



AMERICAN FORK CITY COUNCIL
JANUARY 9, 2024
REGULAR SESSION AGENDA

Notice of Electronic Meeting

One or more City Council members may be physically absent from this meeting but may participate electronically.

The American Fork City Council will hold a regular session on Tuesday, January 9, 2024, in the American Fork City Hall, 31 North Church Street, commencing at 7:00 p.m. The agenda shall be as follows:

REGULAR SESSION

1. Pledge of Allegiance; Invocation by Council Member Carroll; roll call.
2. Twenty-minute public comment period - limited to two minutes per person.
3. City Administrator's Report
4. Council Reports
5. Mayor's Report

COMMON CONSENT AGENDA

(Common Consent is that class of Council action that requires no further discussion or which is routine in nature. All items on the Common Consent Agenda are adopted by a single motion unless removed from the Common Consent Agenda.)

1. Approval of the December 12, 2023, city council minutes.
2. Approval of the January 3, 2024, special session minutes.
3. Approval of the authorization to release the Improvements Durability Retainer of \$242,673.06 for Roderick Catalyst Phase 2, located at approximately 400 East 1600 South.
4. Approval of the authorization to release the Improvements Construction Guarantee in the amount of \$18,285.80 and issue a Notice of Acceptance for the Rockwell Ranch Block 4 Landscaping construction of public improvements located at 975 West 520 South.
5. Approval of an Escrow Agreement with Bank of Utah & Gold Crest Homes for the Beck Hillside subdivision.
6. Ratification of city payments (December 6, 2023, to January 2, 2024) and approval of purchase requests over \$50,000.

ACTION ITEMS

1. Presentation and acceptance of audited financial statements for Fiscal Year Ending June 30, 2023.
2. Review and action on an ordinance approving the vacation of a portion of the public utility easement for property at 348 North 1160 East, located within Lot 3 of Quail Run Estates Plat A.

3. Review and action on the acceptance of an encroachment agreement with David and Audrey Kasperson located at 348 North 1160 East.
4. Review and action on a resolution approving a Land Use Map Amendment known as Learning Blocks Daycare, located at 355 East 200 South. The Land Use Map Amendment will be on approximately 0.61 acres and is in the General Commercial land use and will change to the Residential Medium Density land use.
5. Review and action on a proposed Zoning 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 0.61 acres and is in the GC-1 zone and will change to the R2-7500 zone.
6. Review and action on a resolution to accept or deny the THN Annexation petition to annex, consisting of 1.121 acres at 1054 East 300 North.
7. Review and action on a resolution approving the appointment of a director and alternate director to the Central Utah 911 Dispatch board.
8. Review and action on a resolution approving the appointment of a representative to the North Pointe Solid Waste Special Service District board.
9. Adjournment.

Dated this 4th day of January, 2024.

/s/Terilyn Lurker
City Recorder

- In accordance with the Americans with Disabilities Act, the City of American Fork will make reasonable accommodations to participate in the meeting. Requests for assistance can be made by contacting the City Recorder at 801-763-3000 at least 48 hours in advance of the meeting.
- The order of agenda items may be changed to accommodate the needs of the City Council, staff, and the public.



**REQUEST FOR COUNCIL ACTION
CITY OF AMERICAN FORK
JANUARY 9, 2024**

Department Public Works

Director Approval Terilyn Lurker

AGENDA ITEM Consideration regarding authorization to release the Improvements Durability Retainer of \$242,673.06 for Roderick Catalyst Phase 2, located at approximately 400 East 1600 South.

SUMMARY RECOMMENDATION The City Engineer recommends that the Improvements Durability Retainer be released. The improvements were found in a condition meeting City standards for workmanship and performance after one (1) year of service.

BACKGROUND Pursuant to the terms of Sections 17.9.100 and 17.9.403 of the City Development Code, the City Council may authorize the release of the Improvements Durability Retainer following the one (1) year durability testing period. The release is based on a finding that the quality of construction and materials have endured without evidence of unusual depreciation, wear, non-conformance of City standards or need for remedial action.

BUDGET IMPACT Following the release of the Improvements Durability Retainer, the City is responsible for all future maintenance and replacement costs for any publicly-owned property or improvement. In developments with Home-Owners or Unit-Owners Associations, all common area maintenance and replacement responsibilities will then fall to the Association. All privately-owned improvements will be the responsibility of the owner of the given parcel.

SUGGESTED MOTION Move to authorize the City Engineer to issue documents and/or payments to release the Improvements Durability Retainer of \$242,673.06 for Roderick Catalyst Phase 2. Find that the quality of construction and materials have endured without evidence of unusual depreciation, wear, non-conformance of City standards, or need for remedial action.

SUPPORTING DOCUMENTS

Roderick Catalyst Phase 2 warranty bond release city council 1-9-24 (PDF)



IMPROVEMENT WARRANTY RELEASE AUTHORIZATION

The City Council of American Fork City, a Municipal Corporation and Body Politic in the State of Utah, hereby authorizes the release of the Improvement Warranty for RODERICK CATALYST PHASE 2 pursuant to the terms of Section 17.9.100 and 17.9.403 of the City Development Code, and pursuant to the recommendation of staff and the receipt of reports, documents, and other correspondence. The City Council finds that the quality of construction and materials have endured without evidence of unusual depreciation, wear, non-conformance to City standards, or need for remedial action.

The City Council hereby authorizes the City Engineer to issue a letter to the financial guarantee institution authorizing release of the Improvement Warranty or to issue an authorized City check as appropriate for the type of guarantee provided.

Amount Released: \$242,673.06

PASSED THIS 9 DAY OF JANUARY 2024

City Representative, American Fork City

ATTEST:

Terilyn Lurker, City Recorder

Attachment: Roderick Catalyst Phase 2 warranty bond release city council 1-9-24 (Durability Release)

Development Name: Roderick Enterprises Subdivision Phase

Development Address: Approx 400 E 1600 S

☒ 10% Warranty Release

					Inspector Use Only	
					Complete?	
Description of Item	Quantity	Units	Unit Price	Total	Yes/No	
Bond # 4366				242,673.06		
			Total	242,673.06		

Name: Benjamin Wheat

Bank (if applicable): Altabank

Address: P.O. Box 186

City: Midvale

State: UT ZIP: 84047

Phone:

Email: benw@roderickrealty.com
lettersofcredit@altabank.com

Signature: _____

Date: 12/27/2023

Inspector Use Only

Inspector Signature:

Date: 12/27/23

Name of Development: Roderick Catalyst Phase 2										Date		Date		Date		Date		Date		Date									
										8/25/2021	Partial	9/27/2022	Partial	9/13/2022	Partial	1/10/2023	Final												
										Minimum Standard					Upsize														
	Description of Item	Quantity	Unit	Unit Price	Total	Quantity	Unit	Unit Price	Total	Reimbursement	Release #1	Amount Requested	Release #2	Amount Requested	Release #3	Amount Requested	Release #4	Amount Requested	Release #5	Amount Requested	Release #6	Amount Requested	Balance						
SITE PREPARATION																													
	Mobilization	1	LS	\$10,000.00	\$10,000.00						0.5	\$5,000.00	0.5	\$5,000.00		\$0.00		\$0.00		\$0.00		\$0.00	\$0.00						
	SWPPP	1	LS	\$33,260.00	\$33,260.00						0.5	\$16,630.00	0.25	\$8,315.00	0.25	\$8,315.00		\$0.00		\$0.00		\$0.00	\$0.00						
SEWER																													
	8" Sewer Pipe	597	LF	\$115.50	\$68,953.50						597	\$68,953.50		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$0.00						
	12" Sewer Pipe	690	LF	\$122.33	\$84,407.70						690	\$84,407.70		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$0.00						
	6" Sewer Lateral	26	Each	\$107.00	\$2,782.00						26	\$2,782.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$0.00						
	60" Sewer Manholes	3	Each	\$4,548.71	\$13,646.13						3	\$13,646.13		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$0.00						
	48" Sewer Manholes	1	Each	\$3,825.00	\$3,825.00						1	\$3,825.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$0.00						
CULINARY WATER																													
	8" Main	2978	LF	\$78.00	\$232,284.00						2978	\$232,284.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$0.00						
	12" Water Main	793	Each	\$93.00	\$73,749.00						793	\$73,749.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$0.00						
	Tapping Tee and Valve	3	Each	\$2,870.00	\$8,610.00						3	\$8,610.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$0.00						
	Tee & Elbows	15	Each	\$975.00	\$14,625.00						15	\$14,625.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$0.00						
	Valves	18	Each	\$1,619.46	\$29,150.28						18	\$29,150.28		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$0.00						
	Water Meters	5	Each	\$6,500.00	\$32,500.00						5	\$32,500.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$0.00						
	Fire Hydrant	14	Each	\$3,746.00	\$52,444.00						14	\$52,444.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$0.00						
	Blow-off	2	Each	\$1,100.00	\$2,200.00						2	\$2,200.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$0.00						
PRESSURIZED IRRIGATION																													
	8" PI Main	3400	LF	\$78.00	\$265,200.00						3400	\$265,200.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$0.00						
	PI Meter	5	Each	\$4,250.00	\$21,250.00								5	\$21,250.00		\$0.00		\$0.00		\$0.00		\$0.00	\$0.00						
	2" Blow-off	2	Each	\$1,100.00	\$2,200.00						2	\$2,200.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$0.00						
STREETS																													
	Asphalt 3" over 8" over 12"	114180	SF	\$2.68	\$306,002.40							\$0.00	114180	\$306,002.40		\$0.00		\$0.00		\$0.00		\$0.00	\$0.00						
	Curb & Gutter	6777	LF	\$22.13	\$149,975.01							\$0.00	6777	\$149,975.01		\$0.00		\$0.00		\$0.00		\$0.00	\$0.00						
	5' Sidewalk	5828	LF	\$20.61	\$120,115.08							\$0.00	1400	\$28,854.00		\$0.00	4428	\$91,261.08		\$0.00		\$0.00	\$0.00						
	10' Sidewalk	527	LF	\$20.61	\$10,861.47	527	LF	\$42.48	\$22,386.96	\$11,525.49		\$0.00	527	\$10,861.47		\$0.00		\$0.00		\$0.00		\$0.00	\$0.00						
	Detectable Warning Surface	19	Each	\$350.00	\$6,650.00							\$0.00	19	\$6,650.00		\$0.00		\$0.00		\$0.00		\$0.00	\$0.00						
	ADA Ramp	1	Each	\$480.00	\$480.00							\$0.00	1	\$480.00		\$0.00		\$0.00		\$0.00		\$0.00	\$0.00						
STORM DRAINAGE																													
	15" SD Pipe	1870	LF	\$71.34	\$133,405.80						1870	\$133,405.80		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$0.00						
	18" SD Pipe	1130	LF	\$74.21	\$83,857.30						1130	\$83,857.30		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$0.00						
	21" SD Pipe	21	LF	\$88.50	\$1,858.50						21	\$1,858.50		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$0.00						
	36" SD Pipe	38	LF	\$125.00	\$4,750.00						38	\$4,750.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$0.00						
	60" SD Pipe	474	LF	\$71.34	\$33,815.16	474	LF	\$275.00	\$130,350.00	\$96,534.84	474	\$33,815.16		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$0.00						
	Double Curb Inlet	20	Each	\$4,150.00	\$83,000.00						20	\$83,000.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$0.00						
	Curb Inlet	1	Each	\$2,200.00	\$2,200.00						1	\$2,200.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$0.00						
	96" SD Manhole	2	Each	\$7,054.22	\$14,108.44						2	\$14,108.44		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$0.00						
	60" SD Manhole	7	Each	\$4,548.71	\$31,840.97						7	\$31,840.97		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$0.00						
CONSTRUCTION MANAGEMENT/MISC.																													
	As Builts	1	LS	\$2,800.00	\$2,800.00							\$0.00		\$0.00		\$0.00	1	\$2,800.00		\$0.00		\$0.00	\$0.00						
	Testing, Cleaning, Inspections	1	LS	\$2,500.00	\$2,500.00							\$0.00		\$0.00	1	\$2,500.00		\$0.00		\$0.00		\$0.00	\$0.00						
	Traffic & Street Sign	1	Each	\$450.00	\$450.00							\$0.00		\$0.00	1	\$450.00		\$0.00		\$0.00		\$0.00	\$0.00						
	Dewatering	11859	LF	\$21.00	\$249,039.00						11859	\$249,039.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$0.00						
LANDSCAPING																													
	Public Landscaping	57722	SF	\$2.25	\$129,874.50							\$0.00	28861	\$64,937.25	28861	\$64,937.25		\$0.00		\$0.00		\$0.00	\$0.00						

Improvement Completion Assurance (1)	\$2,318,670.24	Reimbursement	\$108,060.33	\$1,546,081.78	\$602,325.13	\$76,202.25	\$94,061.08	\$0.00	\$0.00	\$0.00 Available for Release
Improvement Warranty (2)	\$231,867.02	Improvement Warranty of Upsize (3)	\$10,806.03	Warranty release for 1-9-24						\$242,673.06 Durability Period
TOTAL BOND AMOUNT (1-3)	\$2,561,343.30									

Recording Fees	10-3470-500
Plat (Base)	\$30.00 \$ -
Plus Per Lot	\$1.00 \$ -
First Page	\$10.00 \$ -
Each Additional Page	\$2.00 \$ -
Subtotal	\$ -

Street Lights	10-4410-276
Street Lights	25 \$ -

Total Fees \$0.00

Total Bond & Fees \$2,561,343.30

AMERICAN FORK PUBLIC WORKS FEE SCHEDULE		Roderick Catalyst Phase 2	Quantity	Fees
Development Fees		10-3470-500		
Performance Guarantee Administration Fee	Per Year	\$50.00		\$ -
Engineering Development Review Fees		NOTE: DEVELOPER WILL BE BILLED AT TIME OF LAND DISTURBANCE PERMIT ISSUANCE FOR ACTUAL COST OF DEVELOPMENT REVIEW LESS PREVIOUS PAYMENTS.		
Subdivision - Conventional	10 lots or less			\$ -
	11 lots or more			\$ -
Subdivision - Multi Family	10 lots or less			\$ -
	11 lots or more			\$ -
Commercial	Less than 2 acres			\$ -
	2 to 5 acres			\$ -
	Over 5 acres			\$ -
Independent Soils Review	Cost of Consultant			\$ -
Water Rights Review (underground water rights)		\$2,500.00		\$ -
Subtotal				\$ -
Inspection Fees		10-3470-650		
Development (Site) Inspection Fee	Per Hour (above/beyond allocated hours)	\$60.00		\$ -
Minimum Commercial Site Inspection				
Less than 1 acre (base)		\$500.00		\$ -
	Over 1 acre (each acre after base, calculated in whole acre increments)	Per acre (0 < 0.35 round down and 0.36 < 1 round up)	\$300.00	\$ -
Minimum Subdivision Site Inspection				
Up to 2 lots		\$500.00		\$ -
	Per Lot over 2	\$200.00		\$ -
Subtotal				\$ -
Other Permits		10-3200-260		
Right-Of-Way Excavation Permit	Base	\$150.00		\$ -
Asphalt Cut	Per Cut (See Ordinance 2013-08-27)	\$100.00		\$ -
Each cut includes 100 sq. ft. Rate per each additional 100 sq. ft.		\$20.00		\$ -
Subtotal				\$ -
Water Related Fees - Other		50-3710-600		
Hydraulic model certification	Cost of Consultant	\$500.00		\$ -
Subtotal				\$ -
Storm Drain Related Fees - Other		50-3750-500		
Land Disturbance Permit				
Permit Review		\$70.00		\$ -
Six (6) Months		\$240.00		\$ -
Twelve (12) Months		\$480.00		\$ -
Subtotal				\$ -
Recording Fees		10-3470-500		
Plat (Base)		\$50.00		\$ -
Plus Per Lot		\$2.00		\$ -
Subtotal				\$ -
Total				\$ -
Street Lights		10-4410-276		
Street Lights	(Average Price \$5,000 - Project Specific)	\$5,000.00		\$ -
Other Performance Guarantees		10-2315-000		
Street Trees	1 tree per lot @ \$300 each	\$300.00		\$ -

What will t

Hourly

Hourly

Handled di

Hourly

Hourly

Include in

Type of Fee	Description	Fee (in dollars)
Standard Fee	First page of any Document	\$ 10.00
	Each additional page	\$ 2.00
	Each additional name over two, 1st or 2nd party	\$ 1.00
	Each additional description or unit over one	\$ 1.00
Non-Complying Fee	Legal size sheet (8 1/2" x 14") - additional per page	\$ 2.00
	First page does not allow space for Recorder's stamp	\$ 2.00
	Printing on both sides of sheet - additional fee per side	\$ 2.00
Subdivision Maps	Per page (24 x 36 mylar)	\$ 30.00
	Each lot	\$ 1.00
Other Fees	Copy of Recorded Document per page	\$ 1.00
	Copy of Ownership Plat	\$ 2.00
	Copy of Official Subdivision Plat	\$ 4.00
	Copy of Official Subdivision Plat reduced 50%	\$ 2.00
	Certification of Document	\$ 5.00
	Computer screen printout	\$ 0.50

