

APPROVED MINUTES

AMERICAN FORK CITY
PLANNING COMMISSION MINUTES
JULY 7, 2021

The American Fork City Planning Commission met in a regular session on July 7, 2021, at the American Fork City Hall, 31 North Church Street, commencing at 7:00 pm.

Present: Chairman John Woffinden
Christine Anderson
Chris Christiansen
Jenny Peay
Bruce Frandsen
Rod Brocious

Absent: Geoff Dupaix
Harold Dudley

Staff Present: Adam Olsen, City Planner
Wendelin Knobloch, Planner
Ben Hunter, Engineer
Lisa Halversen, Administrative Assistant
Mat Sacco, Fire Marshal

Others Present: Grant Lefgren, Trevor Hodgson, Janeen Ledkins, Chad Pollard, Diego Carroll
Jonathan V., Steve Eyre, McKay Quinn, Joe Terburg

Chairman Woffinden led the "Pledge of Allegiance."

1. Hearing, review and action on a zone map amendment for property at 860 East 930 South, from the PI-1 Planned Industrial to the PC Planned Community zone

Mr. Olsen informed commissioners that the proposed zone map amendment is for the northwest corner of the intersection at 860 East and Utah Valley Drive. Woodbury Corporation proposes the zone be amended to the PC (Planned Community) zone in order to be consistent with the adjoining PC designation (to the north). The four parcels under consideration are proposed for combination with the parcel directly north to create one commercial/warehouse site.

The overall concept plan for the area (Lake City Row) was recently amended, allowing office/warehouse type uses within this phase of the overall plan. Upon approval of a zone map

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1 amendment, a site plan application will be brought to the Planning Commission for consideration
2 and recommendation.

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4 **Public Hearing Opened**

5 No comments were received.

6 **Public Hearing Closed**

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8 **Mr. Christiansen moved to recommend approval of the zone map amendment, subject to**
9 **any conditions in the Engineering report.**

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11 **Mr. Frandsen seconded the motion. Voting was as follows:**

12

13 **Chairman Woffinden Aye**

14 **Christine Anderson Aye**

15 **Chris Christiansen Aye**

16 **Jenny Peay Aye**

17 **Bruce Frandsen Aye**

18 **Rod Brocious Aye**

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The motion passed.

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22 2. Hearing, review and action on a zone map amendment for property at 375 South 570 West
23 from the RA-1 Residential Agricultural to the RA-5 Residential Agricultural zone

24

25 Mr. Olsen said that the applicants propose a zone map amendment from the RA-1 to the RA-5
26 zone. The narrative provided states that because the property is five acres in size, the applicants
27 feel the RA-5 zone is more conducive. The narrative also states that nothing will be changed on
28 site, and that everything will remain as is.

29 Because the property is exactly five acres in size, which is the minimum required for the zone,
30 should any right-of-way be required for dedication, it will reduce the property size to under five
31 acres. This may create a condition in which the zone change is not feasible due to the resulting
32 acreage falling under five acres. Staff's recommendation should the property fall below the five-
33 acre threshold is to keep the zone at the existing RA-1 designation.

34 Mr. Frandsen believed that county code allows for a property to dedicate right-of-way without
35 being resized. Mr. Olsen indicated that city code does not make that stipulation, there is no
36 provision to rezone this property if it is under five acres.

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1 Mr. Brocious asked why the applicants want to rezone. Mr. Olsen indicated that they want their
2 property to stay as-is.

3 Mr. Hunter stated that it is a condition of the zone change to dedicate right-of-way to the city,
4 and doing so would drop it below the five acre threshold.

5 Mr. Brocious said that when he reviewed the material, it appeared that there may be a boundary
6 dispute.

7 Mr. Hunter is not aware of a boundary dispute but a portion of the current asphalt of 570 West
8 does overlap onto the property. The main issue is that the required right-of-way would reduce the
9 property size. There was continued discussion and the applicant was asked to speak regarding the
10 issues.

11

12 **Public Hearing Opened**

13 _Steve Eyre, applicant, stated that they are asking for a rezone because they want a tax break. He
14 feels that the city has taken advantage of him by taking part of his property from him 35 years
15 ago. He is trying to keep the property the way it is, he said that they are trying to farm and grow
16 gardens and are not in favor of the TOD.

17 Chairman Woffinden asked what the outbuildings are, Mr. Eyre replied that they are bird barns.
18 He noted that he has already contributed 100 ft of frontage for sidewalk, curb & gutter. He has a
19 permit to grow hemp. Neighbors may have complained as he was recently cited by the police
20 department for growing cannabis. He was told if that if he rezoned, that issue would be resolved.

21 Mr. Frandsen asked staff at what point the applicant has to dedicate the right-of-way if the zone
22 change were to be approved.

23 Mr. Olsen replied that the zone change does not go into effect until the right-of-way is dedicated,
24 the dedication happens prior to the zone change.

25 Mr. Eyre asked why the city needs him to dedicate more right-of-way. Mr. Hunter indicated that
26 570 West is a larger collector with a higher level of traffic, and the right-of-way is to install
27 roadway improvements.

28 Mr. Eyre asked how much property he would have to dedicate to the city.

29 Mr. Hunter stated that there would be right-of-way dedicated on the east and west sides of the
30 property. The road sizes are 72' and 62'. There would be more space required on the west side as
31 there may be a bike path.

