

**AMERICAN FORK CITY
PLANNING COMMISSION REGULAR SESSION**

March 6th, 2024

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

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

Commissioners Absent: Jenny Peay

Staff Present:

Cody Opperman	Planner
Travis Van Ekelburg	Senior Planner
JJ Hsu	City Engineer
Angie McKee	Administrative Assistant I

Others Present: Dustin Kuttler, Taylor Leavitt

REGULAR SESSION

Chairwomen Anderson led the “Pledge of Allegiance”

COMMON CONSENT AGENDA

- 1. Minutes of the February 21st, 2024, Planning Commission Regular Session.**

Bruce Frandsen motioned to approve the Common Consent agenda.

David Bird seconded the motion.

Voting was as follows:

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Rodney Martin	AYE
Christine Anderson	AYE
Bruce Frandsen	AYE
David Bird	AYE

The motion passed

PUBLIC HEARINGS

- a. Public hearing, review, and recommendation on an ordinance amending Section 17.7.601(B), relating to allowed uses in planned commercial developments.**

Cody Opperman reviewed the background information for Public Hearing Item letter a: Staff has initiated a Code Text Amendment to amend Section 17.7.601 (B) of the American Fork City Municipal Code. The proposed amendment looks to remove language associated with retail and service commercial warehouse structures and car washes.

Chairwomen Anderson: This makes sense to me because the intent of GC-2 zone is to be kind of that bridge between the more intense uses and residential. So, I think this change would be a good change. Any questions for planning?

Bruce Frandsen: Can you bring up a map and show me where the GC-2 area is?

Cody Opperman: Yeah, Travis will bring that Zone Map up for you.

Rodney Martin: It's about 200 west by Doug Smith, North of South Main.

Cody Opperman: So yeah, GC-2 zones. They're actually kind of scattered throughout the city. But more along the lines of kind of a lot of PC or planning community residential development, a little bit medium density, and even low density as well. So just really providing more of that core component for retail and service.

Chairwomen Anderson: Comments or questions?

Public Hearing Opened

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No Comments

Public Hearing Closed

Chairwomen Anderson: We are ready for any further questions or discussion or a motion.

David Bird moved to recommend approval for the proposed Code Text Amendment, amending Section 17.7.601 (B), titled Planned Commercial Development Projects, relating to allowed uses in planned commercial developments and providing an effective date for the ordinance.

Chairwomen Anderson: Motion from David, do we have a second?

Bruce Frandsen: Maybe I can ask you a question. Has there been a concern with what we currently have? I mean, what kind of drove this? Is this a staff driven action? What is it that really brought this to the forefront where we needed to remove two permitted uses?

Cody Opperman: Yeah, that's a good question. So really, for car washes in the GC-2 zone. It could really kind of eliminate some prime aspects for other retail components of commercial development like maybe grocery elements near residential communities such as, for instance, on our planned community zone. And then for the warehousing component as well, it is going to be more kind of switched to a storage component. We're really looking to maybe provide a 60/40 split, where 60% is more retail and service commercial, than 40% as a warehousing component. That really comes along the line of just making sure we provide more of that retail aspect for the city.

Chairwomen Anderson: A good planning principle is to bring services closer to residents. And, you know, a typical like Western plan, often includes this kind of sprawl, where we have all of our city stuff in the center and then the homes are far away. Sometimes you have to drive further than I think is good to get groceries. I think a better planning strategy is to bring retail and goods closer to the residents, shortening, driving times and traffic. If not, everyone has to come into the center of town for their regular needs, like groceries and retail. So, you know, for me this change makes sense because car washes and warehouses see more of an industrial use or less of a residential use and those areas in the GC-2 that are right next to residential, I think, give us a good chance to make those services especially groceries and you know mandatory services, that residents will have to make trips for, closer to their residence. That's why I agree with this.

Rodney Martin: Can we pull up the zoning map again? I was looking at it on my computer, and my computer died. There's this big section of GC-2 zone right on the 500 East interchange. I sort of get the the warehousing aspect, that you wouldn't want that right next to the interchange. But

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why wouldn't you want a carwash where people are exiting the freeway with their cars? and the same kind of fanatic, but why not? I don't know why that's a GC-2 zone just based on what's out there already.

Cody Opperman: There's a lot of aspects to kind of consider with our GC-2 zone, and even for our GC-1 zone as well. But for carwashes, if we do remove them within the GC-2 zone, we can still provide that type of use located in a different area, or in a different zone as well, throughout the city too. So, it's not like a completely gone aspect of the city. It's just kind of more focusing on planned commercial development projects rather than being able to service automobiles.

Rodney Martin: Well, servicing automobiles and washing automobiles is not the same thing.

Chairwomen Anderson: I think Rod has a good point that maybe this area of GC-2, maybe it's mislabeled. You know what I mean? Is this area really matching what the GC-2 zone is intended to be? I know that we're in the middle of rewriting a lot of things. Maybe that's something that you're already looking at.