Documents	Pages	Parties

Units/Lots	Fee

Name of Development: Roderick Catalyst Phase 2

Date

	Description of Item	Quantity	Unit	Unit Price	Total	Release #1
Landscaping						
	Street Trees		Tree	\$300.00	\$0.00	

\$0.00

ICG Amount **\$0.00**

Attachment: Roderick Catalyst Phase 2 warranty bond release city council 1-9-24 (Durability Release)

Amount Requested
\$0.00

Balance
\$0.00

\$0.00

\$0.00 Available for

Name of Development: Roderick Catalyst Phase 2

Date: 8/25/2021

[illegible]

Attachment: Roderick Catalyst Phase 2 warranty bond release city council 1-9-24 (Durability Release)

[illegible]

[illegible]

[illegible]

	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
STORM DRAINAGE								
	15" SD Pipe	1870	LF	\$ 71.34	\$ 133,405.80	0	\$ -	\$133,405.80
	18" SD Pipe	1130	LF	\$ 74.21	\$ 83,857.30	0	\$ -	\$83,857.30
	21" SD Pipe	21	LF	\$ 88.50	\$ 1,858.50	0	\$ -	\$1,858.50
	Double Curb Inlet	20	Each	\$ 4,150.00	\$ 83,000.00	0	\$ -	\$83,000.00
	96" SD Manhole	2	Each	\$ 7,054.22	\$ 14,108.44	0	\$ -	\$14,108.44
	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
CONSTRUCTION MANAGEMENT/MISC.								
	As Builts	1	LS	\$ 2,800.00	\$ 2,800.00	0	\$ -	\$2,800.00
	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
	Testing, Cleaning, Inspections	1	LS	\$ 2,500.00	\$ 2,500.00	0	\$ -	\$2,500.00
	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
	Traffic & Street Sign	1	Each	\$ 450.00	\$ 450.00	0	\$ -	\$450.00
	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A	#N/A
	Public Landscaping	57722	SF	\$ 2.25	\$ 129,874.50	0	\$ -	\$129,874.50

10% Durability - retained at ICG release

ICG Amount

#N/A

#N/A

#N/A

#N/A

#N/A

Name of Development: Roderick Catalyst Phas

[illegible]

[illegible]

Packet Pg. 21

	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
STREETS				
	Asphalt 3" over 8" over 12"	114180	SF	\$ 2.68
	Curb & Gutter	6777	LF	\$ 22.13
	5' Sidewalk	5828	LF	\$ 20.61
	10' Sidewalk	527	LF	\$ 20.61
	ADA Ramp	1	Each	\$ 480.00
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
STORM DRAINAGE				
	15" SD Pipe	1870	LF	\$ 71.34
	18" SD Pipe	1130	LF	\$ 74.21
	21" SD Pipe	21	LF	\$ 88.50
	Double Curb Inlet	20	Each	\$ 4,150.00
	96" SD Manhole	2	Each	\$ 7,054.22
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
CONSTRUCTION MANAGEMENT/MISC.				
	As Builts	1	LS	\$ 2,800.00
	#N/A	#N/A	#N/A	#N/A
	Testing, Cleaning, Inspections	1	LS	\$ 2,500.00
	#N/A	#N/A	#N/A	#N/A
	Traffic & Street Sign	1	Each	\$ 450.00
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A

	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
Public Landscaping		57722	SF	\$ 2.25

10% Durability - retained at ICG release
ICG Amount

Attachment: Roderick Catalyst Phase 2 warranty bond release city council 1-9-24 (Durability Release)

e 2

Date: 9/27/2022

[illegible]

Attachment: Roderick Catalyst Phase 2 warranty bond release city council 1-9-24 (Durability Release)

[illegible]

[illegible]

#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	\$ -	#N/A	#N/A	#N/A
#N/A	\$ 306,002.40	#N/A	#N/A	#N/A
\$ 306,002.40	\$ 306,002.40	0	\$ -	\$306,002.40
\$ 149,975.01	\$ 149,975.01	0	\$ -	\$149,975.01
\$ 120,115.08	\$ 120,115.08	0	\$ -	\$120,115.08
\$ 10,861.47	#VALUE!	42.48	\$ 22,386.96	#VALUE!
\$ 480.00	\$ 480.00	0	\$ -	\$480.00
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
\$ 133,405.80	\$ 133,405.80	0	\$ -	\$133,405.80
\$ 83,857.30	\$ 83,857.30	0	\$ -	\$83,857.30
\$ 1,858.50	\$ 1,858.50	0	\$ -	\$1,858.50
\$ 83,000.00	\$ 83,000.00	0	\$ -	\$83,000.00
\$ 14,108.44	\$ 14,108.44	0	\$ -	\$14,108.44
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
\$ 2,800.00	\$ 2,800.00	0	\$ -	\$2,800.00
#N/A	#N/A	#N/A	#N/A	#N/A
\$ 2,500.00	\$ 2,500.00	0	\$ -	\$2,500.00
#N/A	#N/A	#N/A	#N/A	#N/A
\$ 450.00	\$ 450.00	0	\$ -	\$450.00
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A

#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
\$ 129,874.50	\$ 129,874.50	0	\$ -	\$129,874.50

#N/A		#N/A	#N/A
#N/A			
#N/A			

Name of Development: Roderick Catalyst Phas

[illegible]

[illegible]

[illegible]

	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
STREETS				
	Asphalt 3" over 8" over 12"	114180	SF	\$ 2.68
	Curb & Gutter	6777	LF	\$ 22.13
	5' Sidewalk	5828	LF	\$ 20.61
	10' Sidewalk	527	LF	\$ 20.61
	ADA Ramp	1	Each	\$ 480.00
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
STORM DRAINAGE				
	15" SD Pipe	1870	LF	\$ 71.34
	18" SD Pipe	1130	LF	\$ 74.21
	21" SD Pipe	21	LF	\$ 88.50
	Double Curb Inlet	20	Each	\$ 4,150.00
	96" SD Manhole	2	Each	\$ 7,054.22
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
CONSTRUCTION MANAGEMENT/MISC.				
	As Builts	1	LS	\$ 2,800.00
	#N/A	#N/A	#N/A	#N/A
	Testing, Cleaning, Inspections	1	LS	\$ 2,500.00
	#N/A	#N/A	#N/A	#N/A
	Traffic & Street Sign	1	Each	\$ 450.00
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A

	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
Public Landscaping		57722	SF	\$ 2.25

10% Durability - retained at ICG release
ICG Amount

Attachment: Roderick Catalyst Phase 2 warranty bond release city council 1-9-24 (Durability Release)

e 2

Date: 9/13/2022

[illegible]

Attachment: Roderick Catalyst Phase 2 warranty bond release city council 1-9-24 (Durability Release)

[illegible]

[illegible]

#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
\$ 306,002.40	\$ 306,002.40	0	\$ -	\$306,002.40
\$ 149,975.01	\$ 149,975.01	0	\$ -	\$149,975.01
\$ 120,115.08	\$ 120,115.08	0	\$ -	\$120,115.08
\$ 10,861.47	#VALUE!	11525.49	\$ -	#VALUE!
\$ 480.00	\$ 480.00	0	\$ -	\$480.00
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
\$ 133,405.80	\$ 133,405.80	0	\$ 1,870.00	\$131,535.80
\$ 83,857.30	\$ 83,857.30	0	\$ 1,130.00	\$82,727.30
\$ 1,858.50	\$ 1,858.50	0	\$ 21.00	\$1,837.50
\$ 83,000.00	\$ 83,000.00	0	\$ 20.00	\$82,980.00
\$ 14,108.44	\$ 14,108.44	0	\$ 2.00	\$14,106.44
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
\$ 2,800.00	\$ 2,800.00	0	\$ -	\$2,800.00
#N/A	#N/A	#N/A	#N/A	#N/A
\$ 2,500.00	\$ 2,500.00	0	\$ -	\$2,500.00
#N/A	#N/A	#N/A	#N/A	#N/A
\$ 450.00	\$ 450.00	0	\$ -	\$450.00
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A

#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
\$ 129,874.50	\$ 129,874.50	0	\$ -	\$129,874.50

#N/A		#N/A	#N/A
#N/A			
#N/A			

Name of Development: Roderick Catalyst Phas

[illegible]

[illegible]

[illegible]

	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
STREETS				
	Asphalt 3" over 8" over 12"	114180	SF	\$ 2.68
	Curb & Gutter	6777	LF	\$ 22.13
	5' Sidewalk	5828	LF	\$ 20.61
	10' Sidewalk	527	LF	\$ 20.61
	ADA Ramp	1	Each	\$ 480.00
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
STORM DRAINAGE				
	15" SD Pipe	1870	LF	\$ 71.34
	18" SD Pipe	1130	LF	\$ 74.21
	21" SD Pipe	21	LF	\$ 88.50
	Double Curb Inlet	20	Each	\$ 4,150.00
	96" SD Manhole	2	Each	\$ 7,054.22
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
CONSTRUCTION MANAGEMENT/MISC.				
	As Builts	1	LS	\$ 2,800.00
	#N/A	#N/A	#N/A	#N/A
	Testing, Cleaning, Inspections	1	LS	\$ 2,500.00
	#N/A	#N/A	#N/A	#N/A
	Traffic & Street Sign	1	Each	\$ 450.00
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A

	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
Public Landscaping		57722	SF	\$ 2.25

10% Durability - retained at ICG release
ICG Amount

Attachment: Roderick Catalyst Phase 2 warranty bond release city council 1-9-24 (Durability Release)

e 2

Date: 1/10/2023

[illegible]

Attachment: Roderick Catalyst Phase 2 warranty bond release city council 1-9-24 (Durability Release)

[illegible]

[illegible]

#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
\$ 306,002.40	\$ 306,002.40	0	#####	\$191,822.40
\$ 149,975.01	\$ 149,975.01	0	\$ 6,777.00	\$143,198.01
\$ 120,115.08	\$ 120,115.08	0	\$ 1,400.00	\$118,715.08
\$ 10,861.47	#VALUE!	0	\$ 527.00	#VALUE!
\$ 480.00	\$ 480.00	0	\$ 1.00	\$479.00
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
\$ 133,405.80	\$ 131,535.80	133405.8	\$ -	\$131,535.80
\$ 83,857.30	\$ 82,727.30	83857.3	\$ -	\$82,727.30
\$ 1,858.50	\$ 1,837.50	1858.5	\$ -	\$1,837.50
\$ 83,000.00	\$ 82,980.00	83000	\$ -	\$82,980.00
\$ 14,108.44	\$ 14,106.44	14108.44	\$ -	\$14,106.44
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
\$ 2,800.00	\$ 2,800.00	0	\$ -	\$2,800.00
#N/A	#N/A	#N/A	#N/A	#N/A
\$ 2,500.00	\$ 2,500.00	0	\$ -	\$2,500.00
#N/A	#N/A	#N/A	#N/A	#N/A
\$ 450.00	\$ 450.00	0	\$ -	\$450.00
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A

#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
\$ 129,874.50	\$ 129,874.50	0	\$ 28,861.00	\$101,013.50

#N/A		#N/A	#N/A
#N/A			
#N/A			

Name of Development: Roderick Catalyst Phas

[illegible]

[illegible]

[illegible]

	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
STREETS				
	Asphalt 3" over 8" over 12"	114180	SF	\$ 2.68
	Curb & Gutter	6777	LF	\$ 22.13
	5' Sidewalk	5828	LF	\$ 20.61
	10' Sidewalk	527	LF	\$ 20.61
	ADA Ramp	1	Each	\$ 480.00
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
STORM DRAINAGE				
	15" SD Pipe	1870	LF	\$ 71.34
	18" SD Pipe	1130	LF	\$ 74.21
	21" SD Pipe	21	LF	\$ 88.50
	Double Curb Inlet	20	Each	\$ 4,150.00
	96" SD Manhole	2	Each	\$ 7,054.22
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
CONSTRUCTION MANAGEMENT/MISC.				
	As Builts	1	LS	\$ 2,800.00
	#N/A	#N/A	#N/A	#N/A
	Testing, Cleaning, Inspections	1	LS	\$ 2,500.00
	#N/A	#N/A	#N/A	#N/A
	Traffic & Street Sign	1	Each	\$ 450.00
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A

	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
Public Landscaping		57722	SF	\$ 2.25

10% Durability - retained at ICG release

ICG Amount

Attachment: Roderick Catalyst Phase 2 warranty bond release city council 1-9-24 (Durability Release)

e 2

Date: 1/0/1900

[illegible]

Attachment: Roderick Catalyst Phase 2 warranty bond release city council 1-9-24 (Durability Release)

[illegible]

[illegible]

#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
\$ 306,002.40	\$ 191,822.40	306002.4	\$ -	\$191,822.40
\$ 149,975.01	\$ 143,198.01	149975.01	\$ -	\$143,198.01
\$ 120,115.08	\$ 118,715.08	28854	\$ -	\$118,715.08
\$ 10,861.47	#VALUE!	10861.47	\$ -	#VALUE!
\$ 480.00	\$ 479.00	480	\$ -	\$479.00
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
\$ 133,405.80	\$ 131,535.80	0	\$ -	\$131,535.80
\$ 83,857.30	\$ 82,727.30	0	\$ -	\$82,727.30
\$ 1,858.50	\$ 1,837.50	0	\$ -	\$1,837.50
\$ 83,000.00	\$ 82,980.00	0	\$ -	\$82,980.00
\$ 14,108.44	\$ 14,106.44	0	\$ -	\$14,106.44
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
\$ 2,800.00	\$ 2,800.00	0	\$ -	\$2,800.00
#N/A	#N/A	#N/A	#N/A	#N/A
\$ 2,500.00	\$ 2,500.00	0	\$ 1.00	\$2,499.00
#N/A	#N/A	#N/A	#N/A	#N/A
\$ 450.00	\$ 450.00	0	\$ 1.00	\$449.00
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A

#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
\$ 129,874.50	\$ 101,013.50	64937.25	\$ 28,861.00	\$72,152.50

#N/A		#N/A	#N/A
#N/A			
#N/A			

Name of Development: Roderick Catalyst Phas

[illegible]

[illegible]

[illegible]

	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
STREETS				
	Asphalt 3" over 8" over 12"	114180	SF	\$ 2.68
	Curb & Gutter	6777	LF	\$ 22.13
	5' Sidewalk	5828	LF	\$ 20.61
	10' Sidewalk	527	LF	\$ 20.61
	ADA Ramp	1	Each	\$ 480.00
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
STORM DRAINAGE				
	15" SD Pipe	1870	LF	\$ 71.34
	18" SD Pipe	1130	LF	\$ 74.21
	21" SD Pipe	21	LF	\$ 88.50
	Double Curb Inlet	20	Each	\$ 4,150.00
	96" SD Manhole	2	Each	\$ 7,054.22
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
CONSTRUCTION MANAGEMENT/MISC.				
	As Builts	1	LS	\$ 2,800.00
	#N/A	#N/A	#N/A	#N/A
	Testing, Cleaning, Inspections	1	LS	\$ 2,500.00
	#N/A	#N/A	#N/A	#N/A
	Traffic & Street Sign	1	Each	\$ 450.00
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A

	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
	#N/A	#N/A	#N/A	#N/A
Public Landscaping		57722	SF	\$ 2.25

10% Durability - retained at ICG release
ICG Amount

Attachment: Roderick Catalyst Phase 2 warranty bond release city council 1-9-24 (Durability Release)

e 2

Date: 1/0/1900

[illegible]

Attachment: Roderick Catalyst Phase 2 warranty bond release city council 1-9-24 (Durability Release)

[illegible]

[illegible]

#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
\$ 306,002.40	\$ 191,822.40	0	\$ -	\$191,822.40
\$ 149,975.01	\$ 143,198.01	0	\$ -	\$143,198.01
\$ 120,115.08	\$ 118,715.08	0	\$ 4,428.00	\$114,287.08
\$ 10,861.47	#VALUE!	0	\$ -	#VALUE!
\$ 480.00	\$ 479.00	0	\$ -	\$479.00
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
\$ 133,405.80	\$ 131,535.80	0	\$ -	\$131,535.80
\$ 83,857.30	\$ 82,727.30	0	\$ -	\$82,727.30
\$ 1,858.50	\$ 1,837.50	0	\$ -	\$1,837.50
\$ 83,000.00	\$ 82,980.00	0	\$ -	\$82,980.00
\$ 14,108.44	\$ 14,106.44	0	\$ -	\$14,106.44
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
\$ 2,800.00	\$ 2,800.00	0	\$ 1.00	\$2,799.00
#N/A	#N/A	#N/A	#N/A	#N/A
\$ 2,500.00	\$ 2,499.00	2500	\$ -	\$2,499.00
#N/A	#N/A	#N/A	#N/A	#N/A
\$ 450.00	\$ 449.00	450	\$ -	\$449.00
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A

#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
#N/A	#N/A	#N/A	#N/A	#N/A
\$ 129,874.50	\$ 72,152.50	64937.25	\$ -	\$72,152.50

#N/A		#N/A	#N/A
#N/A			
#N/A			



**REQUEST FOR COUNCIL ACTION
CITY OF AMERICAN FORK
JANUARY 9, 2024**

Department Public Works

Director Approval Terilyn Lurker

AGENDA ITEM (Common Consent Agenda) - Consideration regarding authorization to release the Improvements Construction Guarantee in the amount of \$18,285.80 and issue a Notice of Acceptance for the Rockwell Ranch Block 4 Landscaping construction of public improvements located at 975 West 520 South.

