concept plan. He stated that there is a proper place for high densities, and this is not the place. He has worked hard to have his home and community, and does not want to see it taken away.

Wade Krader spoke in opposition to the plan. He feels this concept is putting an entire new city behind the existing city. The current roads are not sufficient, and this will only compound the problem. He has concerns with the transient neighbors that the high density will bring. Just because the number of units is approved, it doesn't have to be met

Kerry Schwartz indicated to the public that they will have more opportunity for public comment at the City Council meeting.

Public hearing closed 10:14 pm

Ed James indicated his comments are the result of being a resident of Traverse Mountain, an architect, and a planner. He is concerned with the property, and the amount of material that is proposed to be mass graded and has voted in opposition of the mass grading permit. He feels something needs to be done to make the area successful, and to make it sustainable. He has five areas he wants to discuss: 1) amenities. Things were promised and never done. Amenities are a strong component, and they have not been fulfilled. 2) This development is the size of a city in itself and there should be neighborhood services and neighborhood commercial areas. 3) Transportation is so important because the proposed densities, especially past the school, create issues with the traffic 4) Environmental impact on the hillside and the scar that is being created and is not repairable. Once the soil layers are destroyed they do not come back. 5) Density should be located closer to the front of the project, with lower densities up higher in the canyon areas. He does not feel comfortable moving this to the City Council until issues addressed. There needs to be a traffic study. Densities in Central Canyon are a concern, specifically with traffic issues. There needs to be enough factual information to state that the concept will work.

Carolyn Nelson agrees with Ed James. She is concerned with public safety, specifically the lack of a fire station.

Mark Johnson met with some of the residents, and feels the primary issue is traffic. He also met with Ryan Hales with Hales Engineering to have a quick traffic analysis done for the new concept, as well as previous plans.

Kordel Braley moved to extend the meeting for 30 minutes. Second by Ed James. Motion carried unanimous.

Ryan Hales with Hales Engineering spoke regarding the traffic analysis he performed for the Traverse Mountain area. This is a quick check of how much traffic would be generated by the proposed densities, and focuses attention on Central Canyon and surrounding areas. Based upon the 2008 plan, daily trips of 15,990 would be anticipated. In the current area plan daily trips would be 9,560. In the currently proposed plan, daily trips would be 10,200.

Kerry Schwartz clarified the figures and areas as presented.

Ed James asked for an estimate of West Canyon with 600 proposed units vs. 1000, or 40% less.

Ryan Hales stated he cannot provide a guess without knowing the density, because single family homes generate more trips than multifamily housing.

Kerry Schwartz clarified that there are less daily trips for high density than for single family homes, because there are typically fewer residents in multifamily homes.

Ryan Hales indicated that single family homes typically have larger family sizes.

Ed James asked if the roads can handle the traffic.

Ryan Hales stated that this has not been analyzed.

Lorin Powell indicated that it is intended that Flight Park Road will become a City street. A final analysis will be done with the area plan. If the area plan shows the densities cannot be accommodated, then the plan will need to be changed.

Janys Hutchings stated her biggest concern is the fire access, and a fire station needs to be accommodated. She also feels that more parks need to be provided for. She also understands the density issue, and stated that the Planning Commission was never a party to the granting of the additional densities. She understands that it is difficult to try and make the density fit now.

Kordel Braley thought the suggestion of having a workshop with residents was a great idea. He would like the residents to have a chance to comment. He sees lots of contradicting statements from the residents, and feels there should be a forum for the residents to come to a consensus on what they want. He also disagrees with the tone that people who live in apartments and condos are not good people, and he thinks high density has a place in the community.

Kerry Schwartz commented on the idea of having a workshop for the residents. He feels that the City has made significant efforts to inform the community. He encouraged the residents to get involved in the planning process.

Kordel Braley would like to have a separate meeting with Traverse Mountain and the residents, to give the residents a hands-on type workshop, such as a charette.

Ed James feels there are three options for the motion the Planning Commission can make – to not recommend the concept as presented, to provide direction to the developer and table the action, or a motion to recommend to the City Council of approval with conditions.

Derek Byrne feels there are four issues of concern – density, public safety, amenities, and traffic. He asked if it would be appropriate to ask the developer to respond at this time.

Marilyn Schiess has the same concerns as she has heard from the residents. She feels Traverse Mountain is a great place, and the Commission needs to give everyone what they want and what they deserve.

Carolyn Player is concerned with the roads. She understands the concerns and hopes the residents understand how difficult it is for the Planning Commission.

Janys Hutchings also agrees with Kordel Braley that there are some conflicts in the residents' concerns. Not everyone will be satisfied, but a compromise can be made.