32 Mr. Eyre asked what would happen to the property if they left it as currently zoned. Would they
33 still have to give property for road improvements?

34 Mr. Hunter stated that until there is some triggering event the property would stay as it is.

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1 Mr. Olsen clarified that this item will move on to council, commissioners will only be giving a
2 recommendation.

3 Ms. Peay asked what the acreage would be after the right-of-way dedication. Mr. Olsen was not
4 sure, but as the property is exactly 5 acres now it would not meet the threshold for a zone
5 change.

6 Ms. Anderson pointed out that the 72' and 62' measurement is the entire width of the road. That
7 dedication will not all come from his property, he would contribute half of that.

8 Mr. Eyre indicated that he does not want to proceed further with the zone change application.

9 **Public Hearing Closed**

10

11 **Ms. Anderson moved to recommend denial of the zone map amendment at the request of**
12 **the applicant.**

13 **Ms. Peay seconded the motion. Voting was as follows:**

14	Chairman Woffinden	Aye
15	Christine Anderson	Aye
16	Chris Christiansen	Aye
17	Jenny Peay	Aye
18	Bruce Frandsen	Aye
19	Rod Brocious	Aye

20 **The motion passed.**

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24 3. Hearing, review and action on a site plan for Maverik, located at 500 East Auto Mall
25 Drive in the PI-1 Planned Industrial zone

26

27 Mr. Olsen stated that Maverik proposes to locate at the southwest corner of Auto Mall Drive and
28 500 East. A 6,132 sq. ft. store is proposed with gas pumps located along the northern portion of
29 the site. Access will be from a shared access along Auto Mall Drive, as well as an access on 500
30 East, directly west of an access point to the Ken Garff dealership. The intersection of Auto Mall
31 Drive and 500 East will soon be signalized. Landscape plans have been submitted, conforming
32 to the City's landscape requirements. Renderings of the proposed structure are included in the
33 submittal materials.

34 Mr. Hunter informed commissioners that this was part of a previous annexation. The right-of-
35 way is already included, all infrastructure requirements have been met, he recommends approval.

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1 Mr. Brocious asked what will be between the power poles and the sidewalk on 500 East.

2 Mr. Hunter displayed pictures of the area and discussed possible landscape options. He said that
3 the sidewalk is wider on the east side because of the bike lanes.

4 Mr. Brocious wanted to discuss the storm water detention plans. He asked what the groundwater
5 elevations were, if their plan relies on on-site water storage, and if there is there a risk of
6 groundwater penetration and losing storage capacity.

7 Mr. Hunter replied that he isn't sure about the groundwater elevations. The detention plan will be
8 reviewed to make sure they don't lose capacity. Their storm water detention plan involves a
9 combination of storm-tech chambers and surface detention.

10

11 **Public Hearing Opened**

12 Joe Terburg, Maverik representative, indicated that they were happy to be building in American
13 Fork.

14 **Public Hearing Closed**

15

16 **Mr. Brocious moved to recommend approval of the site plan for Maverik, with the finding**
17 **listed in the staff report and subject to any findings, conditions, and modifications found in**
18 **the Engineering report.**

19

20 **Mr. Christiansen seconded the motion. Voting was as follows:**

21

22 **Chairman Woffinden Aye**

23 **Christine Anderson Aye**

24 **Chris Christiansen Aye**

25 **Jenny Peay Aye**

26 **Bruce Frandsen Aye**

27 **Rod Brocious Aye**

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The motion passed.

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31 4. Hearing, review and action on a site plan for Roderick Enterprises, located in the area of
32 1500 South 400 East in the PI-1 Planned Industrial zone

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34 Mr. Olsen told commissioners that this area was annexed into the city in 2015 under the Catalyst
35 Annexation. This site plan represents the third phase in a multi-phase office-warehouse
36 development. Phase 3 consists of 1 office-warehouse structure, totaling 154,347 sq. ft. on

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1 approximately 8.4 acres. The site is bounded by 1600 South on the north, 500 East to the east,
2 1700 South on the south, and a future 300 East to the west. Access points into Phase 3 will be
3 provided off 1600 South, 1700 South and 300 East.

4 Parking and landscaping are provided per the City's requirements. Landscape plans have been
5 provided in the submittal materials. Renderings of the structures are also provided in the
6 submittal materials.

7 Ms. Peay asked if there is a certain percentage of landscaping that is required.

8 Mr. Olsen answered that the landscaping requirement is not a flat percentage, it is based on street
9 frontages. They have quite extensive street frontages and have met the requirements. He added
10 that there are two other buildings in this project that were approved a couple years ago in the
11 area. Parking requirements have been met as well.

12 Mr. Hunter agreed that this is a continuation of previous development, the roadway and utilities
13 are under construction or already constructed. Staff's initial review resulted in comments to the
14 applicant, Engineering recommends tabling the project until updated plans and comments are
15 confirmed to have been addressed.

16 Ms. Peay asked if the applicant has submitted their answers to staff's comments. Mr. Hunter
17 believes they have but the comments haven't been reviewed yet. They are in the queue.

18 Chairman Woffinden expressed his frustration and said that this item should not be on the
19 agenda since it's not ready. He did not think this is fair to staff or commissioners. This is getting
20 to be a big problem and he is going to speak with the city administrator and the mayor.
21 Commissioners don't have the information to make a good decision. The same rules should
22 apply to everyone. There is a good reason that there are requirements to get a project on the
23 agenda and deadlines.