SUMMARY RECOMMENDATION The City Engineer recommends that the Improvements Construction Guarantee (ICG) be released. The improvements were found in a condition meeting City standards and specifications and in conformance with the approved project construction plans.

BACKGROUND Pursuant to the terms of Sections 17.9.100 and 17.9.304 of the City Development Code, the City Council may authorize the release of the ICG and issue a "Notice of Acceptance" of the project improvements. Following the issuance of the Notice of Acceptance, the City accepts ownership of the project improvements. The project will then enter the one (1) year Durability Testing Period as specified in section 17.9.400 of the City Development Code.

In issuing a Notice of Acceptance, the City Council finds that:

- The condition of the improvements are found to be satisfactory.
- All liens have been released, all outstanding fees paid, costs of administration paid, and reimbursement payments to prior developers (if any) have been made.
- The project clean-up is found to be satisfactory.

The City may request a current title report or other such measures or reports as deemed appropriate by the City as a means of determining the existence of any unreported liens or other claims upon the project. All financial information (if any) provided by the developer is attached. The Council may request additional information as deemed necessary.

BUDGET IMPACT Following the release of the ICG, there is a one (1) year Durability Testing Period wherein ten percent (10%) of the total ICG is held to ensure the durability of the constructed improvements.

SUGGESTED MOTION Move to accept the improvements and authorize the Mayor to execute the Notice of Acceptance for the Rockwell Ranch Block 4 Landscaping public improvements located at 975 West 520 South. To authorize the issuance of documents and/or

payments to release the Improvement Construction Guarantee (ICG). Commence the Durability Testing Period by retaining ten percent (10%) of the ICG. To find that the project improvements are in a condition meeting City ordinances, standards, and specifications and are in conformance with the approved project construction plans.

Note: With passage of the Common Consent Agenda items, the City Council will enact the motion and findings as noted in the "Suggested Motion" heading found above.

SUPPORTING DOCUMENTS

Rockwell Ranch Block 4 Landscaping bond release-City Council 1-9-24 (PDF)



NOTICE OF ACCEPTANCE / IMPROVEMENT COMPLETION ASSURANCE RELEASE AUTHORIZATION

The City Council of American Fork City, a Municipal Corporation and Body Politic in the State of Utah, hereby authorizes the release of the Improvement Completion Assurance for ROCKWELL RANCH BLOCK 4 (LANDSCAPING). The City Council accepts the improvements completed with the finding that said improvements are in a condition meeting City ordinances, standards, and specifications, are in conformance with the approved project construction plans, and all conditions for release as detailed in section 17.9.304 of the City Code have been satisfied.

The City Council hereby authorizes the issuance of a letter to the financial guarantee institution authorizing release of the Improvement Completion Assurance or to issue an authorized City check as appropriate for the type of guarantee provided, pursuant to the recommendation of staff and the receipt of reports, documents, and other correspondence. Upon issuance of this Notice of Acceptance, the Improvement Warranty Period shall commence as detailed in section 17.9.400 of the City Development Code. An amount totaling ten percent (10%) of the Improvement Completion Assurance funds will be held as the Improvement Warranty pursuant to the City Performance Guarantee ordinance.

Amount Released: \$18,285.80.

PASSED THIS 9 DAY OF JANUARY 2024

City Representative, American Fork City

ATTEST:

Terilyn Lurker, City Recorder

Attachment: Rockwell Ranch Block 4 Landscaping bond release-City Council 1-9-24 (Final Bond Release)

Development Name: Rockwell ranch
Development Address: 975 W 520 S. Block 4 Phase 1
*All outstanding fees must be paid prior to any release.

☐ Improvement Warranty Release
(10% Durability Release)

[illegible]

Bond Type: ☐ Cash Deposit ☐ Escrow Account ☒ Letter of Credit ☐ Surety Bond

Please send check/bank letter to:

Name: McArthur homes

Bank (if applicable):

Address: 9962 S. Redwood Rd

City: S. Jordan State: UT Zip: 84095

Phone: Email: PM@McArthurhomes.com

Signature: Wlos Date: 12/4/23

City Official Use Only

 Fees paid and current

Administrative Signature: Don Trought Date: 12-26-23

Inspector Signature: *[Signature]* Date: 12/13/23

Name of Development: Rockwell Ranch Block 4

Name of Development: Rockwell Ranch Block 4																						
Description of Item					Quantity	Unit	Unit Price	Total	Landscaping												Balance	
									Release #1	Amount Requested	Release #2	Amount Requested	Release #3	Amount Requested	Release #4	Amount Requested	Release #5	Amount Requested	Release #6	Amount Requested		
CULINARY WATER																						
8" Culinary Water	925	LF	\$30.00	\$27,750.00						\$27,750.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$27,750.00	
8" Gate Valve	2	Each	\$2,200.00	\$4,400.00						\$4,400.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$4,400.00	
8" Water Fittings	2	Each	\$750.00	\$1,500.00						\$1,500.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$1,500.00	
Fire Hydrant	2	Each	\$6,000.00	\$12,000.00						\$12,000.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$12,000.00	
1" Water Meter & Service Lateral	39	Each	\$1,850.00	\$72,150.00						\$72,150.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$72,150.00	
CONSTRUCTION MANAGEMENT/MISC.																						
Surveying & As Builts	1	LS	\$1,500.00	\$1,500.00						\$0.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$1,500.00	
Testing, Cleaning, Inspections	1	LS	\$1,000.00	\$1,000.00						\$1,000.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$1,000.00	
Street Sign	2	Each	\$225.00	\$450.00						\$0.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$450.00	
Traffic Sign	2	Each	\$300.00	\$600.00						\$0.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$600.00	
LANDSCAPE																						
Trees	25	Each	\$325.00	\$8,125.00						\$8,125.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$8,125.00	
Sod/Irrigation	3630	SF	\$2.85	\$10,345.50						\$10,345.50		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00	\$10,345.50	
Improvement Completion Assurance														\$0.00		\$0.00		\$0.00		\$0.00	\$121,350.00	
Improvement Warranty																					\$12,135.00	
TOTAL BOND (PUBLIC INFRASTRUCTURE)																					\$18,285.80	
Improvement Completion Assurance																					\$0.00	
Improvement Warranty																					\$0.00	
TOTAL BOND (LANDSCAPING)																					\$2,031.75	
TOTAL ALL BONDS																					\$153,802.55	

Available for Release
\$12,135.00 Durability Period

Available for Release
\$2,031.75 Durability Period



**REQUEST FOR COUNCIL ACTION
CITY OF AMERICAN FORK
JANUARY 9, 2024**

Department Recorder

Director Approval Terilyn Lurker

AGENDA ITEM Approval of an Escrow Agreement with Bank of Utah & Gold Crest Homes for the Beck Hillside subdivision.

SUMMARY RECOMMENDATION Bank of Utah & Gold Crest Homes proposes an Escrow Bond Agreement for system improvements for the Beck Hillside Subdivision at 757 North 200 East.

BACKGROUND The City Council approved the Beck Hillside Subdivision and have been working with Public Works on the improvements needed.

Section 17.9.200 - Type of Assurance or Warranty Accepted, allows an escrow account as an approved improvement completion assurance. An Escrow Bond Agreement was drafted and reviewed by the City Attorney's office. The agreement outlines the parameters for the construction of the public improvements.

BUDGET IMPACT None

SUGGESTED MOTION Move to approve the Escrow Agreement with Bank of Utah & Gold Crest Homes for improvements in the Beck Hillside subdivision.

SUPPORTING DOCUMENTS

Escrow Agreement - Gold Crest Homes for Beck Hillside subdivision (PDF)

ESCROW AGREEMENT

THIS ESCROW/BOND AGREEMENT is entered into this 19th day of Dec, 20 23, by and between Bank of Utah, a Utah Banking Institution, (hereinafter referred to as the “Bank”), Gold Crest Homes, (hereinafter referred to as the “Developer”), and American Fork City, a Municipal Corporation of the State of Utah (hereinafter referred to as the “City”).

WHEREAS, Developer desires to construct and develop a site plan in American Fork City located at approximately 757 N. 200 E., American Fork, Ut 84003, and known as _ (“Development”); and

WHEREAS, the American Fork Municipal Code requires the Developer to provide an improvement completion assurance and/or improvement warranty (hereinafter “Performance Guarantee”) that improvements will be installed as shown on the plans stamped “Approved for Construction” by American Fork City, Engineering Division; and

WHEREAS, Developer has chosen to utilize an escrow account for such Performance Guarantee;

WHEREAS, the Developer has placed the sum of \$94,544.00 in an escrow account Number 8764 with the Bank to guarantee construction of the required improvements pursuant to the terms of the American Fork Municipal Code;

NOW THEREFORE, in consideration of the funds paid to the Bank by the Developer, it is hereby agreed as follows:

1. Bank shall reserve the funds deposited by the Developer to guarantee and assure the construction of the required improvements for the Development, pursuant to American Fork Municipal Code.

2. The City shall have sole power to authorize the release of any funds held. No money may be released by the Bank without prior written authorization from the City.
3. Final release of this Performance Guarantee to the Developer is conditional upon the Developer's satisfactory completion of all improvements required under American Fork Municipal Code and upon delivery by the Developer to the City of a preliminary title report, in a form acceptable to the City, showing that there are no liens or encumbrances on the subject property except such liens and encumbrances as are specifically approved in writing by the City.
4. The Developer shall complete all public improvements required by the American Fork Municipal Code within a period of two hundred seventy five (275) days from the date of approval of the site plan by the City Council/Planning Commission. If the required improvements are not completed satisfactory to the City Council within that time, or an extension of time has not been approved by the City, the City may declare the Developer in Default of this agreement and pursue the remedies provided herein. Upon the Developer's completion of all said improvements, the City shall make an inspection of the improvements. If the City finds that all required improvements are satisfactory, all liens have been paid, and title conditions on the subject property are satisfactory, as evidenced by the aforementioned preliminary title report, the City may release up to ninety percent (90%) of the escrow account to the Developer.
5. The remaining ten percent (10%) shall be held for an additional one (1) year as an improvement warranty against latent defects in material or workmanship. If, prior to or at the end of the improvement warranty period, the condition of materials or workmanship shows unusual depreciation or does not comply with standards of the City, or if any outstanding liens

are not paid, the City Council may declare the Developer to be in default. The Developer acknowledges that it has informed or will inform its contractors and subcontractors of the release provision of this escrow account.

6. It is also agreed that violation of the American Fork Municipal Code, State Statutes, or Federal Regulations with respect to the Development, or deviation in any way from the approved plans and specifications of the site plan, may be considered grounds for declaration of default of the developer's obligations hereunder.
7. In the event the City Council determines that there has been a breach by the Developer of his obligations pursuant to the terms of the American Fork Municipal Code it may declare the Developer to be in default. Upon a declaration by the City Council that the Developer is in default, the City shall provide written notice of such default to the Bank, whereupon the Bank shall, within ten (10) days of receipt of said written notification from the City, release all funds held by the Bank to City, and City shall apply said funds to the cost of construction or repair of the required improvements.
8. Developer hereby agrees that the Bank is entitled to release all said funds to the City upon receipt of written notice by the City to the Bank as described in the preceding paragraph.
9. Should the Bank refuse to release all said funds to the City within ten (10) days of written notification to the Bank by the City, the Bank shall be liable for all damages resulting from said refusal.
10. Should the escrow account contain insufficient funds to complete the work, the City is entitled to pursue legal action to recover the shortage from the Developer.
11. Should any party to this Agreement default in performance of any terms contained herein, the non-defaulting party shall be entitled to reasonable attorney's fees and costs of Court

incurred by the non-defaulting party in enforcing any of the terms of this Agreement.

12. This Agreement shall bind and inure to the benefit of the parties, their heirs, administrators, executors, successors, and assigns.

13. This Agreement is not intended and shall not be construed to make any person, firm, or corporation a third-party beneficiary of any duty to be performed under this Agreement by City, its officers, agent or employees.

14. The signatories to this Agreement expressly represent and warrant that they have authority to act for and on behalf of the Obligor, the Developer and the City respectively.

BANK

Bank of Utah

Tiffany Butler

By: Tiffany Butler

Its: AVP Commercial Loan Documentation Team Lead

STATE OF Weber)
) ss.
 COUNTY OF Weber)

On this 19 day of December, 2023, the foregoing instrument was acknowledged before me by Tiffany Butler, AVP Commercial Loan Documentation Team Lead

Rebecca Poll

Notary Public

My Commission Expires: 11/2/2027



DEVELOPER

Gold Crest Homes

By: GERALD D. ANDERSON
 Its: CEO,

STATE OF Utah)
) ss.
 COUNTY OF Salt Lake

On this 20 day of December, 2023 the foregoing instrument was acknowledged
 before me by Gerald D. Anderson, _____.



Julie Ann Hirschi
 Notary Public
 My Commission Expires: July 2, 2025

AMERICAN FORK CITY

Bradley J. Frost, Mayor

ATTEST:

City Recorder

[illegible][illegible]

Loan Item #	Requested	Available	Remaining
13	\$50,004.00	\$ 55,470.00	\$ 5,466.00
17	\$40,260.00	\$ 52,159.01	#####
24	\$4,200.00	\$ 7,573.98	\$ 3,373.98
203	0	\$ 0,150.00	\$ 0,150.00
	\$64,544.00	#####	#####



**REQUEST FOR COUNCIL ACTION
CITY OF AMERICAN FORK
JANUARY 9, 2024**

Department Recorder

Director Approval Terilyn Lurker

AGENDA ITEM Presentation and acceptance of audited financial statements for Fiscal Year Ending June 30, 2023.

SUMMARY RECOMMENDATION

The Finance Director recommends acceptance of the fiscal year ended June 30, 2023 financial statements.

BACKGROUND

The Uniform Fiscal Procedures Act for Utah Cities, UCA 10-6-101 et seq., requires an annual independent audit of the American Fork City's finances. These audits are performed by certified public accountants, Larson & Company.

This audit, including the Auditor's communication with those charged with governance letter as required by professional auditing standards, will be presented by Larson & Company, PC. The audited financial report was submitted to the State Auditor's Office by December 31, as required by the State. The Audit Committee has reviewed the Annual Comprehensive Financial Report (ACFR) and an electronic copy is available on Dropbox. An electronic version of the CAFR is also posted on the City's website.

BUDGET IMPACT

N/A

SUGGESTED MOTION

I move to accept the fiscal year ended June 30, 2023, audited annual financial statements.

SUPPORTING DOCUMENTS



**REQUEST FOR COUNCIL ACTION
CITY OF AMERICAN FORK
JANUARY 9, 2024**

Department Public Works

Director Approval Patrick O'Brien

AGENDA ITEM Review and action on an ordinance approving the vacation of a portion of the public utility easement for property at 348 North 1160 East, located within Lot 3 of Quail Run Estates Plat A.

SUMMARY RECOMMENDATION

Staff recommends approval of a Vacation of an Easement at 348 N 1160 E, American Fork, Utah.

BACKGROUND

The applicant Lysie Davis is requesting a vacation of a Public Utility Easement located at 348 N 1160 E , American Fork, Utah

BUDGET IMPACT

N/A

SUGGESTED MOTION

Move to adopt the ordinance approving the vacation of a portion of the public utility easement at 348 North 1160 East.

SUPPORTING DOCUMENTS

Kasperson Ordinance-Vacation Easement (DOCX)

Kasperson Adjusted (PDF)

KaspersonPUEAFConnect (PDF)

KaspersonPUECenturyLink (PDF)

KaspersonPUEComcast (PDF)

KaspersonPUEDominion (PDF)

KaspersonPUEQwest (PDF)

KaspersonRockyMountain (PDF)

Updated PUE Vacation Exhibit 20231016 (PDF)

Kasperson Ordinance-Vacation Easement (PDF)

ORDINANCE NO. _____

**AN ORDINANCE VACATING A PORTION OF A PUBLIC UTILITY EASEMENT AT
348 North 1160 East, AMERICAN FORK, UTAH**

WHEREAS, the City of American Fork has received a request to vacate a portion of the public utility easement at 348 North 1160 East; and

WHEREAS, staff has reviewed the request to vacate a portion of the public utility easement and has determined the vacation of the easement is not in conflict with current city code; and

WHEREAS, the City of American Fork has the authority to vacation public utility easements and finds that there is good cause for the vacating of said portion of easement and neither the public interest nor any person will be materially injured by said vacation; and

WHEREAS, the City gave advance public notice of its intent to vacate a portion of said easement as required by state law and then held a public hearing on 11/14/2023 regarding such intent and carefully considered the comments of the public thereof.