Jack Hepworth summarized the Planning Commissioner's concerns. He wanted to clarify some concerns. He understands the topography and he stated the 5 acre park area would be provided as a graded site, and the financial contribution to the site would be paid for with future growth only and not existing residents. In the current area plan, phases 6 and 7, the current density is 903 units. The new proposal is only 500 units in the area. He understands the density concerns of the residents. West Canyon is 600 units in both the existing plan and the new proposal. Densities have shifted 600 units down to the east side of the project. The area plan process permits them to request densities higher than Lehi City allows. Regarding amenities, he needs to do further analysis of the current area plan.

Ed James moved to continue the meeting until 11:30 pm. Second by Marilyn Schiess. Motion carried unanimous.

Jack Hepworth showed on the map where the original amenities were proposed to be, and stated the parcel is not 13 acres. In the current area plan, any amenities (active parks and the recreation center) are to be built with park impact fees and not by the developer. The recreation center was to be built by park impact fees and not by the developer.

Ed James asked for a clarification on whether the amenities are public or private.

Jack Hepworth clarified that if amenities are built with public fees they would be public facilities, and accessible to anyone, not just Traverse Mountain residents.

Kordel Braley recalls that the developer had indicated that it isn't economically feasible to include some small commercial nodes, but he thinks with the proposed densities that commercial nodes would be feasible. He is also uncomfortable with the "flex" area because there are no parks shown. He also would like to see a charette for the residents.

Ed James stated that it makes sense that the Perry Homes property needs to be given more analysis for densities and amenities. He also thinks a TRAX station needs to be integrated into this plan.

Kordel Braley asked for a clarification on the parks and amenities.

Kim Struthers stated the fiscal analysis of the current area plan gives a projection of the impact fees that would be generated and how they could be allocated. There is a \$1.6 million for a community recreation center, which would be publically accessible. There is no location currently shown on the concept.

Lorin Powell indicated the area plan has a financial section, which is feels is the most crucial section. The impact fees collected could be used to help build facilities.

Derek Byrne asked for a clarification on the natural open space being deeded to the City.

Lorin Powell indicated that the City does have an interest in owning and maintaining the natural open space. It is roughly 1000 acres, and the City Council has indicated they would be interested in taking over the open space. The City is buying down approximately 500 of the units from Traverse Mountain in the Central Canyon area.

Jany's Hutchings asked about the fire station, and when it will be addressed

Lorin Powell indicated that it could be addressed with the concept or at the Area Plan. The City has picked up a site adjacent to Traverse Mountain that could be used for a fire station.

Kim Struthers stated there is a DRC comment noting that there will be additional public facilities evaluated at the area plan.

Lorin Powell indicated there is a police and fire impact fee to be used to create new facilities to benefit areas of the community that need to be served.

A discussion was held regarding how the location of the facilities was determined.

Mark Johnson stated that the City has identified other locations for fire stations based upon National Fire standards. The cost for a new station is enormous. The City has gone to a fulltime staff and is working to provide improvements to additional areas.

Derek Byrne is curious to see what amenities will be covered by impact fees and what amenities are promised by Mountain Home Development Group.

Kerry Schwartz feels there have been lots of information tonight, and would like the opportunity to read all the letters and to study the issues before making a decision.

Ed James moved to continue item 5.4, Mountain Home Development Group's request for concept review and recommendation with the following conditions: 1) the applicant see if a traffic analysis can be put together on the impact of the density, not only yon the existing road system but also on a proposed system; 2) the developer look at the concept plan to include the specific items such as public facilities, other park amenities, with a clear understanding of that amenities are by paid for by whom; 3) the possibility of shifting densities and putting more emphasis on the commercial areas; and 4) that the Traverse Mountain residents put together a workshop to address the issues to be submitted to Lehi City and the developer. Second Carolyn Nelson.

Derek Byrne asked Commissioner James to clarify the shifting densities. He thinks that most people will not want to live right by the commercial areas.

A discussion was held regarding shifting densities to the commercial areas.

Kordel Braley worries that continuing the project doesn't allow the developer the option to move onto City Council and take their chances there.

Ed James feels like there is too much new information that he would like more time to look at in detail, and he doesn't feel prepared to make a motion that would pass this item onto City Council.

A discussion was held regarding the consequences of the motion.

Jack Hepworth stated that MHDG will address the traffic with the area plan, as well as the parks. As to density transfers into the commercial areas, he feels the bonus density of the 1,000 units was meant to be mixed use and he doesn't think that was the intent of the City Council. He feels like he has proposed that with the flex area. He would like to move on to City Council.

Jany's would like to include Commissioner James' items in a recommendation to City Council.

Motion failed 2-5 with Marilyn Schiess, Carolyn Player, Kerry Schwartz, Derek Byrne and Kordel Braley opposed.

Ed James moved to continue to the meeting until midnight. Second by Kordel Braley. Motion carried 6-1 with Derek Byrne opposed.

Kordel Braley would like to generate a list of issues to forward on to the City Council. He would like the concept to show where the recreation center that will be paid for with the impact fees will be located, to see some active parks in Central Canyon, to see what Perry Homes property will look like, and to encourage the applicant to hold a public workshop for residents of Traverse Mountain.

