

APPROVED MINUTES
12.06.2023

**AMERICAN FORK CITY
PLANNING COMMISSION REGULAR SESSION**

December 6th, 2023

The American Fork City Planning Commission met in a regular session on December 6th, 2023 at the American Fork City Hall, 31 North Church Street, commencing at 6:00 p.m.

Commissioners Present: Christine Anderson, Chris Christiansen, Harold Dudley, Jenny Peay, David Bird, Rodney Martin, Bruce Frandsen

Staff Present:

Travis Van Ekelburg	Planner
Cody Opperman	Planner
Ben Hunter	Project Engineer
Angie McKee	Administrative Assistant I

Others Present: Tyler Horan, Mike Horan

REGULAR SESSION

Christine Anderson led the “Pledge of Allegiance”

Roll Call

COMMON CONSENT AGENDA

- 1. Minutes of the November 8th, 2023 Planning Commission Regular Session.**
- 2. Adoption of the 2024 Planning Commission schedule.**

Chairwomen Anderson: All right, welcome. We will start with the common consent agenda which tonight includes two items the minutes from our past meeting and also the adoption of the 2024 planning commission schedule that is in our packets. Are we showing that on that presentation?

Travis Van Ekelburg: No.

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Chairwomen Anderson: Okay. I did notice that there is a July 3rd meeting which will likely, as we get closer to that, likely be canceled. And I did also notice that there are two meetings that I won't be able to be there, so I will defer to our vice chair for those. Other than that, are there any comments on the Common Consent agenda?

Bruce Frandsen: Did we meet last year over spring break? That will be the April 3rd meeting, but I guess we will adjust as we get closer?

Chairwomen Anderson: Right. April 3rd and July 3rd are the two that are Holiday weeks, and then I will not be here March 20th or June 5th. Thanksgiving and the Christmas ones are a full week before the holiday, so those likely will go forward. If we don't have any further discussion, we can have a motion on the Common Consent Agenda.

Chris Christiansen motioned to approve the Common Consent agenda.

Harold Dudley seconded the motion.

Voting was as follows:

Chris Christiansen	AYE
Harold Dudley	AYE
Jenny Peay	AYE
David Bird	AYE
Bruce Frandsen	AYE
Rodney Martin	AYE
Christine Anderson	AYE

The motion passed

PUBLIC HEARINGS

- a. Public hearing, review, and recommendation on a proposed Code Text Amendment, known as Tree Planting and Clearance Specifications, of the American Fork City Municipal Code. Amending Section 12.16, the Code Text Amendment plans to**

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clarify where trees are permitted to be planted on public property, and the height at which trees should be maintained over streets and sidewalks.

Travis Van Ekelenburg reviewed the background information for Public Hearing Item letter a: City Staff has initiated a Code Text Amendment to amend Section 12.16 of the American Fork City Municipal Code. The proposed amendment looks to clarify where trees are permitted to be planted on public property, and the height at which trees should be maintained over streets and sidewalks.

Travis Van Ekelenburg: There are a few sections where there are specifications for distances and where planting should take place. There are also some subtle word changes, instead of 'may' things are switched to 'shall'. It's more that they have to keep them at a certain height and a certain distance. There's just a few changes, not too many. As you can see, they are highlighted in red right there. Do you guys have any questions of staff in regard to this particular code change?

Chairwomen Anderson: I just have a clarification. As I'm looking at it, it seems like several of the changes are, like you are saying switching from 'may' to 'shall', or kind of making things consistent throughout the code and clarifying things that are there. Are there things that we need to be especially aware of? Bigger additions or significant changes?

Travis Van Ekelenburg: As you can see right there, under 12.16.020 Number three, under there you can see that's a complete addition.

Chairwomen Anderson: Okay.

Bruce Frandsen: Yeah, I have a question on that addition you're talking about there. Section f, can you explain to me what that means? It says if you're within four feet of hardscape, which I assume is the sidewalk/asphalt, then it is eight feet. And I'm not sure what we're trying to say with section f.

Chris Christiansen: The way that I understand that is, you've got to be four feet away. So, you have a curb on one side, so four feet from there, and then four feet away from the sidewalk that would be eight feet. So, in an eight-foot park strip, you put in right in the middle, you are four feet away.

Travis Van Ekelenburg: Right

Rodney Martin: So that's to prevent trees from being planted in a four-foot space?