24 Mr. Brocious is concerned that with all the impervious surfaces there could be storm water
25 hitting the streets. He asked if there is a possibility of off-site problems that should be addressed
26 regarding an emergency spill.

27 Mr. Hunter replied that this is 8 acres of an 80-acre site. The road and utility infrastructure was
28 part of another plat. Drainage calculations were handled for the overall site by upsized
29 infrastructure and on-site storage.

30 Mr. Frandsen asked if there are any downstream property owners.

31 Mr. Hunter said there is one property to the south, but the slough and infrastructure were
32 evaluated and it should be able to handle the amount of flow. The current owner is Catalyst
33 Development.

34 Mr. Frandsen asked for clarification regarding the engineering for the slough/ditch. Did the
35 calculations for the study just go to the edge of the property?

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1 Mr. Hunter thought that the existing ditch was evaluated for additional flows, he believes it was
2 approved in the first plat.

3 Mr. Trevor Hodgson, engineer representing Roderick Enterprises, isn't sure regarding the dates
4 of the resubmittal, he can't speak to that issue.

5

6 **Public Hearing Opened**

7 No comments were received.

8 **Public Hearing Closed**

9

10 **Mr. Christiansen moved to recommend tabling action of the commercial site plan for**
11 **Roderick Catalyst Business Park, Phase 3, with the finding listed in the staff report and**
12 **subject to any findings, conditions and modifications listed in the Engineering report.**

13

14 **Mr. Frandsen seconded the motion. Voting was as follows:**

15

16 **Chairman Woffinden Aye**

17 **Christine Anderson Aye**

18 **Chris Christiansen Aye**

19 **Jenny Peay Aye**

20 **Bruce Frandsen Aye**

21 **Rod Brocious Aye**

22 **The motion passed.**

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5. Hearing, review and action on amendments to Sections 17.4.608 B and E of the American Fork City Development Code regarding requirements for mixed-use development

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1 collectively in one building or dispersed throughout the project area in various buildings.
2 Delivery of the office/retail use shall occur no later than at completion of 75% build-out of any
3 residential portions of the project area.

4 Crescent Communities proposes further amendments relating to the 25% equivalent commercial
5 requirement. The proposed amendments are included in black text in the submittal materials. The
6 proposed amendments seek to: (1) reduce the 25% equivalent requirement to apply only to
7 certain streets; namely, the business-core loop and core collectors (of which there are two), (2)
8 identifying and clarifying building use that can be included in the mixed use requirement, (3)
9 allowing ground floor space in structures for multi-family residential to be initially used for
10 residential purposes but with the potential for conversion to future commercial use; provided that
11 certain specifications are met, (4) prohibition of single-story buildings from meeting the mixed
12 use requirement, and (5) formally allowing the use of work/live units to meet the 25% equivalent
13 requirement.

14 The applicants will speak to the proposed amendments. Staff's main concern lies in the reduction
15 of applicable streets to which the mixed-use requirement applies, as well as the allowance of
16 residential uses on ground floor levels with the assumption that one day they may convert to
17 commercial uses. The other provisions as put forth by the applicant seem to be workable.

18 The first area applicant wants to amend is the streets requirement. They want the 25%
19 commercial requirement to only be applicable to the business core loop and core collector
20 streets. This would effectively reduce the 25% equivalent requirement to the blue and yellow
21 roads on the north and south instead of applying to all streets except 200 South. Applicant also
22 wants to identify and clarify which uses fit within the mixed-use requirement. Staff is fine with
23 this clarification. They further propose that within higher density developments, any ground floor
24 development could be used for residential purposes and may convert one day to commercial use,
25 and they have proposed standards. Additionally, there would be a prohibition on single-story
26 buildings meeting the commercial requirement, which staff is also fine with. Finally, they
27 propose to allow live/work units to count towards the commercial use requirement.

28 Staff is particularly opposed to amending the streets requirement and allowing flex-space
29 conversion from commercial to residential. Once something starts as one use it is hard to change
30 and convert to another.

31 Ms. Anderson asked about switching space from residential use to commercial use, would
32 applicant be able to switch any other main-level residential to commercial, can they go above
33 25%?

34 Mr. Olsen replied that they could if they wanted, but higher building standards are required for a
35 commercial appearance.

36 Mr. Frandsen asked how clustering the commercial requirement works when a project is built in
37 different phases. Mr. Olsen said that the developer will give an initial plan of the entire picture.

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1 How they phase it is up to them, with the caveat that council has said the commercial component
2 has to be delivered before project is at 75% buildout.