Carolyn Nelson suggested the traffic analysis.

Kordel Braley felts that a traffic analysis can be done with area plan.

Kerry Schwartz clarified that the applicant should be in charge of creating the public workshop.

Derek Byrne would like to have Mountain Home Development Group identify the amenities they are planning on funding.

Kim Struthers asked the Planning Commissioners to clarify the intent of the workshop.

Kordel Braley indicated that he would hope the workshop would make a difference in creating a plan that the developer and residents can be satisfied with.

Kim Struthers stated that the concept will create some vesting as far as densities and land uses.

Jany's Hutchings reminded the Commission about the proposed flex area at the front of the project where the developer has suggested the possibility of moving some densities closer to the front.

Mark Johnson feels the flex area is a good compromise. Also, he feels the workshop must happen before the concept approval.

Kerry Schwartz asked what would happen if new ideas were derived at the workshop – how would the proposed changes be addressed.

Kim Struthers indicated that, unless the motion stipulates that the outcome of the workshop come back to the Commission, they would be removed from the approval process.

Ed James feels there are too many issues to forward to the City Council. He would like more time to study the issue.

Ed James moved to reinstate his previous motion to continue item 5.4, Mountain Home Development Group's request for concept review and recommendation with the following conditions: 1) the applicant see if a traffic analysis can be put together on the impact of the density, not only on the existing road system but also on a proposed system; 2) the developer look at the concept plan to include the specific items such as public facilities, other park amenities, with a clear understanding of what amenities are by paid for by whom; 3) the possibility of shifting densities and putting more emphasis on the commercial areas; and 4) that the Traverse Mountain residents put together a workshop to address the issues to be submitted to Lehi City and the developer. Second Carolyn Nelson.

Mark Johnson suggested adding that the motion be added to require the applicant to be included in the workshop.

Ed James suggested the City staff facilitate the workshop.

Ed James amended his motion to state that the City be the coordinator for the charette, in conjunction with the residents and applicant. Second by Carolyn Nelson stands.

Derek Byrne is concerned that the City should not be the mediator

Ken Rushton does not see a problem with the City being the mediator for the charette.

Kordel Braley asked Ken Rushton if the Planning Commission can make a motion to continue this item.

Ken Rushton indicated that the motion can be continued for 30 days, after which time the applicant has the option to proceed to City Council.

Jack Hepworth would be willing to house the workshop at their facilities and would commit to having it before the Council meeting. He wants the motion to go forward to the Council tonight.

Motion failed 3-4 with Kordel Braley, Derek Byrne, Carolyn Player and Kerry Schwartz opposed.

Kordel Braley moved to recommend approval of the concept plan for Traverse Mountain with the following strong recommendations to the City Council 1) that the concept plan show where there could be a commercial node; 2) the concept plan show active parks in the northern flex area and Central Canyon; 3) the concept plan show more specific details for the Perry Homes property; 4) the concept show specific breakdown of amenities to be shown by the City versus the developer; 5) the south flex areas east of Morning Glory be changed from a business park to flex designation; 6) the plan specifically show in concept where the rec center would be constructed; and 7) the City Council consider some way to get the existing residents more involved with the area plan process through charettes or through another planning processes. Motion dies for lack of second.

Derek Byrne moved to recommend approval of the concept plan for Traverse Mountain with the following strong recommendations to the City Council 1) that the concept plan show where there could be a commercial node; 2) the concept plan show active parks in the northern flex area and Central Canyon; 3) the concept plan show more specific details for the Perry Homes property; 4) the concept show specific breakdown of amenities to be shown by the City versus the developer; 5) the south flex areas east of Morning Glory be changed from a business park to flex designation; 6) the plan specifically show in concept where the recreation center would be constructed; and 7) that Mountain Home Development Group and the area residents have a workshop prior to City Council to come up with principles to be used in all future development of Traverse Mountain. Second by Kordel Braley.

Kordel Braley stated that he understands there is a lot that hasn't been decided, but feels that the Commissioners should be given the results of the workshop so they can come to City Council to comment.

Kim Struthers stated that the City Council will be July 26, 2011 if the motion passes.

Motion failed 3-4 with Marilyn Schiess, Ed James, Carolyn Nelson and Kerry Schwartz opposed.

Ed James moved to continue this item until Planning Commission on July 28, 2011 to give the Planning Commission time to absorb the new information and to understand the issue better. Second by Carolyn Nelson.

Kerry Schwartz stated that he appreciates the public comments.

Motion carried 5-2 with Carolyn Player and Kordel Braley opposed.

CITY BUSINESS

No City business items were discussed.

ADJOURN

Ed James moved to adjourn. Second by Carolyn Player. Motion carried unanimous.

Meeting ended 11:57 pm.

Date Approved _____

Chairman _____

Secretary _____