Bruce Frandsen: So, if you have a six-foot park strip, no tree. If you have an eight-foot park strip, no tree.

Chairwomen Anderson: It has to be in the center.

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Bruce Frandsen: Well, it would still be three-foot 11 inches from each side and wouldn't be in the center. You can't plant a paper-thin tree in the middle of eight feet and say you're four feet away from each other.

Chairwomen Anderson: Are you saying the radius of the trunk needs to be the center point of things, I guess the edges of the trunk like a one-foot trunk?

Bruce Frandsen: We're having this discussion; I can only see a citizen coming in with the same question. If you plant a 6-inch diameter tree in a park strip, now you're not four feet away from all parts. I don't know.

Rodney Martin: That will be a simple thing where you just say clarification; Measured from the center of the tree, and then A through F are all covered.

Bruce Frandsen: Yeah, that would clarify.

Travis Van Ekelenburg: Okay.

Rodney Martin: So, we could pass it with that in there.

Bruce Frandsen: Sure. I like that.

Rodney Martin: I understand the eight feet. I live in an older part of American Fork and all the trees planted in the four foot have pushed the sidewalks and stuff, so I understand why.

Cody Opperman: It's also to include the longevity of the life of the trees while being able to create more of a beautification aspect for the longevity of American Fork City as well. You don't want half the life of the tree, and potentially not replant anything. So, we're just really enhancing the beautification aspect of the city too.

Bruce Frandsen: I agree with all of that. I think it's great code. For me, when I read it, I was a little confused. I liked the clarification.

Cody Opperman: It's a good suggestion to clarify.

Public Hearing Opened

No Comments

Public Hearing Closed

Chairwomen Anderson: If we don't have any further discussion, we can entertain a motion.

David Bird moved to recommend approval for the proposed Code Text Amendment, amending Section 12.16, titled Tree Planting and Clearance Specifications, related to

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clarifying where trees are permitted to be planted on public property, and the height at which trees should be maintained over streets and sidewalks. and providing an effective date for the ordinance, and that the center diameter of the tree trunk be determined as the measuring point.

Bruce Frandsen seconded the motion.

Voting was as follows:

Chris Christiansen	AYE
Harold Dudley	AYE
Jenny Peay	AYE
David Bird	AYE
Bruce Frandsen	AYE
Rodney Martin	AYE
Christine Anderson	AYE

The motion passed

- b. Public hearing, review, and recommendation on an application for a Land Use Map Amendment, known as Learning Blocks Daycare, located at 355 East 200 South, American Fork City, UT 84003. The Land Use Map Amendment will be on approximately .61 acres and is in the General Commercial land use and will change to the Residential Medium Density land use.**

Travis Van Ekelenburg reviewed the background information for Public Hearing Item letter b: The applicant has applied for a proposed Land Use Map Amendment. The project looks to change from the General Commerical land use to the Residential Medium Density land use to provide a residential daycare in the building. This property has recently been changed from the Residential Medium Density land use to the General Commercial land use to accommodate a commercial daycare, but the applicants are wanting to change it back to its original residential land use.

Travis Van Ekelenburg: Additionally, they are requesting to change their GC-1 zoning designation to the R-7500 designation, to provide a residential daycare in the existing building.

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The property was changed to its current land use zoning designation about a year and a half ago to the general commercial land use designation and the GC-1 zoning designation, to accommodate commercial daycare. But the applicants are wanting to change it back to its original residential land use and zoning. Staff talked about it, and we decided that we were okay with that changing back, to be more consistent with what is existing on the property. Considering the commercial aspect of it, they would not be able to meet those requirements for upgrading the property and it was just too cost inefficient for them. There are several other reasons, but we felt as staff that we are okay with that changing back on both of these, so they are meeting those requirements. Are there any questions in regard to this Land Use Map Amendment or Zone Change?

Public Hearing Opened

No Comments

Public Hearing Closed

Chairwomen Anderson: Are we ready for a motion?

Travis Van Ekelburg: So, I talked to Patrick earlier today and we were talking about if the applicant comes or not, that might be good to table it for a time when they are here, but that's up to you guys.

Rodney Martin: For what purpose?

Travis Van Ekelburg: He didn't really say, he just ran it past me as we walked down the hallway.

Rodney Martin: In my mind it was already that zoning and land use previously, and they asked for a purpose to have a commercial daycare. They just want to go back; I wouldn't see a reason to not have it go through.