3 Mr. Mike Hathorne, representing Crescent Communities, feels that the mixed-use part of the
4 code constitutes a big problem as it is written. The struggle as he sees it is that the mixed-use
5 requirement doesn't work well with the other regulatory forces. A developer has to abide by
6 zoning requirements but is also subject to real estate market forces. A balance of the two is
7 necessary for anything to progress. He stated that nineteen developers have walked out when
8 they understood the mixed-use component as written. The code is intended to generate quantity,
9 based on streets and buildings, it doesn't conform with market forces. He had a conversation
10 with Zions Finance showing that demand for non-residential uses since 2000 has dropped from
11 25 to 20 sf per person before covid. In 2020 that number had dropped to 15 sf per person. If the
12 mixed-use component is designed to generate quantity and the developer can't hone in on what
13 the demand will be, they will either walk away or do things to work around the code. Crescent
14 Communities is willing to try and tackle the issue and see if they can make something work. If
15 there can't be a balance between zoning regulations and market forces, they will have to leave as
16 well. The first issue is with the commercial requirement related to street frontage. If there was a
17 market study done to understand demand in the area, that would give something to work with. In
18 trying to address the street issue, they recognize that if a developer adds streets that affect how
19 much mixed-use they have to provide, they will try to work around this by reducing the number
20 of streets and thus connectivity which is desirable to the city. Ground floor flex space that can
21 convert when the market becomes favorable for commercial use preserves the opportunity rather
22 than forcing something now that won't work. One developer will end up delivering a building
23 that will probably sit as a vacant shell and be unrentable for the present. Amenities such as rental
24 offices, community rooms, etc. could be converted to commercial use when the market is there.
25 The other work around for developers is minimizing the amount of ground floor space to reduce
26 unviable space. The fact is that they have to be able to get funding for their projects. Lastly, the
27 other amendments are just clarifications that are relatively easy or non-issues. Live/work units
28 already have precedent in fulfilling this requirement. Flex space is identical to live/work units.
29 These proposals preserve the opportunity while allowing development to move forward.
30 Basically this is a conflict between zoning regulations and market forces.

31 Chairman Woffinden pointed out that Mr. Hathorne wrote the original TOD document and asked
32 if his intent is to fine-tune it.

33 Mr. Hathorne replied that he has been hired to make the mixed-use language more conducive to
34 development.

35 Ms. Peay asked if he has changed similar language in other cities.

36 Mr. Hathorne said he was adamant from the beginning that this was the wrong approach, the
37 market needs to be allowed to lead rather than be superseded by regulation. The way it is written
38 today this area will take years to come to fruition. He said we need to look at this holistically. If

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1 you're tying mixed-use to streets, developers will elect not to put in more streets. You don't want
2 to dismiss streets, so we need to figure out how to make the project viable. They are trying to
3 figure out how to make the mixed-use most viable and successful.

4 Mr. Olsen gave background perspective that the core of the TOD is where you have the most
5 density. The council wanted to see the mixed uses and not only high-density residential.

6 Mr. Hathorne said that as presently written, the TOD district will remain fallow until changes are
7 made and the market catches up, which could be years. There is a lot of interest, but when
8 developers see the mixed-use requirement, they're out. What the council wants is admirable, but
9 there are more tools available. Flex-space is a good solution until demand catches up, then
10 commercial uses will appear because commercial rents are higher than residential. Developments
11 in Salt Lake City are using flex-space as a way to bridge the gap between the present and the
12 future. They feel like it's a good fix.

13 Mr. Frandsen asks how many acres are in this parcel, Mr. Hathorne answers that there are ten.

14 Mr. McKay Quinn, of Crescent Communications, adds that the property they are interested in
15 fronts all of 900 West. They propose to maintain the 25% commercial requirement there. 250
16 South and 300 South is where the commercial requirement is a burden that the market can't bear.

17 Chairman Woffinden asked how other cities enforce the commercial requirement.

18 Mr. Quinn has experience with the University Parkway project in Provo where they built the
19 ground floor with 12 ft ceilings as flex space. The use is currently residential but will switch to
20 commercial, which will be more profitable, when the market drives it. Another anecdotal
21 example is Daybreak, a master-planned community of 6000 homes which has been 17 years in
22 development. There are another 13,000 homes planned with a main commercial road. Only now,
23 17 years in, are they starting phase 2 of the commercial components. It will come, but it may
24 take several years, after the residential is built.

25 Mr. Hathorne added that 200 South will take a while to come into being with the 100%
26 commercial requirement.

27 Mr. Frandsen is concerned, he thinks it is a possibility that we are being asked to make a change
28 that may be in effect for a buyer that might walk away.

29 Mr. Hathorne noted that regardless of buyer, the same requirements are in place.

30 Ms. Anderson expressed her feelings that the job of the commissioners is to look ahead and
31 make choices that are best for the city. The mixed-use component is there for a reason. The
32 vision of a mixed-use community is that we are trying to reduce vehicles. Under applicant's
33 proposal, 900 West and 1100 West would be the only ones with a mixed use. She feels that the
34 job of city officials is to plan, stick to a cohesive plan and the optimal design and not be floppy.
35 We certainly could fill up the area tomorrow, but it won't be what we wanted. This may mean

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1 that developers have to learn a new way to develop projects, but we need to be committed to
2 keeping the mixed-use design in the TOD core.

3 Mr. Frandsen agreed, it would be easy to do away with the TOD zone and let the market buy and
4 sell and develop in a market-driven way. However, the result would not be what we've
5 determined we want.

6 Mr. Brocious pointed out that the code originally called for commercial to be delivered at 50%
7 buildout, then the city moved to 75% to give more flexibility.

8 Mr. Frandsen asked how many rooftops it takes to drive commercial development.

9 Mr. Hathorne replied that formulas and information given by Zions and Crescent Communities
10 ends up at around 8,000 sf of non-residential space. As he sees it, the main issues are building
11 footprints and streets. Developers will try and make it work by reducing streets and footprints.

12 Ms. Anderson agreed that this is a new concept. We haven't done it before, but it is a valuable
13 vision to stick to.