THEREFORE, BE IT ORDAINED by the City Council of American Fork City, as follows:

SECTION I: Vacation of a portion of a public utility easement at 348 North 1160 East, American Fork, Utah

A. The City Council of American Fork finds that there is good cause for vacating a portion of the easement and that neither the public interest nor any person will be materially injured by the vacation.

B. The following described portion of the easement and shown on Exhibit A is hereby vacated:

Beginning at a point located South 26.08 feet and East 1603.96 feet from the West Quarter Corner of Section 18, Township 5 South, Range 2 East, Salt Lake Base and Meridian; thence South 89°55'20" East 159.80 feet; thence South 0°13'39" East 5.00 feet; thence North 89°55'20" West 159.86 feet; thence North 0°28'43" East 5.00 feet to the point of beginning.

SECTION II: SEVERABILITY

The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause, or phrase shall be declared invalid or unconstitutional by the valid judgment or decree of a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, or phrases of this Ordinance.

SECTION III: EFFECTIVE DATE

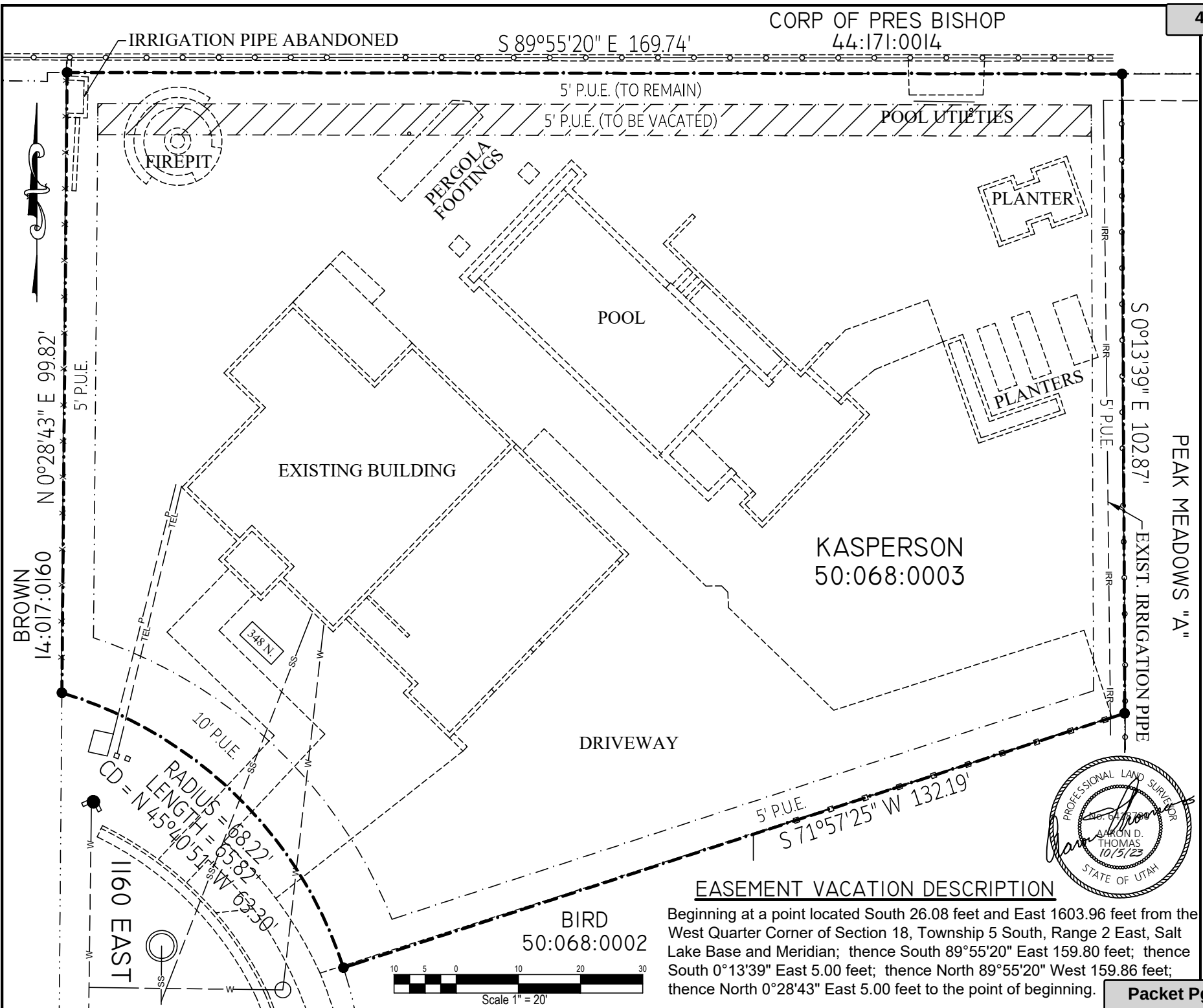
This Ordinance shall take effect immediately upon its passage and first publication as provided by law.

PASSED AND ADOPTED by the City Council of American Fork City on 11/14/2023.

ATTEST:

Bradley J. Frost, Mayor

Terilyn Lurker, City Recorder



Attachment: Kasperson Adjusted (PUE Vacation - Kasperson - 348 N 1160 E)



UTILITY NOTIFICATION FORM

Development Name: _____ ☐ Commercial ☐ Residential

Development Address: _____

Developer Name: _____ Developer Contact: _____

Developer Business Address: _____

Developer Telephone: _____ Cellular: _____ Fax: _____

The utility companies listed need to receive plans and necessary information for the above-stated development to begin the process for providing their services to this project. Plans will not be approved by the City until this document is completed and returned.

DOMINION ENERGY

Name: _____ Title/Position: _____ Tel. #: _____

Signature: _____ Date: _____

Suggested Contact: Greg Nielson, 801-853-6522, greg.nielson@dominionenergy.com

COMCAST CABLE TELEVISION

Name: _____ Title/Position: _____ Tel. #: _____

Signature: _____ Date: _____

Suggested Contact: Elysia Valdez, 801-401-3017, jointrench_utah@comcast.com

CENTURY LINK (QWEST)

Name: _____ Title/Position: _____ Tel. #: _____

Signature: _____ Date: _____

Suggested Contact: Melinda Duran, 435-660-1719, melinda.duran@centurylink.com

ROCKY MOUNTAIN POWER

Name: _____ Title/Position: _____ Tel. #: _____

Signature: _____ Date: _____

Suggested Contact: Teria Walker, 801-756-1310, teria.walker@rockymountainpower.net

AFCONNECT

Name: Kyle Petersen Title/Position: Dir Operations Tel. #: 801-400-2933

Signature: [Signature] Date: 9/6/2023

Suggested Contact: Kyle Petersen, 801-400-2933, kylep@afconnect.com

Attachment: KaspersonPUEAFConnect (PUE Vacation - Kasperson - 348 N 1160 E)



UTILITY NOTIFICATION FORM

Development Name: Kasperson-Quail Run Estates Subdivision ☐ Commercial ☒ Residential

Development Address: 348 N 1160 E American Fork

Developer Name: Mtn Mod LLC

Developer Contact: Lynsie Davis

Developer Business Address: 12760 S Park Ave #1396

Developer Telephone: 801-669-1032

Cellular: ✓

Fax: _____

The utility companies listed need to receive plans and necessary information for the above-stated development to begin the process for providing their services to this project. Plans will not be approved by the City until this document is completed and returned.

DOMINION ENERGY

Name: _____ Title/Position: _____ Tel. #: _____

Signature: _____ Date: _____

Suggested Contact: Greg Nielson, 801-853-6522, greg.nielson@dominionenergy.com

COMCAST CABLE TELEVISION

Name: _____ Title/Position: _____ Tel. #: _____

Signature: _____ Date: _____

Suggested Contact: Elysia Valdez, 801-401-3017, jointrench_utah@comcast.com

CENTURY LINK (QWEST)

Name: Matthew Straub Title/Position: Engineer Tel. #: 734-660-2157

Signature: Matthew Straub Date: 9/15/2023

Suggested Contact: Matthew Straub - Matthew.Straub@Lumen.com

ROCKY MOUNTAIN POWER

Name: _____ Title/Position: _____ Tel. #: _____

Signature: _____ Date: _____

Suggested Contact: Teria Walker, 801-756-1310, teria.walker@rockymountainpower.net

AFCONNECT

Name: _____ Title/Position: _____ Tel. #: _____

Signature: _____ Date: _____

Suggested Contact: Kyle Petersen, 801-400-2933, kylep@afconnect.com

Attachment: KaspersonPUECenturyLink (PUE Vacation - Kasperson - 348 N 1160 E)



UTILITY NOTIFICATION FORM

Development Name: Kasperson-Quail Run Estates Subdivision ☐ Commercial ☒ Residential

Development Address: 348 N 1160 E American Fork

Developer Name: Mtn Mod LLC

Developer Contact: Lynsie Davis

Developer Business Address: 12760 S Park Ave #1396

Developer Telephone: 801-669-1032

Cellular: ✓

Fax: _____

The utility companies listed need to receive plans and necessary information for the above-stated development to begin the process for providing their services to this project. Plans will not be approved by the City until this document is completed and returned.

DOMINION ENERGY

Name: _____ Title/Position: _____ Tel. #: _____

Signature: _____ Date: _____

Suggested Contact: Greg Nielson, 801-853-6522, greg.nielson@dominionenergy.com

COMCAST CABLE TELEVISION

Name: Elysia Valdez Title/Position: Network Project Manager- Joint Trench Tel. #: 801-201-0177

Signature: Elysia Valdez Date: 9/5/2023

Suggested Contact: Elysia Valdez, 801-401-3017, jointtrench_utah@comcast.com

CENTURY LINK (QWEST)

Name: _____ Title/Position: _____ Tel. #: _____

Signature: _____ Date: _____

Suggested Contact: Melinda Duran, 435-660-1719, melinda.duran@centurylink.com

ROCKY MOUNTAIN POWER

Name: _____ Title/Position: _____ Tel. #: _____

Signature: _____ Date: _____

Suggested Contact: Teria Walker, 801-756-1310, teria.walker@rockymountainpower.net

AFCONNECT

Name: _____ Title/Position: _____ Tel. #: _____

Signature: _____ Date: _____

Suggested Contact: Kyle Petersen, 801-400-2933, kylep@afconnect.com

Attachment: KaspersonPUEComcast (PUE Vacation - Kasperson - 348 N 1160 E)



UTILITY NOTIFICATION FORM

Development Name: Kasperson-Quail Run Estates Subdivision ☐ Commercial ☒ Residential

Development Address: 348 N 1160 E American Fork

Developer Name: Mtn Mod LLC

Developer Contact: Lynsie Davis

Developer Business Address: 12760 S Park Ave #1396

Developer Telephone: 801-669-1032

Cellular: ✓

Fax: _____

The utility companies listed need to receive plans and necessary information for the above-stated development to begin the process for providing their services to this project. Plans will not be approved by the City until this document is completed and returned.

DOMINION ENERGY

Name: Jeremy Litteral

Title/Position: Pre-Construction

Tel. #: 385-315-8599

Signature: Jeremy Litteral

Date: 9/5/2023

Suggested Contact: Greg Nielson, 801-853-6522, greg.nielson@dominionenergy.com

COMCAST CABLE TELEVISION

Name: _____

Title/Position: _____

Tel. #: _____

Signature: _____

Date: _____

Suggested Contact: Elysia Valdez, 801-401-3017, jointrench_utah@comcast.com

CENTURY LINK (QWEST)

Name: _____

Title/Position: _____

Tel. #: _____

Signature: _____

Date: _____

Suggested Contact: Melinda Duran, 435-660-1719, melinda.duran@centurylink.com

ROCKY MOUNTAIN POWER

Name: _____

Title/Position: _____

Tel. #: _____

Signature: _____

Date: _____

Suggested Contact: Teria Walker, 801-756-1310, teria.walker@rockymountainpower.net

AFCONNECT

Name: _____

Title/Position: _____

Tel. #: _____

Signature: _____

Date: _____

Suggested Contact: Kyle Petersen, 801-400-2933, kylep@afconnect.com

Attachment: KaspersonPUEDominion (PUE Vacation - Kasperson - 348 N 1160 E)

Space above for County Recorder's use
 PARCEL I.D.# 50:068:0003

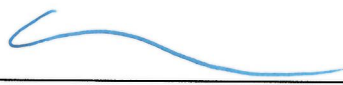
DISCLAIMER OF UTILITY EASEMENT

The undersigned, QUESTAR GAS COMPANY dba Dominion Energy Utah, Grantor, hereby disclaims and releases any rights, title or interest which it may have in and to the following-described real property in Utah County, Utah, to-wit:

All public utility easements, excepting the easement(s) or portion of easement(s) running adjacent and parallel to the street(s), located within Lot 3, Quail Run Estates Plat A Subdivision, located in the Southwest quarter of Section 18, Township 5 South, Range 2 East, Salt Lake Base and Meridian, Utah County, Utah; said Subdivision recorded in the Office of the County Recorder for Utah County, Utah.

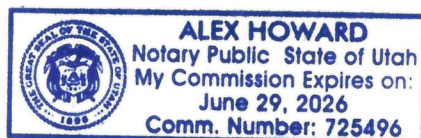
IN WITNESS WHEREOF, this disclaimer and release of any right, title or interest has been duly executed on September 5, 2023.

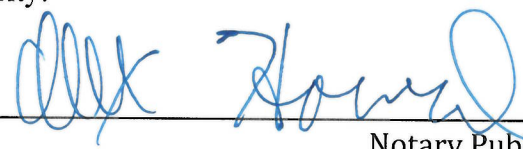
QUESTAR GAS COMPANY
 Dba Dominion Energy Utah

By: 
 Authorized Representative

STATE OF UTAH)
) ss.
 COUNTY OF SALT LAKE)

On September 5, 2023, personally appeared before me Caroline King, who, being duly sworn, did say that (s)he is an Authorized Representative for QUESTAR GAS COMPANY dba Dominion Energy Utah, and that the foregoing instrument was signed on behalf of said corporation pursuant to a Delegation of Authority.




 Notary Public

Attachment: KaspersonPUEQwest (PUE Vacation - 348 N 1160 E)



UTILITY NOTIFICATION FORM

Development Name: Kasperson - Quail Run Estates Subdivision ☐ Commercial ☒ Residential

Development Address: 348 N 1160 E American Fork

Developer Name: Mtn Mod LLC

Developer Contact: Lynsie Davis

Developer Business Address: 12760 S Park Ave #1396

Developer Telephone: 801-669-1032

Cellular: ✓

Fax: _____

The utility companies listed need to receive plans and necessary information for the above-stated development to begin the process for providing their services to this project. Plans will not be approved by the City until this document is completed and returned.

DOMINION ENERGY

Name: _____ Title/Position: _____ Tel. #: _____

Signature: _____ Date: _____

Suggested Contact: Greg Nielson, 801-853-6522, greg.nielson@dominionenergy.com

COMCAST CABLE TELEVISION

Name: _____ Title/Position: _____ Tel. #: _____

Signature: _____ Date: _____

Suggested Contact: Elysia Valdez, 801-401-3017, jointrench_utah@comcast.com

CENTURY LINK (QWEST)

Name: _____ Title/Position: _____ Tel. #: _____

Signature: _____ Date: _____

Suggested Contact: Melinda Duran, 435-660-1719, melinda.duran@centurylink.com

ROCKY MOUNTAIN POWER

Name: Teria Walker Title/Position: Estimator Tel. #: 801-756-1310

Signature: Teria Walker Date: 9/5/23

Suggested Contact: Teria Walker, 801-756-1310, teria.walker@rockymountainpower.net

AFCONNECT

Name: _____ Title/Position: _____ Tel. #: _____

Signature: _____ Date: _____

Suggested Contact: Kyle Petersen, 801-400-2933, kylep@afconnect.com

Attachment: KaspersonRockyMountain (PUE Vacation - Kasperson - 348 N 1160 E)



ORDINANCE NO. _____

**AN ORDINANCE VACATING A PORTION OF A PUBLIC UTILITY EASEMENT AT
348 North 1160 East, AMERICAN FORK, UTAH**

WHEREAS, the City of American Fork has received a request to vacate a portion of the public utility easement at 348 North 1160 East; and

WHEREAS, staff has reviewed the request to vacate a portion of the public utility easement and has determined the vacation of the easement is not in conflict with current city code; and

WHEREAS, the City of American Fork has the authority to vacation public utility easements and finds that there is good cause for the vacating of said portion of easement and neither the public interest nor any person will be materially injured by said vacation; and

WHEREAS, the City gave advance public notice of its intent to vacate a portion of said easement as required by state law and then held a public hearing on Tuesday, November 14, 2023 regarding such intent and carefully considered the comments of the public thereof.

THEREFORE, BE IT ORDAINED by the City Council of American Fork City, as follows:

SECTION I: Vacation of a portion of a public utility easement at 348 North 1160 East, American Fork, Utah

A. The City Council of American Fork finds that there is good cause for vacating a portion of the easement and that neither the public interest nor any person will be materially injured by the vacation.

