

APPROVED MINUTES

01.17.2024

**AMERICAN FORK CITY
PLANNING COMMISSION REGULAR SESSION**

January 17th, 2024

The American Fork City Planning Commission met in a regular session on January 17th, 2024 at the American Fork City Hall, 31 North Church Street, commencing at 6:00 p.m.

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

Commissioners Absent:

Staff Present:

Patrick O' Brien	Development Services Director
JJ Hsu	Project Engineer
Angie McKee	Administrative Assistant I

Others Present:

REGULAR SESSION

Chairwomen Anderson led the "Pledge of Allegiance"

Roll Call

COMMON CONSENT AGENDA

- 1. Minutes of the January 3rd, 2024 Planning Commission Regular Session.**

Bruce motioned to approve the Common Consent agenda.

Chris seconded the motion.

Voting was as follows:

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

The motion passed

PUBLIC HEARINGS

- a. Public hearing, review, and recommendation on a proposed Code Text Amendment of Section 17.8.200, known as Procedure for Obtaining Approval of a Subdivision of the American Fork City Municipal Code. The Code Text Amendment plans to bring the American Fork City Municipal Code into compliance with Utah State law.**

Patrick O' Brien reviewed the background information for Public Hearing Item letter a: The proposed amendment looks to follow Utah State regulations regarding the approval procedures for subdivisions, preliminary plats, final plats, and supporting materials.

Patrick O' Brien: Last year during the legislative session, the State updated the requirements for how cities deal with subdivision plats. To come into compliance with that requirement, the City is updating the Municipal Code. The State requirement is not effective yet for municipalities, but we are bringing forward a new process as the requirement needs to be in effect by February 01, 2024. The State is requiring that plat approvals need to be done at an administrative level. We have conducted internal discussions with city administration and legal counsel, as well as discussing it with some of our other groups such as the League of Cities and Towns to see what the best approach is going forward. We're proposing that this is handled at a staff level.

Ultimately, when something comes in the process and how it is reviewed is still the same. If the project meets code we approve it at that point. If it does not meet code, we give comments back. The State allows a maximum of four revisions before it has to be approved or final action needs to be taken. If it's not all handled by the end of the fourth review, it is automatically approved. We're proposing to handle it a little bit differently on the staff level by having a maximum of three reviews and the staff will make a decision at that point. There are statutory timelines that

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we need to meet for each of those reviews. By making sure it doesn't go to a fourth review, we ensure that everything is approved or denied at that level. We're trying to look at it from a protection standpoint for the City and ensure that nothing gets approved if it doesn't meet the code. That is the background of the proposal itself, and the packet contains the legal ordinance that's being proposed. Some of the details in the ordinance are not about the administrative process and how we plan to handle it, which is why I just wanted to give you an idea of what it would be and how we will deal with it on a regular level.

Harold Dudley: Is there a time limit on the appeal?

Patrick O'Brien: There is a certain time frame that is set at the State level, but I am unsure at this point what that time frame is.

Harold Dudley: Could an adjacent neighbor appeal it?

Patrick O'Brien: It would be an appeal of a denial, essentially. I don't think there's an appeal of an approval and there's no third-party appeals. It would need to be the applicant that it affected.

Chairwoman Anderson: When would this go into effect?

Patrick O'Brien: The ordinance has an effective date built into it. If it comes out at the Planning Commission with a recommendation of approval, it will go to the City Council next week. With that recommendation, they'll make a final decision on it and then it will have the approval of the ordinance with an effective date of February 01, 2024. Anything that's in the pipeline now will still be vested in under the existing process. Anything that we received from February 01, 2024, onwards will be under the new process.

Bruce Frandsen: Let me just summarize to see if I have it right. After the third review, the staff will either approve the project or disapprove the project, sending the disapprovals to the appeals process?

Patrick O'Brien: Not necessarily, the applicant would have to make the decision to appeal. The State does have some language in the State code outlining what constitutes a submission. A submission is not an official submission unless it's complete. If there are comments that need to be addressed, the resubmission is not accepted unless it addresses all the comments outlined previously. If we miss something on the first review, we must swallow that and move forward, unless there is a substantial change that might impact something else. Let's say the building is in the wrong place, it's not meeting the setbacks, and it needs to be moved back. The applicant might make a change to address that. I know this is on a site plan level, but I mention it for the description and example of it - but doing something like that may cause an additional impact in the next review.

Jenny Peay: How do you address any addendums on different applications?

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Patrick O'Brien: Other applications will still go through our regular process. This code text amendment will address preliminary and final plats.

Jenny Peay: On 17.8.207, is this regarding a Mylar they submit to the County?

Patrick O'Brien: I believe so, yes.

Public Hearing Opened

No Comments

Public Hearing Closed

Jenny Peay moved to recommend approval for the proposed Code Text Amendment, amending Section 17.8.200, titled Procedure for Obtaining Approval of a Subdivision of the American Fork City Code, relating to the approval procedure for a subdivision and providing an effective date for the ordinance.

Rodney Martin seconded the motion.

Voting was as follows:

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

The motion passed

ACTION ITEMS

- a. Review and recommendation on an application for a Commercial Site Plan, known as North Pointe Business Park, Building "F", located at approximately 1260 S 630**

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E, American Fork City, UT 84003. The Commercial Site Plan will be on approximately 6.05 acres and will be in the PI-1 (Planned Industrial) Zone.

Patrick O'Brien reviewed the background information for Action Item letter a: The applicant has applied for a Commercial Site Plan to develop an office/warehouse development. The project looks to provide 10,990 s.f. of office use and 98,900 s.f. of warehousing to the area. This is the final piece to the North Pointe Business Park between E Bromley Drive and 1300 South.

Patrick: The staff is recommending approval on this subject to satisfy certain conditions. I think all of the conditions are on the engineering end, and the applicant is working on them already. I can let JJ speak to those specific engineering things if there's any questions.

JJ: They will need to vacate the easement for the center of the lot, and it is they can do that after the approval.

Chairwoman Anderson: I believe the applicant is here. If you would like to, you're welcome to step forward and tell us about your project.

Mark Robinson: I am Mark Robinson. I am the owner of North Point Business Park. I started way back in the day. We have taken about 23 years to build all of the buildings, and this is our last lot. We decided it wouldn't be a good idea to build another office. We feel like we've designed it in such a way that it really complements the buildings right next door. We plan to keep it and we're going to have the other buildings. Let me know of any questions you have. We've always been in good graces with the city of American Fork and done what we've said we're going to do. So, I think we're good.

Chairwoman Anderson: I want to say your application makes it easy for us as you've already done all of the work.

Rodney Martin moved to recommend approval for the proposed Commercial Site Plan, located at approximately 1260 S 630 E, American Fork City, in the PI-1 Zone, subject to any conditions found in the staff report.

David Bird seconded the motion.

Voting was as follows:

Chris Christiansen

AYE

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

The motion passed

Mr. Robinson asked when the project would be placed on the City Council agenda. Mr. O'Brien stated that it would be scheduled for February 13, 2024. Mr. Robinson asked if it would be possible to get on an earlier agenda.

Other Business

Patrick updated the Commissioners on current projects that will be coming before them in the coming months.

Adjournment

Harold Dudley motioned to adjourn the meeting.

David Bird seconded the motion.

Meeting adjourned at 6:24 PM

Angie McKee

Administrative Assistant I

Melissa White

Development Project Coordinator

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