14 Mr. Hathorne agreed, but thought that the way it is written needs to be fixed in the interests of
15 the city.

16 Ms. Anderson pointed out that the amendment consists of five points, and she has no issues with
17 three of them. All but items 1 and 3 she can agree to. She doesn't think that reducing the number
18 of streets requiring commercial would benefit the core, and she doesn't think the flex space is a
19 good solution. Once a use starts out as residential, there's no guarantee of a commercial
20 component coming to fruition.

21 Mr. Hathorne asked if amenity functions of multi-family can be utilized on the ground floor. It's
22 not a true mixed-use function but is necessary space.

23 Ms. Anderson clarified that such amenity space would only serve the residents of that building,
24 and not the whole community.

25

26 **Public Hearing Opened**

27 Mr. Grant Lefgren has TOD property adjoining this parcel, he has also noticed that there are
28 some unintended consequences of the TOD code. He agreed that developers are trying to avoid
29 the interior streets because of the commercial requirements. He thinks it is worth listening to the
30 developers to understand what is making sense for them and what is not.

31 Ms. Anderson agreed that the city wants connectivity, what kind of options are there in the code
32 so that we can have that and still have mixed-use requirements not only on the core connectors?

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1 Mr. Olsen replied that our mixed-use requirements keep getting chipped away. None of the
2 projects have a mixed-use component, they're strictly residential. If the city wants a bunch of
3 high-density apartments, that's easy. How do we ensure the city gets what it wants?

4 Ms. Janeen Ledkins doesn't feel like she has a horse in this race, and she doesn't necessarily
5 want the TOD project. As a small business owner, she wants her tax preparation business to be
6 accessible to her customers who will come in from out of the area. She asked if the city has done
7 a study of what kind of business will be there. She thinks maybe hair salons, coffee shops, etc
8 would be appropriate. She is of the opinion that we should keep commercial to the bigger streets
9 where there is parking, because people want convenience.

10 Mr. Quinn noted that they see the value of mixed-use, it's just a matter of timing and how much
11 is required. The way the code is currently written is a big burden to carry.

12 Mr. Christiansen was a part of the creation of the code, he stated that a lot of time and effort went
13 into this vision. He felt that it would be an injustice to erode it. He wants to maintain the original
14 vision, while also understanding that developers will bring issues to our attention. He doesn't
15 think the city is ready to make wholesale changes. That's why this process exists, commissioners
16 need developers' feedback to understand market conditions, but we've always known we have to
17 respect the vision we've worked toward.

18 Mr. Olsen added that developer-driven amendments can show us the blind spots, things we can
19 address. However, it needs to be a balance with what the council wanted for this area. He thinks
20 most of the amendments are fine, he will support commissioners and council however they wish
21 to move forward.

22 Ms. Anderson thanks applicants for bringing forward their concerns. The code is a living
23 document and city leaders can make beneficial changes as needed.

24

25 **Public Hearing Closed**

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27 **Mr. Frandsen moved to recommend denial of the proposed amendments.**

28

29 **Ms. Anderson seconded the motion. Voting was as follows:**

30

31 **Chairman Woffinden Aye**

32 **Christine Anderson Aye**

33 **Chris Christiansen Aye**

34 **Jenny Peay Aye**

35 **Bruce Frandsen Aye**

36 **Rod Brocious Aye**

37

The motion passed.

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1 6. Hearing, review and action on an amended final plat for Dixie Farms Plat F-1 located at
2 approximately 900 South 900 West in the PR 3.0 Planned Residential zone

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4 Mr. Olsen stated that the property consisting of Dixie Farms was annexed in early 2018. Upon
5 annexation, the property was zoned PR-3.0 (Planned Residential 3 du/ac), PF (Public Facilities),
6 and SP (Shoreline Preservation). The PF zone designation lies within a power line corridor,
7 slated as a linear park; additionally, the PF zone designation was given in an area for a potential
8 alignment of the future Vineyard Connector. The Shoreline Preservation zone was designated for
9 the area encompassing wetlands and floodplain adjacent to Utah Lake.

10 Plat F-1 was approved in 2020. The amended plat proposes two items: (1) adjustment of a
11 common lot line between Lots 409A and 409B and (2) allowance of a variance for front and side
12 yard setbacks.

13 Section 17.7.503.H.6(f) of the Development Code allows setback variances upon a
14 recommendation and finding from the Planning Commission that “such variance is appropriate
15 for the proper development of the lots and that such reduction will not result in the establishment
16 of a hazardous condition”. The applicant has provided a narrative for justification of setback
17 variance. They propose a variance to the side setback, from 8’ to 5’ (to allow for a 3-car garage),
18 and a variance to the front setback from 25’ to 20’ (for the house portion only; the garage still
19 being held at 25’). The applicant feels these considerations will allow greater variety of
20 architecture styles for homes; improving the streetscape scene and the reduction of on-street
21 parking. The Planning Commission may, but is not required to, approve such variance. The
22 layout and number of lots is not changing from the original approved final plat.

23 Mr. Grant Lefgren, applicant, explained the rationale behind his request. They have more
24 properties than this parcel under contract, and these lots are slightly narrower than the others.
25 The lots are 60’ wide, they think the market will want 3rd car garages since there are no
26 basements. With the 8’ side setbacks and the larger garage, it doesn’t give enough usable space.
27 He recognizes that these are smaller lots and the 25’ long driveway is a little much for a small
28 lot. From an architectural and use standpoint they would like to reduce the side setbacks to 5’.
29 He believes it will fit well with the small lot size, they would like porches or living space to
30 encroach in the front setback by 5 ft. He thinks it will look and feel better by going from 8’ to 5’
31 on sides and from 25’ to 20’ in front.