B. The following described portion of the easement and shown on Exhibit A is hereby vacated:

Beginning at a point located South 26.08 feet and East 1603.96 feet from the West Quarter Corner of Section 18, Township 5 South, Range 2 East, Salt Lake Base and Meridian; thence South 89°55'20" East 159.80 feet; thence South 0°13'39" East 5.00 feet; thence North 89°55'20" West 159.86 feet;
thence North 0°28'43" East 5.00 feet to the point of beginning.

SECTION II: SEVERABILITY

The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause, or phrase shall be declared invalid or unconstitutional by the valid judgment or decree of a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, or phrases of this Ordinance.

SECTION III: EFFECTIVE DATE

This Ordinance shall take effect immediately upon its passage and first publication as provided by law.

PASSED AND ADOPTED by the City Council of American Fork City on Tuesday, November 14, 2023.

ATTEST:

Bradley J. Frost, Mayor

Terilyn Lurker, City Recorder



**REQUEST FOR COUNCIL ACTION
CITY OF AMERICAN FORK
JANUARY 9, 2024**

Department Planning **Director Approval** Patrick O'Brien

AGENDA ITEM Review and action on the acceptance of an encroachment agreement with David and Audrey Kasperson located at 348 North 1160 East.

SUMMARY RECOMMENDATION

Staff recommends approval of an easement encroachment agreement for 348 North 1160 East.

BACKGROUND

Owners, David and Audrey Kasperson, request permission for the construction of a fire pit, footings for a pergola and pool equipment within the Easement, subject to all necessary permits and approvals consistent with Federal, State, and Local laws and regulations. Said footings shall be professionally engineered and shall not interfere with the easement anymore than is shown on Exhibit B. Said pool equipment and fire pit shall not interfere with the easement anymore than is shown on Exhibit B.

BUDGET IMPACT

None

SUGGESTED MOTION

Move to authorize the City to approve the easement encroachment agreement for 348 North 1160 East and authorize the Mayor to sign the document.

SUPPORTING DOCUMENTS

Encroachment Agreement - Kasperson (PDF)

**AGREEMENT TO ENCROACH UPON
PUBLIC RIGHT OF WAY IN AMERICAN FORK CITY**

This Agreement entered into this ___ day of _____, 2024, between American Fork City, a municipal corporation of the State of Utah (the “City”), and Audrey A Kasperson and David P Kasperson (“Owners”). The City and Owners may be jointly referred to as the “Parties.”

WHEREAS, Owners are the owners of real property located at 348 North 1160 East, American Fork, Utah (the “Property”); more particularly described in Exhibit “A” attached herewith;

WHEREAS, the City has a five-foot public utility easement located on portions of said Property as shown on Exhibit B (the “Easement”);

WHEREAS, Owners desire to place pergola footings and pool utilities within the Easement;

WHEREAS, Owners desire consent from the City to permit said encroachment;

WHEREAS, the City agrees to allow for such encroachment, subject to the terms of this Agreement.

TERMS

Now, therefore, in consideration of the covenants, terms, and conditions herein, the parties agree as follows:

1. **Easement.** Owners acknowledge the existence of the Easement.
2. **Permission.** City hereby grants to Owners permission for the construction of a fire pit, footings for a pergola and pool utilities (“Improvements”) within the Easement, subject to all necessary permits and approvals consistent with Federal, State, and Local laws and regulations. Said Improvements shall be professionally engineered, as applicable, and shall not interfere with the easement anymore than is shown on Exhibit B.
3. **Revocation/Modification.** City specifically reserves the right to revoke or modify permission granted Owners herein. Said right of revocation or modification may be exercised by City in the event use of the Easement becomes reasonably necessary. Owners agree that City may exercise said right of revocation, notwithstanding the fact the Owners may have expended money and labor to construct and maintain the Improvements within the Easement.
4. **Revocation Timing.** In the event City invokes its right of revocation, said revocation shall become effective sixty (60) days after written notification of revocation is mailed to Owners. Within said sixty (60) day period Owners shall, at their own expense, remove the Improvements from the Easement and restore said Easement to a condition allowing for the use of the Easement to install public utilities. If Owners fail to remove the Improvements and/or restore the property within the Easement within such time, City

may remove and restore the property and all reasonable costs incurred by City in doing so shall be the responsibility of the Owners. The City may place a lien upon the Property until repayment is made in full.

5. **Emergency Entry.** Notwithstanding Paragraph 5, in the event of an emergency, the City may, with notice as soon as practicable, remove any structure, or portion thereof, within the easement to access and utilize all rights consistent with the Easement.
6. **Indemnification.** Owners agree to indemnify and hold City and its agents harmless from any and all claims from injury, death, loss or damage arising from the installation, removal, or maintenance of the fire pit, footing, pool equipment or other improvements installed by or at the direction of Owners within the Easement.
7. **Assignment/Run With Land.** This Agreement shall be binding on and inure to the benefit of the parties hereto and their respective heirs, assignees, or successors in interest, under the same terms and conditions set forth herein. Further, this Agreement shall run with the land.
8. **Notice.** Any notice required or permitted to be given hereunder shall be deemed sufficient if given by a communication in writing, and shall be deemed to have been received (a) upon personal delivery or actual receipt thereof, or (b) within three days after such notice is deposited in the United States mail, postage pre-paid, and certified and addressed as follows:

CITY:

OWNERS:

9. **Governing Law; Integration Clause.** It is mutually understood and agreed that this Agreement shall be governed by the laws of the State of Utah, both as to interpretation and performance. Any action at law, suit in equity, or other judicial proceeding for the enforcement of this Agreement or any provision thereof shall be instituted only in the courts of the State of Utah, Utah County.
10. **Attorneys' Fees.** In the event of any action or suit by a Party against the other Party for reason of any breach of any of the covenants, conditions, agreements or provisions on the part of the other Party arising out of this Agreement, the prevailing Party in such action or suit shall be entitled to have and recover from the other Party all costs and expenses incurred therein, including reasonable attorneys' fees.

11. **Recordation.** Notice of this Agreement will be recorded against the Subject Property in the official records of the Utah County Recorder's Office. Any subsequent amendment to this Agreement may be recorded as agreed by the Parties.
12. **Recitals and Exhibits Incorporated.** Each recital set forth above, and each exhibit attached to and referred to in this Agreement, is hereby incorporated by reference.
13. **Entire Agreement.** This Agreement constitutes the entire agreement between the parties and may be amended only by written agreement properly executed by the parties. No verbal instructions, understandings, etc., nor letters or documents signed by one of the parties shall be permitted to operate as an amendment to this Agreement.

SIGNATURE PAGE FOLLOWS

In witness whereof, the parties have executed this Agreement on the date first above written.

OWNERS:

Audrey A Kasperson

David P Kasperson

STATE OF UTAH)
 :SS
COUNTY OF _____)

On this _____ day of _____,
20_____, personally appeared before me Audrey A Kasperson and David P Kasperson, the
signers of the foregoing instrument, who duly acknowledged to that he/she/they executed the
same.

Notary Public

CITY:

BRADLEY J. FROST, MAYOR

ATTEST:

Approved as to form:

City Recorder

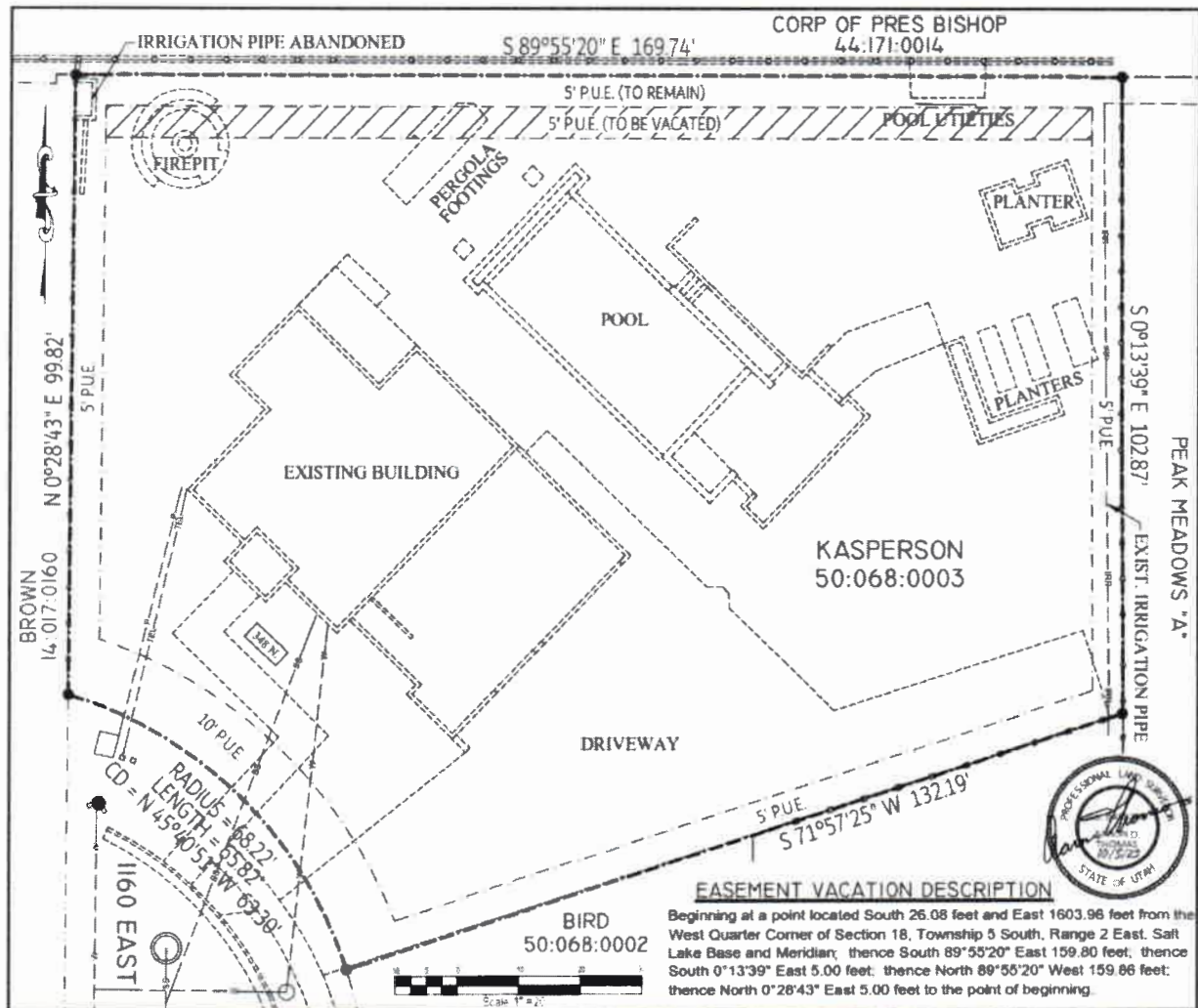
City Attorney

EXHIBIT A

Legal Description:

LOT 3, PLAT A, QUAIL RUN ESTATES SUBDV. AREA 0.470 AC.

EXHIBIT "B"



Attachment: Encroachment Agreement - Kasperson (Kasperson Easement Encroachment Agreement - 348 N 1160 E)



**REQUEST FOR COUNCIL ACTION
CITY OF AMERICAN FORK
JANUARY 9, 2024**

Department Planning **Director Approval** Patrick O'Brien

AGENDA ITEM Review and action on a resolution approving a Land Use Map Amendment known as Learning Blocks Daycare, located at 355 East 200 South. The Land Use Map Amendment will be on approximately 0.61 acres and is in the General Commercial land use and will change to the Residential Medium Density land use.

SUMMARY RECOMMENDATION

The Planning Commission recommended approval at the December 6, 2023 meeting.

BACKGROUND

The applicant has applied for a proposed Land Use Map Amendment. The project looks to change from the General Commercial 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.

BUDGET IMPACT

N/A

SUGGESTED MOTION

Move to adopt the resolution approving the Land Use Map Amendment, located at 355 East 200 South, American Fork City, from the General Commercial land use to the Residential Medium Density land use, subject to any conditions found in the staff report.

SUPPORTING DOCUMENTS

Land Use Map Amendment - 355 East 200 South (PDF)
 Learning Blocks LUMA - Staff Report (PDF)
 (2023.11.02) Revert zoning - Learning Blocks Daycare (PDF)
 (2023.11.02) Zone Map and Land Use Map Images (PDF)
 12.06.23 PC Minutes (PDF)

RESOLUTION NO. _____**A RESOLUTION APPROVING A LAND USE MAP AMENDMENT LOCATED IN THE VICINITY OF 355 EAST 200 SOUTH FROM THE GENERAL COMMERCIAL DESIGNATION TO THE RESIDENTIAL MEDIUM DENSITY DESIGNATION.**

WHEREAS, Section 10-9a-401(1), Utah Code Annotated, 1953, as amended, requires each municipality in the State of Utah to prepare and adopt a comprehensive, long range general plan for: (1) present and future needs of the municipality; and (2) growth and development of the land within the municipality; and

WHEREAS, Section 10-9a-403, Utah Code Annotated, 1953, as amended, recommends and describes the general content of each of the major elements typically included within a general plan including, but not limited to, a Land Use Element that designates the long-term goals and the proposed extent, general distribution, and location of land for housing, business, industry, agriculture, recreation, education, public buildings and grounds, open space, and other categories of public and private uses of land; and

WHEREAS, Section 10-9a-403, Utah Code Annotated, 1953, as amended, anticipated that the Land Use Element will, from time to time, be amended and updated to reflect changes in condition or policy within the City; and

WHEREAS, the Planning Commission has reviewed the proposed amendment to the Land Use Element, advertised and held a public hearing thereon, duly considered the comments received at the hearing, and

WHEREAS, the Planning Commission has recommended approval of the land use map amendment, and

WHEREAS, the City Council has reviewed the request further, all in accordance with Utah State law.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF AMERICAN FORK CITY, UTAH:

SECTION 1. That certain map entitled AMERICAN FORK CITY - LAND USE PLAN is hereby amended to show that the parcels located in the vicinity of 355 East 200 South be amended from the General Commercial designation to the Residential Medium Density designation as shown in the Land Use Map below. Said change in designation is hereby adopted as an amendment to the Land Use Element of the General Plan of American Fork, Utah.

SECTION 2. The City Council hereby directs that the American Fork Land Use Plan Map be modified to incorporate the changes approved by this Resolution.

Land Use Map



SECTION 3. It is the express intent of the City Council that said plan be followed, complied with, and otherwise adhered to.

SECTION 4. The Planning Commission and City Staff are hereby directed to recommend such ordinances and policies as recommended under the plan and deemed essential for its implementation.

PASSED AND ADOPTED THIS 9TH DAY OF JANUARY 2024.

Bradley J. Frost, Mayor

ATTEST:

Terilyn Lurker, City Recorder

Planning Commission Staff Report
Meeting Date: December 06, 2023



Agenda Topic

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.

BACKGROUND INFORMATION		
Location:		355 E 200 S
Project Type:		Land Use Map Amendment
Applicants:		Jordyn Johnson
Existing Land Use:		General Commerical
Proposed Land Use:		Residential Medium Density
Surrounding Land Use:	North	General Commercial
	South	Residential Medium Density
	East	Residential Medium Density
	West	Residential Medium Density
Existing Zoning:		GC-1
Proposed Zoning:		N/A
Surrounding Zoning:	North	GC-1
	South	R2-7500
	East	R2-7500
	West	R2-7500

Background

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.



Chapter 17.11 Amendments

This development code, and the zoning map adopted as a part thereof, may be amended from time to time by the city council, but all proposed amendments must first be submitted to the planning commission for its recommendation. The procedure to be followed in amending the code and map shall be as set forth below.

Sec 17.11.101 Written Petition Required - City Initiated Amendments Permitted

Any person seeking an amendment of the development code or zoning map shall submit to the planning commission a written petition designating the change desired and the reasons therefor, and shall pay a nonrefundable filing fee in an amount established by resolution of the city council. Amendments to the code and map may also be initiated by action of the planning commission or upon request of the city council.

Sec 17.11.102 Planning Commission To Make Recommendations

Upon receipt of the petition the planning commission shall consider the request and, subject to completion of a public hearing on the matter before the planning commission with public notice given in accordance with the provisions of Section 17.11.103, shall submit its recommendations with respect thereto to the city council.

Sec 17.11.103 Planning Commission To Conduct Public Hearing Before Recommending Amendments - Notice Of Hearing To Be Provided

1. No ordinance approving an amendment to the official zone map or text of the development code, or approving a large scale development project may be enacted by the city council unless and until a public hearing relating to the proposed ordinance shall have been conducted by the planning commission.
2. Notice of the date, time and place of the first public hearing regarding a proposed amendment to the official zone map, text of the development code or ordinance of approval of a large scale development project shall be given at least 10 calendar days before the public hearing as follows:
 1. Published on the Utah Public Notice Website;
 2. Posted in at least three public locations within the city, or on the city's official website; and
 3. Mailed to each affected entity.