Jenny Peay: Do you see any concerns?

Travis Van Ekelburg: No, I don't, we are fine with it. We just like to leave that up to you guys to decide.

David Bird: Maybe I'm not totally clear on this. Right now, it is the R-200 zone? Is that correct?

Travis Van Ekelburg: No, it's the GC-1 so it's commercial zoning.

David Bird: And it wants to go back to the residential zone, which is what it was originally?

Travis Van Ekelburg: Yes.

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David Bird: I am not understanding why it's flipping back.

Travis Van Ekelburg: That's probably part of the reason Patrick suggested tabling, so the applicant can answer those questions. There has been quite a bit of discussion with various staff members, from the fire department to the planning staff. And I've been on the phone quite a bit with the applicant as well. This seemed to be their only real option as far as keeping what they have going currently, what their business is.

David Bird: I don't know the pros and cons, advantages, or disadvantages of reverting back to the original. I don't understand those changes.

Travis Van Ekelburg: So, with the commercial zoning, anything they're doing, they have to adhere to current code. To upgrade the property to the commercial guidelines in the code, they're not able to do that considering the constraints on the property.

David Bird: But you have no objection to that as far as the city staff is concerned?

Travis Van Ekelburg: Switching it back you mean? No.

Harold Dudley: Are they currently operating a daycare there?

Travis Van Ekelburg: They are.

Harold Dudley: Will that current operation continue, and does it fall within a home use under the residential zone?

Travis Van Ekelburg: I don't know when the approval took place, or how the approval took place. I know that they have a business license and they are currently running.

Chairwomen Anderson: I think that is a use in a residential area.

Chris Christiansen: That is a typical use in a residential area.

Harold Dudley: There are restrictions around it.

Travis Van Ekelburg: There is, for home daycares.

Chairwomen Anderson: I think this specific piece of land works well in a residential area. It's a bit out of place to be commercial there. It fits better.

Travis Van Ekelburg: If I remember correctly, some of the conversation was they wanted to expand and have more kids and things and that is why they switched to commercial. Then they realized they couldn't do it with all the commercial regulations.

Harold Dudley: I think just for a matter of the minutes, so it is on record, and because I don't think it is appropriate for the motion. Let's have in the minutes that our understanding, without them here, is any operation of a daycare or any other home use, that they adhere to the requirements of that home use and the residential zone. There's no preconceived notion of any

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sort that they're grandfathered in any commercial use that's beyond what a home use allows. Does that make sense? Let's put that in the record so that if at any point in the future they say 'Well, we were commercial now we've gone residential', that they're doing anything beyond that use because that is certainly not appropriate. For them to say, 'I zoned in, and then I went back' No, that is not the intent here.

Travis Van Ekelenburg: I agree with you.

Harold Dudley moved to recommend approval for the proposed Land Use Map Amendment, located at 355 East 200 South, American Fork City, from the General Commerical land use to the Residential Medium Density land use, subject to any conditions found in the staff report.

Jenny Peay seconded the motion.

Voting was as follows:

Chris Christiansen	AYE
Harold Dudley	AYE
Jenny Peay	AYE
David Bird	AYE
Bruce Frandsen	AYE
Rodney Martin	AYE
Christine Anderson	AYE

The motion passed

- c. Public hearing, review, and recommendation on an application for a Zone Change, known as Learning Blocks Daycare, located at 355 East 200 South, American Fork City, UT 84003. The Zone Change will be on approximately .61 acres and is in the GC-1 zone and will change to the R2-7500 zone.**

Travis Van Ekelenburg reviewed the background information for Public Hearing Item letter c: The applicant has applied for a proposed Zone Change. The project looks to change from the GC-1 zone to the R2-7500 zone to provide a residential daycare in the building. This property has recently been changed from the R2-7500 zone to the GC-1 zone to accommodate a

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commercial daycare, but the applicants are wanting to change it back to its original residential zone.

Public Hearing Opened

No Comments

Public Hearing Closed

Harold Dudley moved to recommend approval for the proposed Zone Change, located at 355 East 200 South, American Fork City, from the GC-1 zone to the R2-7500 zone, subject to any conditions found in the staff report.

David Bird seconded the motion.