Cody Opperman: Going off what you're saying with the GC-1 zone, or maybe where it shouldn't exactly be. Again, there's a lot of aspects within our code that need to change. That's why we're doing the whole code rewriting. So, in my opinion, it would be best to have the GC-1 uses closer to the PI-1 zone than the GC-2. A lot of those permitted uses within that area like welding shops tire capping establishments, more kind of industrial uses. But again, this is your determination if you want to keep the car washes within the GC-2 zone. So, if you think it's good to keep them there, that'd be up to you. But this was staff initiated and we as staff think that the carwashes can be eliminated out of that zone.

David Bird: I am looking at that, and I don't really see car washes as an industrial thing. I am looking at the one up on the boulevard, on 1100 East, and there's like a Taco Time next to it, and a Walmart across the street from it. I don't know that car washes and industrial go in the same sentence. I can understand the warehousing stuff to have that designation. Do you have any carwash applicants pending on this decision?

Travis Van Ekelburg: Not on this decision, but we do have applications in.

Rodney Martin: Okay, and in this GC-2 zone there was a carwash in that spot, and it didn't succeed. That's neither here nor there now, but since that area is more built out now, people are going to want something there. I would make a motion to eliminate the car washes, put the verbiage in there to take the car washes off the amendment, and to leave the warehouse and storage on.

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Bruce Frandsen: Christine, so you're thinking maybe we'll push to encourage more grocery type things into some different areas. I mean, I can think of just three grocery stores that have shut down there in R2-7500s over the years, maybe four. There's one where the post office is, there's one kiddy-corner from the stick shoe, There's another one in the S curve on Main Street. They were in the middle of residential, and they're gone. I have a tendency to prefer more options for the people that have the property. If the carwash won't succeed, like the other one didn't and went out of business, my daughter lost her job. And there you go. I think economics take care of a lot of these things.

Chairwomen Anderson: This is a good example of why there's, you know, different voices here because all of these opinions are super important. I have a question, because we have a motion, but not a second.

Bruce Frandsen: We can amend the motion.

Chairwomen Anderson: We don't have a second yet, right?

Rodney Martin: Yeah, we can amend it.

Cody Opperman: Technically since there wasn't a second motion than it technically dies.

Chairwomen Anderson: So, the motion has died. I just wanted to make sure I knew where we were.

David Bird: I just don't see car washes not being compatible with grocery stores. It doesn't make sense that it is one or the other. A car wash could be the business next door.

Rodney Martin moved to recommend approval for the proposed Code Text Amendment, amending Section 17.7.601 (B), titled Planned Commercial Development Projects, relating to allowed uses in planned commercial developments with the exception that the car wash verbiage be removed, and providing an effective date for the ordinance.

Bruce Frandsen: So, in this motion carwashes are no longer permitted?

Rodney Martin: No, carwashes will be permitted.

Bruce Frandsen: Carwashes will be permitted, but warehouses would not be permitted.

Rodney Martin: Yeah.

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Chairwomen Anderson: Do we have a second?

David Bird seconded the motion.

Voting was as follows:

Rodney Martin	AYE
Christine Anderson	NAY
Bruce Frandsen	AYE
David Bird	AYE

The motion did not pass

Chairwomen Anderson: I think this would be a good one to hear more voices, so we are undecided on this one at this point. We can visit it again when we have other voices here. So, thank you everyone for your Insite, I really think your voice is valuable.

Bruce Frandsen moved to table the proposed Code Text Amendment, amending Section 17.7.601 (B), titled Planned Commercial Development Projects, relating to allowed uses in planned commercial developments, and instruct staff to present it at a later date.

Rodney Martin seconded the motion.

Voting was as follows:

Rodney Martin	AYE
Christine Anderson	AYE
Bruce Frandsen	AYE
David Bird	AYE

The motion was tabled

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- b. Public hearing, review, and recommendation on an ordinance amending Section 17.5.121, related to design standards within the landscaping section of the Municipal Code.**

Cody Opperman reviewed the background information for Public Hearing Item letter b: Staff has initiated a Code Text Amendment to amend Section 17.5.121 Landscaping of the American Fork City Municipal Code. The proposed amendment looks to remove some of the design standards found within the landscaping code. It would provide more options for flexibility on designs relating to the landscaping and provide the Development Services Director with more input on the proposal to see if they are meeting the intentions of the Municipal Code.

Cody Opperman: A lot of the design standards would include residential perimeter fencing, parking lot perimeters, dumpster enclosure standards and of the sorts. This would kind of eliminate or remove those kind of design standards but provide a little bit more flexibility for the applicant, and also the zoning and clearance officer to make a decision if this is meeting the intent of the zone or not. It gives a little bit more flexibility for everybody to provide different options than what is just adopted for.

Chairwomen Anderson: Can you talk about enclosures for the dumpster? It offers more flexibility as well, right?

Cody Opperman: Yes. It's not going to be strictly just the adopted standards. So, if the zone clearance officer thinks they are meeting the intent of having the dumpster enclosure, if they're meeting other additional code relating to that, then they should be provided the flexibility.

Chris Christiansen entered the meeting

Rodney Martin: So, is this regarding the thing we had before us several months ago where industrial buildings have been built with dumpster enclosures that look fine, but don't conform, but somehow, they were approved. So, now we are going to be able to allow those?