Sec 17.11.104 Amendments To Be Adopted By Council - Notice Required

1. The city council, at a public meeting called for the purpose, shall consider each proposed amendment to the official zone map, text of the development code, or ordinance of approval for a large scale development recommended to it by the planning commission and may act to adopt or reject the amendment or ordinance of approval as recommended by the planning commission or adopt the amendment after making any revision the city council considers appropriate.
2. Notice of the public meeting at which the city council will consider a proposed amendment or ordinance of approval shall be given at least twenty-four hours before the meeting, which notice shall, as a minimum, be posted in at least three public places within the city; or on the city's official website.

Sec 17.11.105 Amendments To Be Adopted By Ordinance - Public Notice Of Adoption

All amendments to the code and map shall be adopted, published and recorded in accordance with the applicable provisions of UCA 10-3-701 et seq.

17.11.200 Intent With Respect To Amendments

All amendments to this code and zone map shall be made in accordance with the general plan of land use. It is hereby declared to be public policy that this code shall not be amended unless it can be shown that changed or changing conditions make the proposed amendment reasonably necessary to the promotion of the purposes of this code.

Project Conditions of Approval

1. N/A

Findings of Fact

1. The Land Use Map Amendment MEETS the requirements of Section 17.11.

Planning Commission Staff Report
Meeting Date: December 06, 2023

Project Map



Standards Conditions of Approval

APPLICANT is responsible and shall submit/post/obtain all necessary documentation and evidence to comply with these Standard Conditions of Approval prior to any platting, permitting, or any other form of authorization by the City including plat recording or other property conveyance to the City and prior to scheduling a pre-construction meeting. All recording shall take place at the Utah County Recorder's Office.

1. **Title Report:** Submit an updated Title Report not older than 30 days or other type of appropriate verification that shows all dedications to the City are free and clear of encumbrances, taxes, or other assessments.
2. **Property Taxes and Liens:** Submit evidence that all the property taxes, for the current and/or previous years, liens, and agricultural land use roll over fees have been paid in full.
3. **Water Rights:** Submit evidence that all the required water rights have been conveyed to American Fork City.
4. **Performance Guarantee:** Post a performance guarantee for all required public and essential common improvements.



Planning Commission Staff Report
Meeting Date: December 06, 2023

5. **Easements and Agreements:** Submit/record a long-term Storm Water Pollution Prevention Maintenance Agreement signed and dated by the property owner and any required easement documentation.
6. **Land Disturbance Permit:** Obtain a Land Disturbance Permit.
7. **Compliance with the Plan Review Comments:** All plans and documents shall comply with all the Technical Review Committee comments and the City Engineer's final review.
8. **Commercial Structure:** Record an Owner Acknowledgment and Utility Liability Indemnification if the proposed building is a multi-unit commercial structure served by a single utility service.
9. **Sensitive Lands:** Record all applicable documents required for compliance with the City's Sensitive Lands Ordinance.
10. **Utility Notification Form:** Submit a Subdivision Utility Notification Form.
11. **Professional Verification:** Submit final stamped construction documentation by all appropriate professionals.
12. **Fees:** Payment of all development, inspection, recording, streetlight, and other project related fees.
13. **Mylar:** Submit a Mylar. All plats will receive final verification of all formats, notes, conveyances, and other items contained on the plat by City staff (recorder, legal, engineer, GIS, planning).

Staff Recommendation

The Land Use Map Amendment MEETS the requirements of Section 17.11. Staff recommends APPROVING the application.

Potential Motions – Commercial Site Plan

Approval

Madame Chair, I move to recommend approval for the proposed Land Use Map Amendment, located at 355 East 200 South, American Fork City, from the General Commercial land use to the Residential Medium Density land use, subject to any conditions found in the staff report.



Planning Commission Staff Report
Meeting Date: December 06, 2023

Denial

Madame Chair, I move to recommend denial 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.

Table

Madame Chair, I move to table action 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, and instruct staff/developer to.....

To: American Fork Zoning Department

From: Learning Blocks Daycare

Date: 10/16/2023

Subject: Rezone/Amend 355 E 200 S, American Fork, UT 84003 to
R2-7500/Residential Medium Density

 American Fork City Development Review Committee
Planning and Zoning Reviewed tvanekeleburg 11/02/2023

Next Step

4.4.c

Approved
Proceed to Planning Commission
12/6/23

Thank you for your time and consideration. We are currently running an in-home daycare at 355 E 200 S, American Fork, UT 84003. To continue operating, we need to revert our property Zoning and Land Use back to residential.

This change is necessary so we can continue providing much needed child care services to our respected clients immediately. As a reliable provider, we play a big role in the lives of the children we work with and their families. We have spent years building invaluable relationships with our clientele, and our clients with us. Children are nurtured, taught, monitored, encouraged, fed, clothed, and comforted within our home. Parents are kept updated on the day to day activities at the daycare, so that they can be confident in our ability to help their children thrive. We are glad to provide a safe place for the children to come to each day, year after year. We hope to remain available for years to come and enjoy watching the growth at our daycare everyday.

Our services are necessary and well received, and this property location is the icing on the cake. Our clients love that it is located close to the freeway, but still removed from major roads. American Fork has a massive shortage of childcare for the rapidly growing population in the area. All the childcare in the county is largely maxed-out. I would hate to see this problem get worse! We hope to continue offering our childcare service to American Fork.

Although we would still like to further improve the daycare situation by starting up a commercial center in the future, we are not currently in a position to do so. We need our current residential daycares to continue flourishing before we can expand. This property Zoning and Land Use change is an important step on our journey to hopefully someday have that dream be a reality. Our clients need us to stay open every day, and through every step of the process. We are trying our best to do exactly that!

Attachment: (2023.11.02) Revert zoning - Learning Blocks Daycare (Learning Blocks Daycare Land Use Map Amendment)

Zone Map



Land Use Map



UNAPPROVED MINUTES

12.06.2023

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.

UNAPPROVED MINUTES

12.06.2023

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.

UNAPPROVED MINUTES

12.06.2023

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

UNAPPROVED MINUTES

12.06.2023

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

UNAPPROVED MINUTES

12.06.2023

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



**REQUEST FOR COUNCIL ACTION
CITY OF AMERICAN FORK
JANUARY 9, 2024**

Department Planning **Director Approval** Patrick O'Brien

AGENDA ITEM Review and action on an ordinance approving a Zoning 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 0.61 acres and is in the GC-1 zone and will change to the R2-7500 zone.

SUMMARY RECOMMENDATION

The Planning Commission recommended approval at the December 6, 2023 meeting.

BACKGROUND

The applicant has applied for a proposed Zone Change. The applicant is requesting a change from the GC-1 zone to the R2-7500 zone to provide a residential daycare business in the building. This property has recently been changed from the R2-7500 zone to the GC-1 zone to accommodate a commercial daycare, but the applicants are wanting to change it back to its original residential zone. Per the staff report, this project is to have the following project conditions of approval.

1. Meet the 72 feet right-of-way standard for the city transportation master plan (legacy Minor Collector.)
2. Additional 4 feet from this parcel on the north side of 200 South shall be dedicated to the City at no cost to the City as a condition of this zone map amendment. Right-of-way dedication shall be shown on a subdivision plat that is submitted to the City for review within 60 days of the approved zone change or shall be deeded to the city by deed within 60 days of the approved zone change.

BUDGET IMPACT

N/A

SUGGESTED MOTION

I move to adopt the ordinance approving the 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.

SUPPORTING DOCUMENTS

Zone Map Amendment - 355 East 200 South(PDF)

Learning Blocks Zone Change - Staff Report(PDF)

(2023.11.02) Zone Map and Landu Use Map Map Images (PDF)

(2023.11.02) Revert zoning - Learning Blocks Daycare (PDF)

12.06.23 PC Minutes (PDF)

ORDINANCE NO. _____**AN ORDINANCE AMENDING THE OFFICIAL ZONE MAP OF AMERICAN FORK, UTAH AT 355 EAST 200 SOUTH FROM THE GC-1 GENERAL COMMERCIAL ZONE TO THE R2-7500 RESIDENTIAL ZONE.**

WHEREAS, pursuant to Section 10-9a-503, Utah Code Annotated, 1953, as amended, the City is authorized to make and amend the official zoning map which designates property within the city limits into zones that regulate the use of buildings and structures and uses of land (the “Zone Map”); and

WHEREAS, Section 10-9a-503, Utah Code Annotated, 1953, as amended, anticipated that the Zone Map will, from time to time, be amended and updated; and

WHEREAS, the City has received a request from the property owner at 355 East 200 South (the “Property”) to amend the Zone Map changing the Property from the GC-1 General Commercial zone to the R2-7500 Residential zone; and

WHEREAS, on December 6, 2023, the Planning Commission reviewed the proposed amendment to the Zone Map, after required advertising and public hearing thereon, and duly considered the comments received at the hearing; and

WHEREAS, the Planning Commission has recommended approval of the Zone Map amendment; and

WHEREAS, the City Council has reviewed the request further, all in accordance with Utah State law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF AMERICAN FORK CITY, UTAH:

Section 1. That the Official Zone Map of American Fork, Utah, is hereby amended to show the property located in the area of 355 East 200 South be amended from the GC-1 General Commercial zone to the R2-7500 Residential zone at 355 East 200 South as shows in Exhibit “A”. Said change in zoning is hereby adopted as an amendment to the official Zone Map of American Fork, Utah.

Section 2. That said territory shall hereafter be subject to all requirements and conditions applicable with said zone.

Section 3. That this Ordinance shall be in force and effect upon its passage and first posting as required by law.

**PASSED AND ORDERED POSTED BY THE CITY COUNCIL OF AMERICAN FORK,
UTAH THIS 10TH DAY OF MAY 2022.**

Bradley J. Frost, Mayor

ATTEST:

Terilyn Lurker, City Recorder

Attachment: Zone Map Amendment - 355 East 200 South (Learning Blocks Daycare Zone Change)

EXHIBIT "A"

ZONE MAP





Planning Commission Staff Report
Meeting Date: December 06, 2023

Agenda Topic

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.

BACKGROUND INFORMATION		
Location:		355 E 200 S
Project Type:		Land Use Map Amendment
Applicants:		Jordyn Johnson
Existing Land Use:		General Commerical
Proposed Land Use:		N/A
Surrounding Land Use:	North	General Commercial
	South	Residential Medium Density
	East	Residential Medium Density
	West	Residential Medium Density
Existing Zoning:		GC-1
Proposed Zoning:		R2-7500
Surrounding Zoning:	North	GC-1
	South	R2-7500
	East	R2-7500
	West	R2-7500

Background

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



Chapter 17.11 Amendments

This development code, and the zoning map adopted as a part thereof, may be amended from time to time by the city council, but all proposed amendments must first be submitted to the planning commission for its recommendation. The procedure to be followed in amending the code and map shall be as set forth below.

Sec 17.11.101 Written Petition Required - City Initiated Amendments Permitted

Any person seeking an amendment of the development code or zoning map shall submit to the planning commission a written petition designating the change desired and the reasons therefor, and shall pay a nonrefundable filing fee in an amount established by resolution of the city council.

Amendments to the code and map may also be initiated by action of the planning commission or upon request of the city council.

Sec 17.11.102 Planning Commission To Make Recommendations

Upon receipt of the petition the planning commission shall consider the request and, subject to completion of a public hearing on the matter before the planning commission with public notice given in accordance with the provisions of Section 17.11.103, shall submit its recommendations with respect thereto to the city council.

Sec 17.11.103 Planning Commission To Conduct Public Hearing Before Recommending Amendments - Notice Of Hearing To Be Provided

1. No ordinance approving an amendment to the official zone map or text of the development code, or approving a large scale development project may be enacted by the city council unless and until a public hearing relating to the proposed ordinance shall have been conducted by the planning commission.
2. Notice of the date, time and place of the first public hearing regarding a proposed amendment to the official zone map, text of the development code or ordinance of approval of a large scale development project shall be given at least 10 calendar days before the public hearing as follows:
 1. Published on the Utah Public Notice Website;
 2. Posted in at least three public locations within the city, or on the city's official website; and
 3. Mailed to each affected entity.



Sec 17.11.104 Amendments To Be Adopted By Council - Notice Required

1. The city council, at a public meeting called for the purpose, shall consider each proposed amendment to the official zone map, text of the development code, or ordinance of approval for a large scale development recommended to it by the planning commission and may act to adopt or reject the amendment or ordinance of approval as recommended by the planning commission or adopt the amendment after making any revision the city council considers appropriate.
2. Notice of the public meeting at which the city council will consider a proposed amendment or ordinance of approval shall be given at least twenty-four hours before the meeting, which notice shall, as a minimum, be posted in at least three public places within the city; or on the city's official website.

Sec 17.11.105 Amendments To Be Adopted By Ordinance - Public Notice Of Adoption

All amendments to the code and map shall be adopted, published and recorded in accordance with the applicable provisions of UCA 10-3-701 et seq.

17.11.200 Intent With Respect To Amendments

All amendments to this code and zone map shall be made in accordance with the general plan of land use. It is hereby declared to be public policy that this code shall not be amended unless it can be shown that changed or changing conditions make the proposed amendment reasonably necessary to the promotion of the purposes of this code.

Project Conditions of Approval

1. Meet the 72 feet Right-of -way standard for the city transportation master plan (legacy Minor Collector).
2. Additional 4 feet from this parcel on the north side of 200 South shall be dedicated to the City at no cost to the City as a condition of this zone map amendment. Right-of-way dedication shall be shown on a subdivision plat that is submitted to the city for review within 60 days of the approved zone change, or shall be deeded to the city by deed within 60 days of the approved zone change.

Findings of Fact

Planning Commission Staff Report
Meeting Date: December 06, 2023

1. The Zone Change MEETS the requirements of Section 17.11

Project Map



Standards Conditions of Approval

APPLICANT is responsible and shall submit/post/obtain all necessary documentation and evidence to comply with these Standard Conditions of Approval prior to any platting, permitting, or any other form of authorization by the City including plat recording or other property conveyance to the City and prior to scheduling a pre-construction meeting. All recording shall take place at the Utah County Recorder's Office.

1. **Title Report:** Submit an updated Title Report not older than 30 days or other type of appropriate verification that shows all dedications to the City are free and clear of encumbrances, taxes, or other assessments.
2. **Property Taxes and Liens:** Submit evidence that all the property taxes, for the current and/or previous years, liens, and agricultural land use roll over fees have been paid in full.
3. **Water Rights:** Submit evidence that all the required water rights have been conveyed to American Fork City.



Planning Commission Staff Report
Meeting Date: December 06, 2023

4. **Performance Guarantee:** Post a performance guarantee for all required public and essential common improvements.
5. **Easements and Agreements:** Submit/record a long-term Storm Water Pollution Prevention Maintenance Agreement signed and dated by the property owner and any required easement documentation.
6. **Land Disturbance Permit:** Obtain a Land Disturbance Permit.
7. **Compliance with the Plan Review Comments:** All plans and documents shall comply with all the Technical Review Committee comments and the City Engineer's final review.
8. **Commercial Structure:** Record an Owner Acknowledgment and Utility Liability Indemnification if the proposed building is a multi-unit commercial structure served by a single utility service.
9. **Sensitive Lands:** Record all applicable documents required for compliance with the City's Sensitive Lands Ordinance.
10. **Utility Notification Form:** Submit a Subdivision Utility Notification Form.
11. **Professional Verification:** Submit final stamped construction documentation by all appropriate professionals.
12. **Fees:** Payment of all development, inspection, recording, streetlight, and other project related fees.
13. **Mylar:** Submit a Mylar. All plats will receive final verification of all formats, notes, conveyances, and other items contained on the plat by City staff (recorder, legal, engineer, GIS, planning).

Staff Recommendation

The Zone Change MEETS the requirements of Section 17.11. Staff recommends APPROVING the application.



Planning Commission Staff Report
Meeting Date: December 06, 2023

Potential Motions – Commercial Site Plan

Approval

Madame Chair, I move 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.

Denial

Madame Chair, I move to recommend denial for the proposed Zone Change, located at 355 East 200 South, American Fork City, from the GC-1 zone to the R2-7500 zone.

Table

Madame Chair, I move to table action for the proposed Zone Change, located at 355 East 200 South, American Fork City, from the GC-1 zone to the R2-7500 zone, and instruct staff/developer to.....

Zone Map



Land Use Map



To: American Fork Zoning Department

From: Learning Blocks Daycare

Date: 10/16/2023

Subject: Rezone/Amend 355 E 200 S, American Fork, UT 84003 to
R2-7500/Residential Medium Density

 American Fork City Development Review Committee
Planning and Zoning Reviewed tvanekeleburg 11/02/2023

Next Step	4.5.d
Approved Proceed to Planning Commission 12/6/23	

Thank you for your time and consideration. We are currently running an in-home daycare at 355 E 200 S, American Fork, UT 84003. To continue operating, we need to revert our property Zoning and Land Use back to residential.