Voting was as follows:

Chris Christiansen	AYE
Harold Dudley	AYE
Jenny Peay	AYE
David Bird	AYE
Bruce Frandsen	AYE
Rodney Martin	AYE
Christine Anderson	AYE

The motion passed

ACTION ITEMS

- a. Review and recommendation on an application for a Final Plat, known as Deer Park - Border States Electric Storage Yard, located at 51 West 1100 South, American**

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Fork City, UT 84003. The Final Plat will be for approximately 4.03 acres and will be in the PI-1 Zone.

Cody Opperman reviewed the background information for Action Item letter a: The applicant has applied for a Final Plat to create one parcel of land for future development in the Planned Industrial (PI-1) zone. The project looks to create a lot of land for a future outdoor storage yard and building. The outdoor storage yard will not be connected to the future development of a structure on the lot of land but is a continuation of the office/warehouse establishment located directly east of this lot. As the office/warehouse establishment that will be utilizing this outdoor storage yard is not located on this lot, a Temporary Cross Access Agreement has been created and will need to be finished to allow future businesses to access the outside storage yard that is on a different lot of land. This property was annexed into American Fork City a couple of months ago.

Jenny Peay: So, on the plans I am seeing a nine-foot screen fence with barbed wire on the top. On the perimeter of the property, where is that? I am having a hard time finding on the plans where that eight-foot fence is. Is it going to go the entire perimeter property or just at the southern portion?

Cody Opperman: When we get to the commercial site plan, I can show you where that is going to be, but for your question right now Jenny, the fencing will be eight feet, and one foot for security purposes. The eight-foot fencing, or 96 inches indicated in the standards, will be only for 50,000 square feet of outdoor storage area, so it's a little over an acre. Once we get into the commercial site plan, I can go into a little bit more detail about where that's gonna be located but it's more on the southern portion of that property. So, I believe, and the applicants can correct me if I'm wrong, is that the future plan for that northern portion of the property is to provide another PI-1 structure, maybe an office warehouse structure, fronting 1100 South.

Jenny Peay: My concern was coming off of 1100 south, for that residential area, you're going to cause a blind driveway if there is an 8-foot fence clear up to 1100 [south]. I just wondered how far back that was going to go.

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Cody Opperman: Yeah, it's pretty far back from 1100 south. It's basically the last acre of the Southern property. That home just to the north fronting 1100 south, I believe is not a concern really, and they've also provided around 150 feet from the adjacent residential lot line. I can show you that in the commercial site plan. Just after this final plat determination.

Jenny Peay: Thank you for that.

Chairwomen Anderson: I believe the applicant is here. If you'd like to, you're welcome to step forward and tell us about your project. Do you have anything you'd like to add?

Tyler Horan: Tyler Horan. I don't really have anything to add. If any questions come up, we can come back up. If you remember, we went through the process of the text amendment several months ago to allow this use. Since that went through, we have just worked with staff to make sure that we meet all the requirements that we talked about. So, if any questions come up, we can answer them.

Chairwomen Anderson: Okay, great.

Bruce Frandsen: So Tyler, right now with your access, you're planning to bring it all from the east over? You're not planning an access onto the road to the north at this point? Obviously, the temporary access will go away at some point when you develop on the north end of the property.

Tyler Horan: That's Correct. That one acre like they had said, is just on that south section. And, yeah, we're not going to allow the tenant to drive their semi-trucks through that dirt. We communicated pretty clearly to them that they're going to come through what's already paved, and they'll access through that parking lot. That's the reason that staff recommended we have that cross-access easement just so it's buttoned up that it's a legal access.

Chairwomen Anderson: If we don't have any further discussion on the final plat, we can have a motion.

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Rodney Martin moved to recommend approval for the proposed Final Plat, located at approximately 51 West 1100 South, American Fork City, in the Planned Industrial (PI-1) zone, subject to any conditions found in the staff report.

Bruce Frandsen seconded the motion.

Voting was as follows:

Chris Christiansen	AYE
Harold Dudley	AYE
Jenny Peay	AYE
David Bird	AYE
Bruce Frandsen	AYE
Rodney Martin	AYE
Christine Anderson	AYE

The motion passed

- b. Review and recommendation on an application for a Commercial Site Plan, known as Deer Park - Border States Electric Storage Yard, located at 51 West 1100 South, American Fork City, UT 84003. The Commercial Site Plan will be on approximately 4.03 acres and will be in the PI-1 Zone.**

Cody Opperman reviewed the background information for Action Item letter b: The applicant has applied for a Commercial Site Plan to develop an outdoor storage area in the PI-1 zone. The project looks to provide 50,000 square feet of outdoor storage to the office/warehouse establishment located east of the project. As the office/warehouse establishment that will be utilizing this outdoor storage yard is not located on this lot, a Temporary Cross Access

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Agreement has been created and will need to be finished to allow future businesses to access the outside storage yard that is on this different lot of land.