32 Ms. Anderson asked if they would be willing to go 5’ on one side and 8’ on the other, giving 13’
33 between homes instead of 10’.

34 Mr. Lefgren said that their company builds with 4’ hallways and stairwells, more space than
35 required. It makes the home feel noticeably more spacious. From an architectural standpoint they
36 want to make the entry and the space welcoming. It would make a difference in the feel of the

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1 home, especially in the entry. He's asking for every foot he can get. He believes that 10' between
2 houses is not unusual.

3 Ms. Peay likes the idea of the 20' in front but she's not sold on the 5' side setback. This little
4 space doesn't leave any room for variance or mistakes. When residents come in they will
5 probably want a pergola or a hot tub and it will be very cramped.

6 Mr. Lefgren stated that he has two plan sets. Keeping the 8' side setbacks will result in not doing
7 the 3-car garage. With prices so high, in the \$600,000 range, the homes should have a 3-car
8 garage. These are the smaller lots and they are trying to add some value.

9 Mr. Brocious sees value in bringing architectural variety by adjusting setbacks. He asked if the
10 fire marshal is OK with that type of reduction? If there is a safety hazard he will not be in
11 support.

12 Ms. Anderson agreed with Mr. Brocious on the need for variety. Not everyone wants a big lot,
13 she thinks this is a good product. She likes the varied setbacks and is in favor. She feels that it is
14 appropriate for the proper development of the lot.

15 Mr. Lefgren inquired if 10' is too hard, would commissioners consider a 6' setback? They could
16 probably make that work, but would really like to have the house component in front of the
17 garage.

18 Chairman Woffinden asked the fire marshal if 5' setbacks would be considered a safety risk.

19 Fire Marshal Sacco said that this is usually a question for the building department. He feels that
20 going from 8' to 5' doesn't necessarily mean more risk.

21 **Public Hearing Opened**

22 No comments were received.

23 **Public Hearing Closed**

24 **Mr. Frandsen moved to recommend approval of the final plats for Dixie Farms Plat F-1,**
25 **with the findings and conditions listed in the staff report and subject to any findings,**
26 **conditions and modifications listed in the engineering report.**
27

28 **Ms. Anderson seconded the motion. Voting was as follows:**
29

30	Chairman Woffinden	Aye
31	Christine Anderson	Aye
32	Chris Christiansen	Nay
33	Jenny Peay	Aye
34	Bruce Frandsen	Aye
35	Rod Brocious	Aye

36 **The motion passed.**

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1 7. Review and action on a site plan for Lake City Flats located at approximately 95 N.
2 Barratt Avenue in the CC-1 zone

3
4 Mr. Olsen indicated that Lake City Flats is a proposal for a 5-story, 109 studio/micro unit project
5 at the north end of Barratt Avenue and Pacific Drive. The site consists of 1.35 acres and the
6 resulting density is approximately 80 du/ac. The CC-1 zone was recently amended to allow
7 higher density residential uses. There is no cap in density provided that required parking be
8 provided. In addition, there is no height limitation in the zone; again, provided that required
9 parking is provided.

10 Lake City Flats proposes a parking ration of 1 stall per unit, well below the City requirement of
11 2.25 stalls per unit. An argument provided by the applicant is that these “micro units” will not
12 need the required 2.25 stalls per unit as tenants will likely have one vehicle, at most.
13 Additionally, as the project lies in the path of a future bus-rapid transit corridor, tenants will be
14 able to use public transit. While it may be true that there will one day be a bus-rapid transit
15 system in the vicinity, there is no timeline from UTA on the construction of such a system. If it
16 proves to be successful in reducing the need for parking on-site for this project, an alternative
17 would be to reduce the number of units in order to provide the required number of parking stalls,
18 until such time as the transit system is in place. Then, at that future time, and if the parking
19 demand is decreased, additional units could be constructed on site. Staff has concern with the
20 low number of parking stalls provided. The applicant has submitted a parking study in support of
21 this low number, and staff has provided a professional opinion in reply. Both are provided in the
22 submittal materials. As it stands, staff cannot recommend approval with such a low parking stall
23 request.

24 As currently written, the CC-1 zone requires that “a variety of compatible exterior materials
25 (minimum 4), colors and design shall be used on all buildings. Architectural style shall consider
26 historical precedent and material used within the downtown area and complement that
27 precedent”. Staff is unclear how this is being addressed from the submittal materials presented.
28 The materials illustrate four complementing colors, but it is unclear how the proposed materials
29 complement historic precedent or materials used on existing historic structures downtown. The
30 applicant is likely to come with changes that better address this requirement and speak to it at the
31 meeting. This would be five stories, and the highest building in downtown American Fork, but
32 we don’t have the current transportation to support reduced parking.

33 Until the items outlined above are addressed, staff recommends this item be “tabled”. If the
34 reduced parking request remains, staff recommends “denial”.

35 Mr. Frandsen agreed that you never know what will come to pass as far as public transit, there
36 have been many proposals but none have come into existence. He asks what the counter-study
37 showed for appropriate parking. Mr. Olsen believes it was 1.5 stalls per unit. Mr. Frandsen
38 reminded commissioners that even in The Meadows near the Trax station there are parking
39 problems with cars all over the street.