This change is necessary so we can continue providing much needed child care services to our respected clients immediately. As a reliable provider, we play a big role in the lives of the children we work with and their families. We have spent years building invaluable relationships with our clientele, and our clients with us. Children are nurtured, taught, monitored, encouraged, fed, clothed, and comforted within our home. Parents are kept updated on the day to day activities at the daycare, so that they can be confident in our ability to help their children thrive. We are glad to provide a safe place for the children to come to each day, year after year. We hope to remain available for years to come and enjoy watching the growth at our daycare everyday.

Our services are necessary and well received, and this property location is the icing on the cake. Our clients love that it is located close to the freeway, but still removed from major roads. American Fork has a massive shortage of childcare for the rapidly growing population in the area. All the childcare in the county is largely maxed-out. I would hate to see this problem get worse! We hope to continue offering our childcare service to American Fork.

Although we would still like to further improve the daycare situation by starting up a commercial center in the future, we are not currently in a position to do so. We need our current residential daycares to continue flourishing before we can expand. This property Zoning and Land Use change is an important step on our journey to hopefully someday have that dream be a reality. Our clients need us to stay open every day, and through every step of the process. We are trying our best to do exactly that!

Attachment: (2023.11.02) Revert zoning - Learning Blocks Daycare (Learning Blocks Daycare Zone Change)

UNAPPROVED MINUTES

12.06.2023

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 Commercial 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.

UNAPPROVED MINUTES

12.06.2023

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.

UNAPPROVED MINUTES

12.06.2023

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

UNAPPROVED MINUTES

12.06.2023

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

UNAPPROVED MINUTES

12.06.2023

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



**REQUEST FOR COUNCIL ACTION
CITY OF AMERICAN FORK
JANUARY 9, 2024**

Department Planning **Director Approval** Patrick O'Brien

AGENDA ITEM Review and action on a resolution to accept/deny the THN Annexation petition to annex, consisting of 1.121 acres at 1054 East 300 North.

RECOMMENDATION

Staff is recommending denial of the petition to annex the THN Annexation as this annexation will leave one parcel of land to the north as an unincorporated island within the city. It is the city's desire to eliminate unincorporated islands and therefore recommend denial.

BACKGROUND

Applicant Ryan Davis with RBAK Ventures LLC is applying for Annexation into American Fork City for the property located at 1054 East 300 North; Parcel I.D. 14:017:0128 on approximately 0.92 acres. This also includes a small parcel owned by Allen Tian (Parcel I.D. 14:017:0132).

The notice of intent to annex was submitted to the city and required notices sent out by Utah County to property owners within 300 feet of the property. On December 6, 2023, the petitioner submitted the Petition for Annexation and recordable map to the recorders office. The city council now must accept or deny the THN Annexation as the next step in the process.

BUDGET IMPACT

N/A

SUGGESTED MOTION

ACCEPTANCE OF PETITION

Move to adopt the resolution accepting the petition to annex the THN Annexation, consisting of 0.978 acres at 1054 East 300 North.

DENIAL OF PETITION

Move to deny the petition to annex the THN Annexation consisting of 1.121 acres at 1054 East 300 North.

SUPPORTING DOCUMENTS

THN Annexation - Resolution to Accept the Petition to Annex (PDF)

THN Annexation Draft Report to Council (DOCX)

Email from Steven Bule Regarding THN Annexation - Does not support (PDF)

Email from Tim Bahoravitch Regarding THN Annexation - Does Not Support (PDF)

RESOLUTION NO. _____

A RESOLUTION ACCEPTING A PETITION FOR ANNEXATION OF 1.121 ACRES LOCATED AT APPROXIMATELY 1054 EAST 300 NORTH, KNOWN AS THE 'THN ANNEXATION', FROM RYAN DAVIS, OWNER OF REAL PROPERTY OF LAND, INTO AMERICAN FORK CITY.

WHEREAS, on December 6, 2023, the owners of certain real property filed a petition with the city recorder requesting that property located at approximately 1054 East 300 North be annexed into the corporate boundaries of American Fork City; and

WHEREAS, the petitioners indicate that said property proposed for annexation lies contiguous to the present boundaries of American Fork City and the petitioners have caused an accurate plat or map of the real property proposed for annexation to be prepared by a licensed surveyor and have filed said plat or map with the city recorder; and

WHEREAS, the area proposed for annexation is within the proposed annexing municipality's Annexation Policy Declaration Expansion Area; and

WHEREAS, said petition contains the signature of the owner(s) of private real property that: 1) is located within the area proposed for annexation; 2) covers a majority of the private land area within the area proposed for annexation, covers 100% of all the rural real property within the area proposed for annexation, and covers 100% of all of the private land area within the area proposed for annexation or a migratory bird production area; and 3) is equal in value to at least 1/3 of the value of all the private real property within the area proposed for annexation; and

WHEREAS, said petition appears to comply with requirements of Section 10-2-402 and Section 10-2-403, Utah Code Annotated, 1953 as amended.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF AMERICAN FORK, UTAH:

SECTION 1. American Fork City hereby acknowledges receipt of a written notice from the owners of real property requesting that their respective property be annexed into American Fork City in accordance with the terms of the State law relating to annexations (UCA 10-2-403). A copy of the request signed by the owners of the parcel requesting the annexation is set forth on Exhibit A.

Further, a map showing the location of the parcels included within the proposed annexation area and the boundary description of the proposed annexation area is set forth on Exhibit B, which exhibits are attached hereto and by this reference made part of this Resolution.

SECTION 2. The American Fork City Council hereby accepts for further consideration the petition to annex 1.121 acres of real property known as the THN Annexation as set forth on Exhibit B under the provisions of Utah State Code and hereby refers the petition to the city recorder for review pursuant to Utah State Code §10-2-405(2).

ADOPTED AND PASSED BY THE AMERICAN FORK CITY COUNCIL this 9th day
of January 2024.

Bradley J. Frost, Mayor

ATTEST:

Terilyn Lurker, City Recorder

Attachment: THN Annexation - Resolution to Accept the Petition to Annex (THN Annexation)



Petition for Annexation

Petition Title: THN Annexation

Property Location: 1054 E 300 N, American Fork

Acreage: 1.121 Acres

Property Owner Names:

RBAK Ventures, LLC

Property Address:

1054 E. 300 N.

Parcel ID#:

14:017:0128

Hansen, John & Sandra

1083 E 300 N

14:017:0156

TIAN, Allan

14:017:0132

(Attach Additional Sheets if needed)

Sponsor Name: RBAK VENTURES

Phone: 801-875-8589

Address: 1054 E 300 N. AMERICAN FORK, UT 84101

Email Address: rdavis1@gmail.com

Include with Petition:

- Petition for Annexation and signature page
- Accurate and recordable mylar map
 - Electronic copy of map emailed to tlurker@americanfork.gov and mwhite@americanfork.gov
 - One 24" x 36" map stamped by a licensed surveyor
- Copy of the Notice of Intent to File an Annexation Petition sent to affected entities, including the date notices were sent and a list of the affected entities notices were sent.
- On the date of filing with the city recorder, deliver copy of petition to Utah County Clerk

Attachment: THN Annexation - Resolution to Accept the Petition to Annex (THN Annexation)



Petition for Annexation Signature Page

Notice:

- There will be no public election on the annexation proposed by this petition because Utah law does not provide for an annexation to be approved by voters at a public election.
- If you sign this petition and later decide that you do not support the petition, you may withdraw your signature by submitting a signed, written withdrawal with the recorder of American Fork City. If you choose to withdraw your signature, you shall do so no later than 30 days after American Fork City receives notice that the petition has been certified.

We, the undersigned owners of private real property, hereby petition the area shown on the attached accurate and recordable map prepared by a licensed surveyor to be annexed into American Fork City. Each of the undersigned affirms that (a) each has personally signed this petition, (b) each is an owner of real property that is located within the area, and (c) each desire to be annexed into American Fork City. The petitioners hereby request this petition be considered by the American Fork City Council and that a resolution be adopted as required by law accepting this petition for further consideration.

	<u>Ryan Davis, manager</u>	<u>14:017:0128</u>
Signature	Printed Name	Parcel ID
<u>1054 E 300 N AMERICAN FORK, UT 84101</u>		
Address		
<u>801-875-8589</u>	<u>rdavis1@gmail.com</u>	
Telephone Number	Email Address	

_____ Signature	_____ Printed Name	_____ Parcel ID
--------------------	-----------------------	--------------------

Address

_____ Telephone Number	_____ Email Address
---------------------------	------------------------

_____ Signature	_____ Printed Name	_____ Parcel ID
--------------------	-----------------------	--------------------

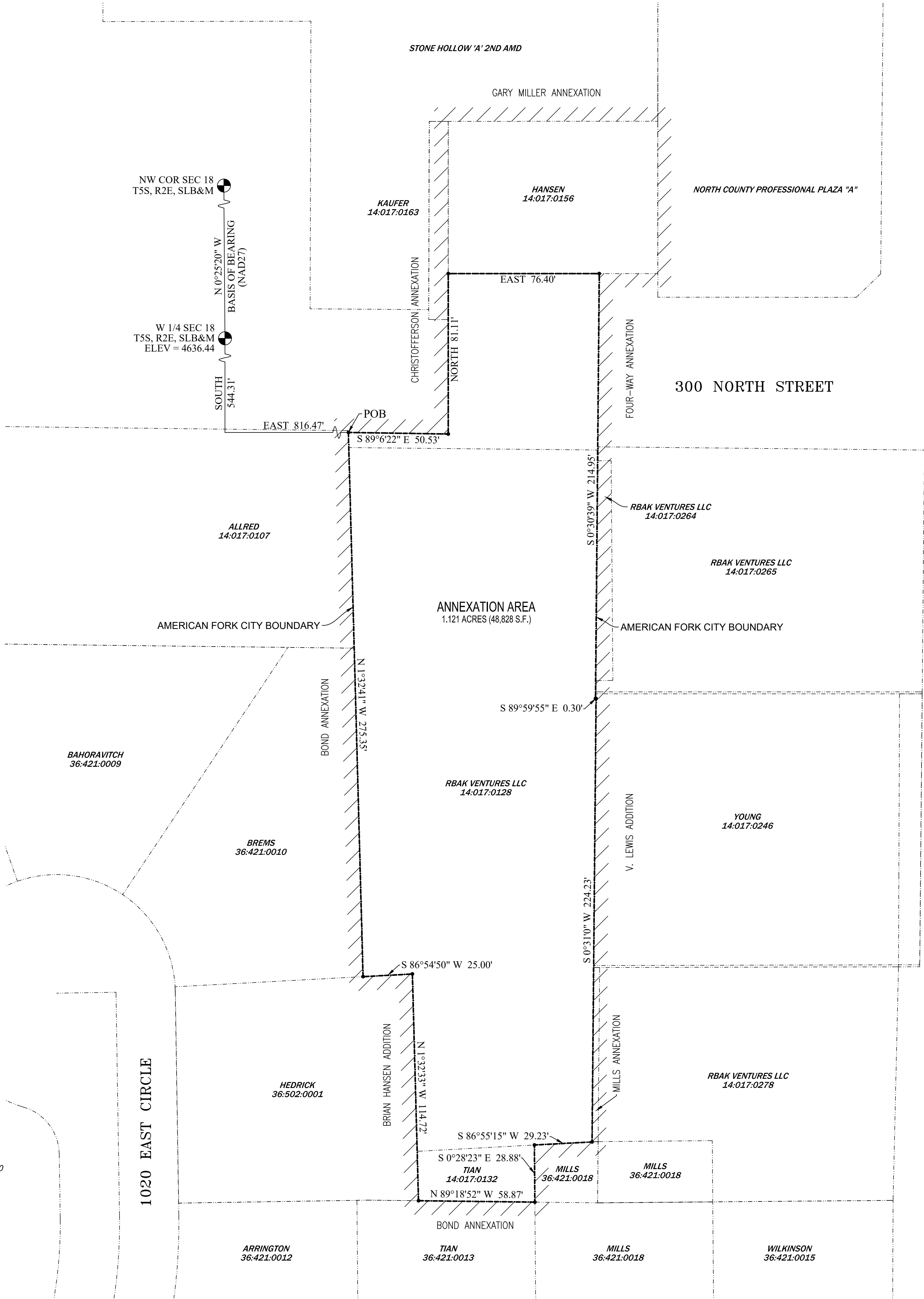
Address

_____ Telephone Number	_____ Email Address
---------------------------	------------------------

(Attach additional Sheets as needed)

Attachment: THN Annexation - Resolution to Accept the Petition to Annex (THN Annexation)

Exhibit "B"



SURVEYOR'S CERTIFICATE

I, AARON D. THOMAS, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 6418780 AS PRESCRIBED UNDER LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT THIS PLAT OF ANNEXATION TO THE CORPORATE LIMITS OF AMERICAN FORK CITY, UTAH COUNTY, UTAH IS A TRUE AND CORRECT REPRESENTATION OF DATA COMPILED FROM RECORDS ON FILE IN THE OFFICE OF THE UTAH COUNTY RECORDER.

DATE SURVEYOR'S NAME (SEE SEAL BELOW)

BOUNDARY DESCRIPTION

BEGINNING AT THE NORTHEAST CORNER OF THE BOND ANNEXATION, SAID POINT BEING LOCATED SOUTH 544.31 FEET AND EAST 816.47 FEET FROM THE WEST QUARTER CORNER OF SECTION 18, TOWNSHIP 5 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN;

THENCE ALONG THE EXISTING AMERICAN FORK CITY BOUNDARY THE FOLLOWING TWO COURSES AND DISTANCES: 1) SOUTH 89°06'22" EAST 50.53 FEET, AND 2) NORTH 81.11 FEET; THENCE EAST 76.40 FEET; THENCE ALONG THE EXISTING AMERICAN FORK CITY BOUNDARY THE FOLLOWING NINE COURSES AND DISTANCES: 1) SOUTH 0°30'39" WEST 214.95 FEET, 2) SOUTH 89°59'55" EAST 0.30 FEET, 3) SOUTH 0°31'00" WEST 224.23 FEET, 4) SOUTH 86°55'15" WEST 29.23 FEET, 5) SOUTH 0°28'23" EAST 28.88 FEET, 6) NORTH 89°18'52" WEST 58.87 FEET, 7) NORTH 1°32'33" WEST 114.72 FEET, 8) SOUTH 86°54'50" WEST 25.00 FEET, AND 9) NORTH 1°32'41" WEST 275.35 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.121 ACRES, MORE OR LESS.
BASIS OF BEARING: UTAH STATE PLANE COORDINATE SYSTEM NAD 1927, CENTRAL ZONE.