Cody Opperman: Just to go into the project conditions of approval for the site plan itself. The Fire Marshal has indicated that he wants to have a plan submitted to him after storage has been provided in that storage yard. Because there is nothing there, we don't know if the Fire Department would need to be able to access that storage yard and if so, would they be able to fit a fire apparatus within there. Would they be able to provide some turning radiuses so that they can clear some corners? Because this is a pretty large storage area, it's a little over an acre, he just wants to make sure that if there is some sort of emergency within that location, he can provide emergency services there. Number two, I just want a little bit of verification on one of the standards for the chain link fencing that's going to be provided for the site. There is going to be a cantilever slide gate. I just want to have a little bit of verification on if there's going to be vertical slats put in those cantilever gates as well. Then additionally, just address comments from the project engineer doing the review. For your questions Jenny from previously, I'll go into a little bit more detail here. As you can see, this outdoor storage yard is going to be just located on that south side of the property here. This is how far it's going to be from 1100 south. The fencing is going to be all along just this 50,000 square foot piece of property, and no perimeter fencing along the rest. This is kind of where the comment arose [from the Fire Marshall]. You can see that the fire apparatus can turn around right now because it's vacant, but when stuff is being placed in there, he just wants to make sure everything's good to go. On the access point Bruce, the access point will be from that East property right over here. Additionally, they will be removing some parking spaces from this East project, but those parking spaces are not removing any required parking spaces so, it's okay to do that as long as it's not interfering with the required amount of parking. And then additionally too, here is the residential property just up north here, and you can see that the fencing is just a little bit more to the east here.

Jenny Peay: Is it possible to do a secondary exit on that?

Cody Opperman: I don't know if there needs to be certain width requirements in order to provide a second exit or not? Maybe Ben can share some insight on that.

Ben Hunter: I don't know about Fire as far as the secondary access, but on the engineering side we don't have any requirements as far as the secondary access.

Rodney Martin: Can you go back one slide? The access here on the southwest portion of the existing project is best, you're talking about parking semis in there?

Tyler Horan: No, we're not looking to park semis there overnight. It will be like an outdoor storage yard, so they'll have electrical conduit and things like that.

Rod Martin: Probably trailers and things like that? I was just gonna speak to there is really no way to have a secondary access for trucks with trailers in this narrow parking area and not hit

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stuff. So, coming from that angle into the yard and back out is the best way to go with trucks and trailers.

Jenny Peay: My thought process behind that was if you have to do a turnaround in a fire truck, it takes up more storage space than just having a secondary access.

Cody Opperman: Additionally, just with the conditional use of this outdoor storage area, is that you can't store anything that is larger than the fence height itself. So, the fence height itself is going to be eight feet. So, anything above eight feet tall cannot be stored on the site. That's one of the requirements for conditional use.

Chairwomen Anderson: Ben, did you have any other comments on this?

Ben Hunter: No.

Chairwomen Anderson: Any other questions or discussion? We can move forward with a motion for the commercial site plan.

Jenny Peay moved to recommend approval for the proposed Commercial Site Plan, located at approximately 51 West 1100 South, American Fork City, in the PI-1 zone, subject to any conditions found in the staff report.

Bruce Frandsen seconded the motion.

Voting was as follows:

Chris Christiansen	AYE
Harold Dudley	AYE
Jenny Peay	AYE
David Bird	AYE
Bruce Frandsen	AYE
Rodney Martin	AYE
Christine Anderson	AYE

The motion passed

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Other Business

Cody Opperman informed the commissioners that staff is still working on several projects around the city, and we are getting close on the station area plan and code rewrite. We will not be having another Planning Commission meeting in December due to the Christmas holiday break.

Adjournment

Rodney Martin motioned to adjourn the meeting.

Harold Dudley seconded the motion.

Meeting adjourned at 6:32 PM

Angie McKee



Administrative Assistant I

The order of agenda items may change to accommodate the needs of the commissioners, public and staff.