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1 Mr. Hunter stated that Mr. Olsen touched on the parking problems, while he has concerns about
2 other areas. There are a lot of challenges and complexities with this project. The latest
3 resubmittal has been reviewed and a 3rd party reviewed their parking and traffic study. The
4 memo from the 3rd party engineer raised questions and Engineering recommends tabling this
5 item. Engineering staff provided a copy of the memo to the applicant. The proposed site is next
6 to Pacific Drive and the railroad tracks. It is a primary intersection and needs to have mitigation.
7 We cannot give a positive recommendation yet, but hopefully will be able to soon. The required
8 infrastructure is in place.

9 Ms. Anderson asked if the main problem is access. Mr. Hunter agreed, and stated that he also
10 wants to make sure that all traffic questions have been addressed.

11 Mr. Brocious noted that that area of Pacific is a challenging configuration, he asked Mr. Hunter
12 what his ideal solution would be.

13 Mr. Hunter replied that this development isn't creating the problem but would certainly add to it.
14 Some other options are a roundabout with tracks, and maybe a blockade at the intersection of
15 Barratt and 100 North to prevent access. Staff will want to make sure that the Fire Department
16 has sufficient turnaround space, etc. The review provided some possible solutions but we haven't
17 fully explored those details yet.

18 Mr. Brocious wants to preserve movement and functionality and the tracks, that makes for a lot
19 of interaction. This will be a challenging project.

20 Mr. Hunter expressed his desire for a long-term solution, not just a short-term fix.

21 Mr. Diego Carroll is a resident of American Fork and an engineer interested in revitalization and
22 providing affordable housing options. Along with his partner, Chad Pollard, he wants to make
23 the downtown area better. He is a civil engineer and the manager of Lake City Flats project, and
24 currently serves as president of American Council of Engineering Companies. His professional
25 background and interest is in urban development. He prepared the traffic and parking study.

26 Mr. Chad Pollard is also an engineer, he has a lot invested in this city, and wants better
27 development in the downtown area. His specialty is more on the construction side, and he
28 believes that he and Mr. Carroll make a good team.

29 Mr. Carroll stated that he met with the commission a year ago to discuss the possibility for
30 reduced parking for micro apartments. They hope to develop a project with half the parking
31 space. He took note of comments from commissioners about the differences between the Salt
32 Lake City project (zero parking) and American Fork. Some commissioners seemed comfortable
33 with 1 space per unit. He intends to focus his presentation on parking concerns. He stated that his
34 approach has been collaborative with city staff, he specializes in micro apartments in order to
35 focus on affordable housing. He believes that the city has a role in providing opportunities for
36 affordable housing. They sought the commissions' feedback and have worked to allay concerns.
37 They want to work with the city staff and come to an agreement. They propose 350 sf units, he

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1 gave commissioners pictures of a completed project in Salt Lake City with full kitchens,
2 bathrooms, and washer and dryer. All units are rented by single occupants who want a small
3 footprint. Their Salt Lake City project was quickly fully occupied.

4 Mr. Pollard noted that the units are well laid out, with 9' ceilings and an elevator. There is a huge
5 need for housing for singles that is affordable, in the \$800-850 range. There is a big demand for a
6 walkable community, he feels that this will minimize the demand for parking.

7 Mr. Carroll met with Mr. Sensanbaugher, public works director to get his feedback. He indicated
8 that Mr. Sensanbaugher looked at his plans and stated that there are no fatal flaws. (Mr.
9 Sensanbaugher has a differing recollection of the conversation.) Applicants would consider
10 providing a guardrail protecting Pacific Drive, or work to eliminate movement along Barratt and
11 100 North. He expressed that they are willing to work with city staff to make traffic concerns and
12 safety a priority.

13 Mr. Brocius asked what long-term solutions would look like.

14 Mr. Pollard replied that any long-term solution will have to be well studied, these are just
15 temporary measures. He acknowledged that this project would be adding more traffic if they
16 don't block it off. He apologized and expressed a wish that they had more time to come up with
17 solutions.

18 Chairman Woffinden indicated that commissioners won't make a quick decision.

19 Mr. Carroll stated that they gave timely information and responses to the city. He reviewed his
20 traffic studies with commissioners to refute concerns expressed by the 3rd party engineer. He
21 feels the comments were splitting hairs. The parking study that he did showed that .75-1 parking
22 space would be adequate. He feels that his study used more precise and sophisticated data than
23 the city's counter-study. He feels that they have addressed all comments and concerns with the
24 exception of the guardrail on Pacific, and they are willing to work with city staff on that. He
25 discussed their projects in Holladay, Midvale and Clearfield. If they were building a typical
26 apartment, they would need the required parking, but their units are different and their analysis is
27 defensible and specific to the area.

28 Chairman Woffinden asked where Mr. Carroll got his numbers regarding how many cars Utah
29 renters own. He replied that his data came from US Census information. He stated that one-third
30 of renters in American Fork have one car or less.

31 Ms. Anderson clarified her understanding that residents will be charged to use a parking stall,
32 and the applicants agreed that is the case.

33 Mr. Carroll added that there are many ways the city can regulate parking, such as charging,
34 giving permits, etc.

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1 Ms. Anderson mentioned that this is another variety of lifestyle product that can be offered in our
2 city. Given the location and walkability, she thinks a lot of people would want an affordable
3 housing option like this.