ACCEPTANCE BY LEGISLATIVE BODY

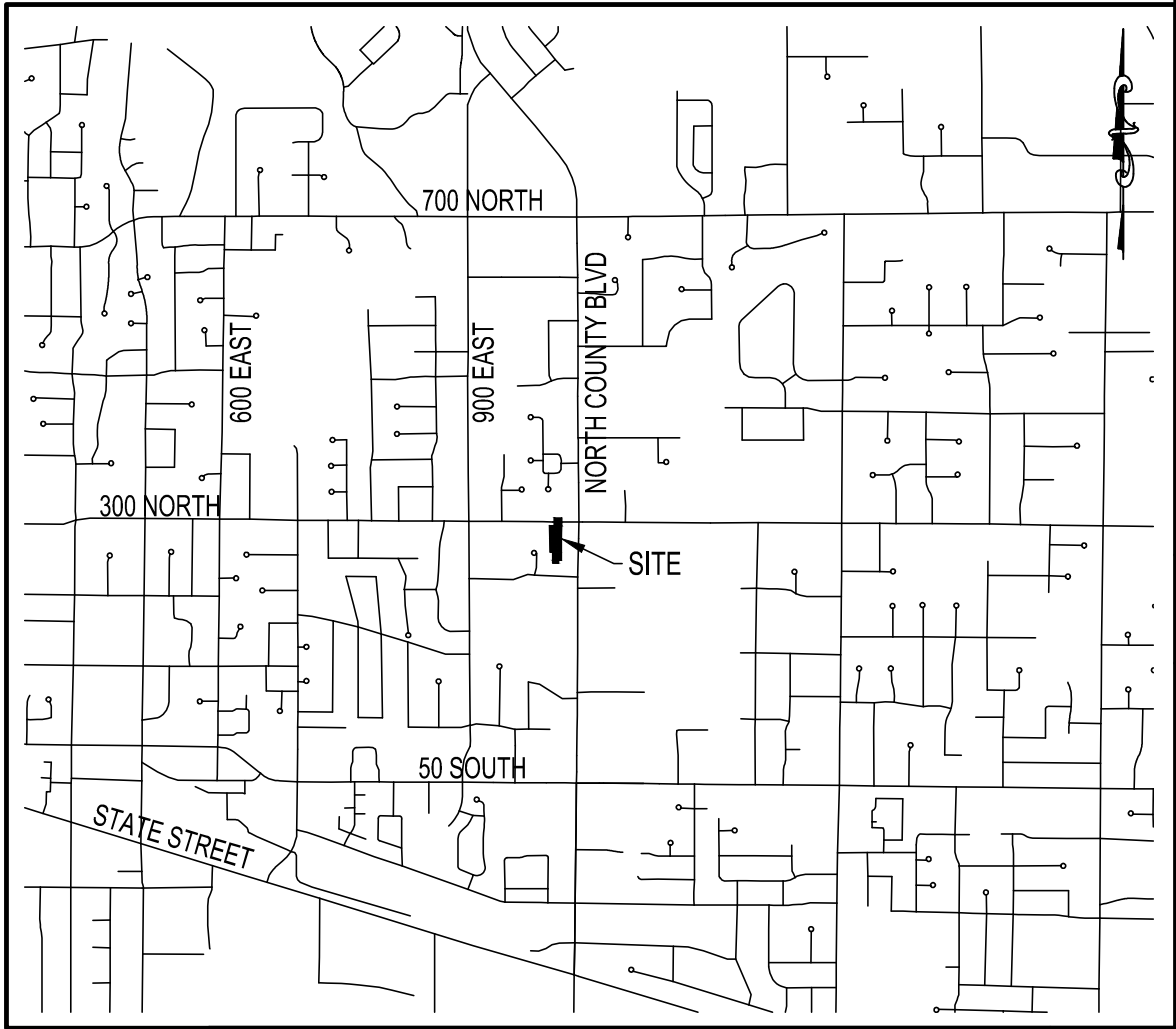
WE, THE DULY ELECTED COUNCIL OF THE CITY OF AMERICAN FORK, UTAH, HAVE RECEIVED A REQUEST TO INITIATE PROCEDURES FOR THE ANNEXATION OF THE TRACT OF LAND SHOWN HEREON, WHICH TRACT CONSTITUTES A PORTION OF AN EXISTING ISLAND OR PENINSULA WITHIN OR CONTIGUOUS TO THE CITY, AND DO HEREBY CERTIFY: (1) THE COUNCIL HAS ADOPTED A RESOLUTION SETTING FORTH IT'S INTENT TO ANNEX THE TRACT, PROVIDED NOTICE AND CONDUCTED HEARINGS ON THE MATTER, AND ADOPTED AN ORDINANCE PROVIDING FOR THE ANNEXATION OF THE TRACT TO THE CITY; ALL IN ACCORDANCE WITH THE PROVISIONS OF SECTION 10-2-4(18) UTAH CODE ANNOTATED, AS AMENDED, AND (2) THAT THE COUNCIL DOES HEREBY APPROVE AND ACCEPT THE ANNEXATION OF THE TRACT OF LAND SHOWN HEREON AS A PART OF AMERICAN FORK CITY, TO BE KNOWN HERE AFTER AS THE RBAK ANNEXATION.

DATED THIS ____ DAY OF ____, A.D. ____

MAYOR ATTEST CLERK-RECORDER
(SEE SEAL BELOW)

VICINITY MAP

SCALE 1" = 2000'

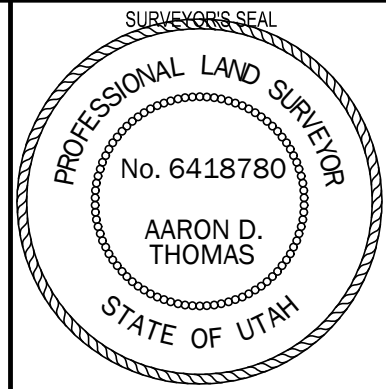


COUNTY SURVEYOR'S CERTIFICATE

THIS PLAT HAS BEEN REVIEWED BY THE COUNTY SURVEYOR AND IS HEREBY CERTIFIED AS A FINAL LOCAL ENTITY PLAT, PURSUANT TO UTAH CODE ANN. § 17-23-20 AS AMENDED.

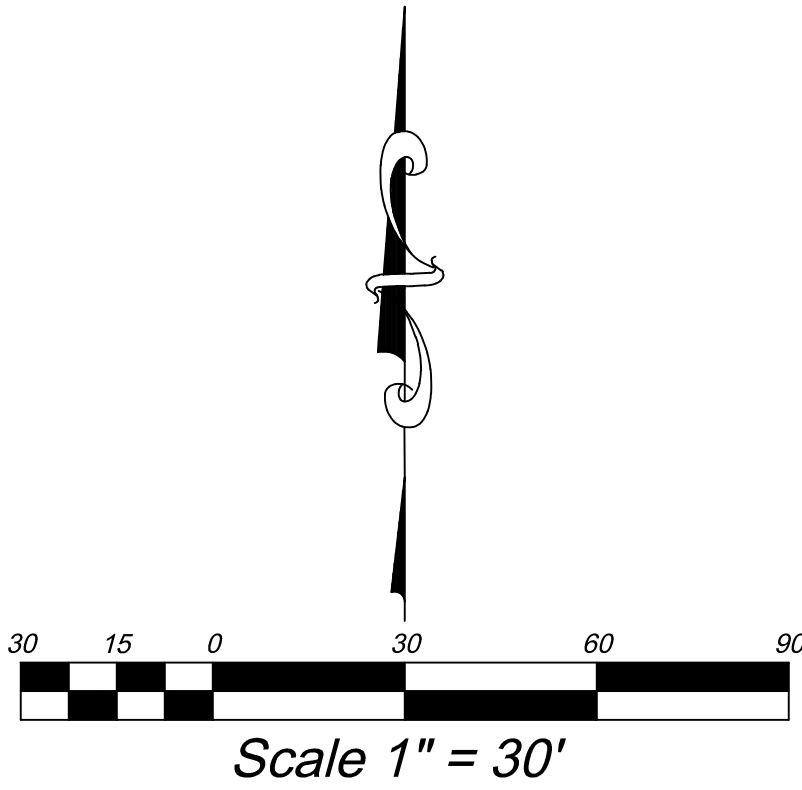
COUNTY SURVEYOR DATE

COUNTY SURVEYOR'S SEAL



CLERK-RECORDER SEAL

UTAH COUNTY RECORDER



AZTEC ENGINEERING INC.
491 N. 450 W.
OREM, UT. 84057
(801) 224-7368

AMERICAN FORK CITY**MEETING DATE: October 24, 2023****Memo**

TO: American Fork City Council

FROM: American Fork City Planning & Zoning Division and Engineering Division

RE: Staff Report for THN Annexation (Parcel ID: 14:017:0128)

Location:		1054 East 300 North
Parcel ID:		14:017:0128
Applicants:		Ryan Davis, Manager RBAK VENTURES LLC
Proposed Land Use:		Residential Low Density
Surrounding Land Use:	North	Residential Low Density
	South	Residential Low Density
	East	Residential Low Density
	West	Residential Low Density
Proposed Zoning:		R1-9000/R1-12000
Surrounding Zoning:	North	R1-9000
	South	R1-9000
	East	R1-9000/R1-12000
	West	R1-9000

Section 17.20.050 of the American Fork Municipal Code outlines the following procedures for Annexation Applications:

- A. The sponsor must schedule a pre-application meeting with the American Fork City Planning Staff for review of the annexation request and an opinion as to whether or not the area proposed for annexation will create an unincorporated island or peninsula. If it is in the opinion of staff that the proposed annexation does not create an unincorporated island or peninsula, the sponsor will be advised to proceed with their application as an annexation by petition. If the Planning Staff determines that, in their opinion, the proposed annexation creates an unincorporated island or peninsula, the sponsor will be so advised and informed of alternative procedures to request annexation by resolution, if applicable.

Attachment: THN Annexation Draft Report to Council (THN Annexation)

- B. A complete application for annexation shall be filed with the City Recorder.
- C. The Planning Department will schedule the annexation request on the next available Technical Review agenda.
- D. City staff will review the application and prepare an annexation report for the Planning Commission and City Council. The report shall identify:
1. Potential demand for City facilities and services;
 2. Consistency with the American Fork City General Plan, including the achievement of goals and policies of the American Fork City General Plan and identifying any revisions and amendments of the General Plan required by the annexation;
 3. The identification of the distance from existing city utility lines to the boundary of the annexing property;
 4. Zoning required or recommended;
 5. Distances to public schools, parks and shopping centers for traffic generated by the proposed land uses;
 6. Timetable for extending city provided utility lines and services to the area and how these services will be financed, if applicable
- E. The City Council may decide to either accept the annexation application for further review or deny the application. Denial of an application for annexation will have the effect of ending any further review of the proposed annexation. In order to have the land annexed into American Fork City, the applicant will need to resubmit the proposed annexation as a new application and satisfy each of the requirements of this Chapter including the payment of all review fees.
- F. If the annexation request is accepted for further review, proper notice shall be given in accordance with the annexation requirements contained in the Utah State Code.
- G. A public hearing (10-day notice) will be scheduled with the Planning Commission for review and recommendation of the proposed zoning designation for the annexation.

- H. Following the Planning Commission's review and recommendation on zoning and after all required notice has been met, a public hearing will be scheduled with the City Council for final approval of the annexation, including zoning designation.
- I. An annexation agreement must be signed and applicable requirements met, including any water dedication requirements, prior to annexation plat recording and ordinance publication.
- J. In order to provide accurate and current address information for EMS, fire, law enforcement, and utility services, any existing homes included in the annexation shall be assigned an American Fork City address. The new address will become effective at the time the annexation plat is recorded.

STAFF FINDINGS:

As required by Section 17.20.050(D), City Staff has met with the applicant, and having reviewed the proposed annexation, has the following findings to report:

1. Potential demand for City facilities and services

The applicant requires connections to sewer, water, and pressurized irrigation (PI already stubbed to the property). Right-of-way for 300 North will need to be conveyed. Applicant may match the existing complete cross-section to the west including park strip and sidewalk.

2. Consistency with the American Fork City General Plan, including the achievement of goals and policies of the American Fork City General Plan and identifying any revisions and amendments of the General Plan required by the annexation

The American Fork Land Use Plan, as identified in the General Plan, highlights the use of this parcel as a Professional Office designation. The Land Use designation informs the zoning that will be allocated to the property.

3. The identification of the distance from existing city utility lines to the boundary of the annexing property

The annexing property has access to public sewer and water through the existing 8" mainlines along 300 North. Public sewer and water laterals do not exist. A pressurized

irrigation lateral has already been stubbed to the property. All new and existing utilities within and adjacent to the subdivision and within all rights-of-way requiring improvements by the subdivision or development shall be located underground, except that the city may permit the installation of utilities above-ground, subject to a prior finding by the city engineer that underground installation is not reasonably feasible.

4. Zoning required or recommended:

Professional Office – PO-1

5. Distances to public schools, parks and shopping centers for traffic generated by the proposed land uses:

- Schools
 - o Barratt Elementary: ~0.19 Miles
 - o American Fork High School: ~0.51 Miles
- Parks
 - o Evergreen Park: ~0.47 Miles
- Planned Shopping Centers – (SC-1 zone)
 - o American Fork Shopping Center (SC-1 zone) ~0.92 Miles

6. Timetable for extending city provided utility lines and services to the area and how these services will be financed, if applicable

Required utilities already exist along 300 North.

Annexation proposal

Steven Bule

Tue 12/12/2023 10:46 AM

To: Brad Frost <mayor@americanfork.gov>; Kevin Barnes <kbarnes@americanfork.gov>; Staci Carroll <scarroll@americanfork.gov>; Ryan Hunter <rhunter@americanfork.gov>; Robert Shelton <rshelton@americanfork.gov>; Clark Taylor <ctaylor@americanfork.gov>; Melissa White <mwhite@americanfork.gov>

Happy Holidays!

We live at 993 E 220 N, Am Fork, and are aware of a proposal to annex county property at 300 N 1100 E. A letter we received from the county, dated Nov 17, 2023, mentioned a petition we could sign to approve the annexation. We do not support the annexation. More importantly, we do not support the building of a three-story structure on that property.

Also, contrary to what others have said, we've never been contacted by the developer about the proposal and our concerns, nor were we ever contacted in the period leading up to the last annexation proposal.

Please reach out to those of us in the neighborhood for our concerns and input.

Thank you, Steve and Paula Bule

Attachment: Email from Steven Bule Regarding THN Annexation - Does not support (THN Annexation)

From: Tim Bahoravitch

Sent: Tuesday, December 12, 2023 3:52 PM

To: Brad Frost <mayor@americanfork.gov>; Kevin Barnes <kbarnes@americanfork.gov>; Staci Carroll <scarroll@americanfork.gov>; Ryan Hunter <rhunter@americanfork.gov>; Clark Taylor <ctaylor@americanfork.gov>; Melissa White <mwhite@americanfork.gov>

Subject: THN Annexation 1054 E 300 N Am Fork

Mayor/City Council

I received notification that the county parcel ID: 36:421:009, THN annexation, from the county dated November 17, 2023. I am concerned. In talking with the surveyor at the county it sounds like the annexation is pretty much a formality from the county's standpoint, we have sent in letters of protest but because none of our properties are within the annexation our protests will probably carry no weight.

I have spoken with Clark Taylor and he assured me we have not been forgotten. Thank you. Our neighborhood is still concerned.

I understand development is going to happen, and nobody wants a vacant house and empty lots in their backyard. I also feel for Mr. Young. There has got to be some common ground here. Anything you can do to help bring all parties together would be greatly appreciated. Sooner would be better than later.

Thank you.

Tim Bahoravitch

Attachment: Email from Tim Bahoravitch Regarding THN Annexation - Does Not Support (THN Annexation)



**REQUEST FOR COUNCIL ACTION
CITY OF AMERICAN FORK
JANUARY 9, 2024**

Department Recorder **Director Approval** Terilyn Lurker

AGENDA ITEM Review and action on a resolution approving the appointment of a Director and Alternate Director to the Central Utah 911 Dispatch Board.

SUMMARY RECOMMENDATION

Mayor Frost would recommend approval of the appointment.

BACKGROUND

The city is part of the Central Utah 911 Dispatch, and as such has a representative (director) on the dispatch board. The dispatch board requires a resolution appointing the director to be approved by the city council. The previous council member assigned to the dispatch board was Rob Shelton. Mayor Frost is recommending the appointment of Council Member Ernie John as Director and Camden Bird as Alternate Director.

BUDGET IMPACT

NA

SUGGESTED MOTION

Move to adopt the resolution approving the appointment of Council Member Ernie John as Director and Camden Bird as Alternate Director on the Central Utah 911 Dispatch Board.

SUPPORTING DOCUMENTS

Appointment to the Central Utah 911 Agency (PDF)

RESOLUTION NO. _____

A RESOLUTION APPROVING THE APPOINTMENT OF A DIRECTOR AND ALTERNATE DIRECTOR TO THE CENTRAL UTAH 911 AGENCY BOARD.

Whereas, American Fork City is party to an interlocal agreement that establishes the Central Utah 911 Agency;

Whereas, the Central Utah 911 Agency answers 9-1-1 emergency calls for police, fire, and emergency medical needs and provides dispatch services for participating members; and

Whereas, the interlocal agreement requires each member to appoint a Director and an Alternate Director to the Central Utah 911 Agency Board.

Now therefore, be it resolved by the American Fork City Council that Council Member Ernie John be appointed as Director and Assistant City Administrator Camden Bird be appointed as Alternate Director for the Central Utah 911 Agency Board.

The provisions of this resolution shall take effect immediately upon passage.

Passed and approved this 9th day of January 2024.

Bradley J. Frost, Mayor

ATTEST:

Terilyn Lurker, City Recorder

Attachment: Appointment to the Central Utah 911 Agency (Appointment to Central Utah 911 Dispatch Board)



**REQUEST FOR COUNCIL ACTION
CITY OF AMERICAN FORK
JANUARY 9, 2024**

Department Recorder **Director Approval** Terilyn Lurker

AGENDA ITEM Review and action on a resolution approving the appointment of a representative to the North Pointe Solid Waste Special Service District board.

SUMMARY RECOMMENDATION

Mayor Frost would recommend approval of the appointment.

BACKGROUND

The city needs to appoint a representative to the North Pointe Solid Waste Special Service District board. Mayor Frost is recommending Council Member Ernie John serve as representative.

BUDGET IMPACT

NA

SUGGESTED MOTION

Move to adopt the resolution approving the appointment of Council Member Ernie John to the North Pointe Solid Waste Special Service District board.

SUPPORTING DOCUMENTS

Appointment to the North Pointe Solid Waste District (PDF)

RESOLUTION NO. _____

A RESOLUTION APPROVING THE APPOINTMENT OF A REPRESENTATIVE TO THE NORTH POINTE SOLID WASTE DISTRICT.

Whereas, American Fork City is party to an interlocal cooperation agreement the North Pointe Solid Waste District;

Whereas, American Fork City has a representative on the North Pointe Solid Waste District Board; and

Whereas, American Fork City needs to appoint a representative to the board.

Now therefore, be it resolved by the American Fork City Council that Council Member Ernie John be appointed as representative to the North Pointe Solid Waste District board.

The provisions of this resolution shall take effect immediately upon passage.

Passed and approved this 9th day of January 2024.

Bradley J. Frost, Mayor

ATTEST:

Terilyn Lurker, City Recorder