4 Mr. Christiansen agreed, he could possibly be comfortable supporting 1 stall per unit. He is open
5 to the idea.

6 Chairman Woffinden asked about bicycle storage. He believes that if there are reduced numbers
7 of vehicles, tenants may need to use bicycles.

8 Mr. Carroll replied that he would be happy to provide such storage, they have provided balconies
9 with their other projects and that is where many tenants store their bikes.

10 Ms. Peay asked if the fire marshal could address fire concerns with this development.

11 Fire Marshal Sacco said they did reach an acceptable agreement regarding fire safety if the
12 parking situation is resolved. However, if there is parking on the street it will be more
13 questionable. The 5-story height is not the problem, it is the parking along Barratt that would
14 need to be prohibited.

15 Ms. Anderson asked Mr. Hunter if it would be possible to approve the site plan and have it go
16 forward for work on the guardrail and other possible solutions.

17 Mr. Hunter indicated that staff would like a chance to further and more thoroughly study the
18 Hales Engineering document and the applicant's responses to make sure everything has been
19 addressed.

20 Mr. Brocious is struggling with timing of mass transportation. It might be coming, but he doesn't
21 know when. Currently the options are limited to bus transportation. He fears that tenants will
22 need a car and if there is more than one occupant they could have 2 cars.

23 Mr. Carroll clarified that their current analysis is based on only bus transportation being
24 available.

25 Mr. Pollard added that some residents won't have any cars at all.

26 Mr. Olsen pointed out that if they charge for parking, there will be an incentive to park on the
27 street and that will exacerbate the problem. He adds that you can look at their studies and agree
28 with their analysis, but then you have to look at the development across from the Front Runner.
29 They are right next to transit, but their cars are everywhere and this development met the parking
30 code requirement. He feels that this is an example that we should learn a lesson from.

31 Mr. Carroll expressed his belief that this will happen regardless of what parking numbers you
32 require. The reality is that unless the city prohibits on-street parking, this will happen.

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1 Fire Marshal Sacco stated that in the TOD area there are a lot of problems that they respond to
2 regularly. He feels that the best approach is to take time and look at all the data and reach a good
3 conclusion.

4 Mr. Olsen indicated that he dislikes discussion items because the applicant can come back later
5 and misrepresent commissioners' comments as support for their project.

6 **Mr. Christiansen moved to table action on the site plan in order to give the applicant time**
7 **to address issues outlined above and address any issues outlined in the Engineering report.**

8 **Ms. Peay seconded the motion. Voting was as follows:**

9	Chairman Woffinden	Aye
10	Christine Anderson	Aye
11	Chris Christiansen	Aye
12	Jenny Peay	Aye
13	Bruce Frandsen	Aye
14	Rod Brocious	Aye

15 **The motion passed.**

16

17

18 8. Discussion on amendments to the CC-1 zone related to architectural elements

19

20 Mr. Olsen displayed a draft of potential changes to the CC-1 zone; specifically, clarification on
21 architectural elements. When revisions were made in 2020 to allow residential uses in the zone,
22 language was included that required new structures to have at least 4 various exterior materials
23 that complemented historic precedent and styles found in the downtown area. In further
24 discussions with City Council, it was determined that clarification was needed on these elements.

25 Staff has researched architectural styles found in early American Fork. Buildings which exhibit
26 these early styles and elements include: the Alpine Stake Tabernacle (Greek Revival), the
27 Presbyterian Church (Gothic Revival), the Harrington School and Historic City Hall (Late
28 Victorian) and the Bank of American Fork building. These are identified in the Code revisions
29 and used as examples to draw from; common themes found in these examples being called out in
30 the draft. It is hoped that this will provide some clarity when developers propose new structures
31 in the CC-1 zone and how they can complement historic precedent while allowing a modern
32 manifestation.

33 As this is a discussion item, no formal action will be taken. Additional items may be added to
34 the draft, which may then be scheduled for a formal public hearing and recommendation to City
35 Council.

36

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1 9. Other Business

2 There was no other business to discuss.

3

4 10. Site Plan Committee Report

5

6 Mr. Knobloch reviewed the items for the upcoming Planning Commission meeting to be held on
7 Wednesday, July 21, 2021. There will be 2 annexations in the TOD, another plat in Stonecreek,
8 the Walton Townhomes, and a commercial site plan. He asked commissioners if they would like
9 the Lake City Flats to be on the agenda or if they would prefer to wait. Mr. Olsen mentioned that
10 it wouldn't need a hearing, so it could move forward with 24 hours' notice. Mr. Hunter said he
11 would check with Hales Engineering.

12

13 11. Review and action on the minutes of the June 16, 2021 Planning Commission Regular
14 Session

15

16 **Ms. Anderson moved to recommend approval of the minutes of the June 16, 2021 Planning**
17 **Commission Regular Session.**

18 **Mr. Christiansen seconded the motion. Voting was as follows:**

19	Chairman Woffinden	Aye
20	Christine Anderson	Aye
21	Rod Brocious	Aye
22	Jenny Peay	Aye
23	Bruce Frandsen	Aye
24	Rod Brocious	Abstain

25

The motion passed.

26 12. Adjournment

27

28 **Ms. Peay motioned to adjourn.**

29 **Mr. Frandsen seconded the motion. All voted in favor.**

30

31 Meeting adjourned at 11:00 pm.

32

33

34

35

36 Lisa Halversen, Administrative Assistant