Cody Opperman: That is what brought this forth. Now, whatever is adopted, they're more than welcome to be provided that flexibility once they are adopted. That's kind of what started the whole component is just being able to provide that flexibility for planned industrial.

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Harold Dudley Entered the meeting

Rodney Martin: The lack of flexibility was not great.

Chairwomen Anderson: Recognize Chris and Harold have joined our meeting.

Rodney Martin: Do you want to go back to a:?

Chairwomen Anderson: Are we allowed to?

Cody Opperman: I don't think so. Because we've already put a motion on it.

Chairwomen Anderson: Any other questions at this point? For the landscaping?

Bruce Frandsen: No, I don't have a question. I just want to comment. Again, I like the idea of having some flexibility. It allows for property owners to do things, and it doesn't just give them free rein to do anything. There are still controls. There are so many variables out there. Every development and building is different. I appreciate the staff taking a look at that and making some provisions for some calls to be made by either staff or Council and the Commission.

Chairwomen Anderson: Yeah, I agree. I remember a parcel that we had several months ago that was very difficult to approve just because of the odd shape they were trying to fit everything into. So, I think more flexibility, but still keeping the intent of the code is a good step.

Public Hearing Opened

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No Comments

Public Hearing Closed

Chairwomen Anderson: We're ready for any further questions or comments or a motion.

David Bird moved to recommend approval for the proposed Code Text Amendment, amending Section 17.5.121, titled Landscaping, relating to design standards and providing an effective date for the ordinance.

Bruce Frandsen seconded the motion.

Voting was as follows:

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

The motion passed

At this point in the meeting, staff realized that because the current vote on item a: was 3 to 1, the motion needed to be tabled for another meeting with more voting members present. Although 2 other commission members had arrived at this point, staff advised that the motion and vote needed to be based off the original commission members that were here during the whole

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discussion and voting. The 3rd motion from item a: was done at this time. (See motion and voting results above, under public hearing item a:)

- c. Public hearing, review, and recommendation on a proposed Land Use Map Amendment, known as Buckwalter Industrial, located at approximately 7058 N 5750 W, American Fork City, UT 84003. On approximately 25.33 acres, the property proposes to change from the Residential Low-Density designation to the Design Industrial land use designation.**

Travis Van Ekelenburg reviewed the background information for Public Hearing Item letter c: The applicants have applied for a proposed Land Use Map Amendment. The project looks to provide the Design Industrial Land Use for the two properties with Parcel IDs: 13:066:0032 and 13:066:0021. Currently, these two properties are in Utah County Territory and are looking to be annexed. The applicants are looking to provide office/warehouse establishments there and with the current land use map these properties indicate residential low density. Without doing a Land Use Map Amendment to Design Industrial prior to the annexation the properties would be annexed under the current land use, which would be residential.

Project Conditions of Approval

1. 100 East is classified as a major collector which requires 84' right-of-way. The developer must dedicate about 22' of right-of-way (about 22' East of property line) to the City.

Travis Van Ekelenburg: In the staff report, we didn't do a recommendation. The administration came down and talked about it, and since our adopted parks plan has a 30-acre park over in this area, the city's recommendation is to keep the land use as residential for that property. for encroachment of pi one industrial zone. We have had discussion before that we didn't want industrial zoning intensified past 1100 South. That's our recommendation as staff as we go to planning commission.

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Chairwomen Anderson: Thank you. Any questions or comments? Can you point out where 1100 is?

Travis Van Ekelenburg: Are you guys familiar with this area? Am I in the area you guys want to see?

Chairwomen Anderson: You said the previous discussion was that north of 1100 South be residential?

Travis Van Ekelenburg: Yeah. Patrick has talked about that before. The city's position, considering the large park that is going in down there, that this area be for residential developments.

Chairwomen Anderson: Can you zoom out just a bit? And can you show the area where the park will be? I know you mentioned the area north and east of this existing church building is not part of the city yet. What does that look like?

Travis Van Ekelenburg: As far as planning?

Chairwomen Anderson: Well, what could it be, what is it slated for?

Bruce Frandson: I believe that the "U" shape around the church, belongs to the church.

Rodney Martin: So, that right angled triangle that is west and south of the railroad tracks, that's all PI-1?

Travis Van Ekelenburg: Yes. I can pull up the zone map as well.

Rodney Martin: So, PI-1 goes right up to the church?

Taylor Levitt: I represent the church property if you have any questions.

Chairwomen Anderson: Okay, Great. I think we will want to hear from the applicant, and then we will open for public hearing. Do you have any further discussion before we get going?

Travis Van Ekelenburg: I will leave these up in case we have any questions.

Chairwomen Anderson: Okay, Great.

Dustin Kuttler: My name is Dustin Kuttler. I am the applicant for the Buckwalter Industrial property. So, we've been working with Mr. Buckwalter, I have known him for a good while. My business partner used to rodeo with him on the ground that the city recently purchased, the property just north of there on the other side of the tracks. That was his roping arena for years. Last year when the city bought that, he purchased a farm down in Richfield. Mr. Buckwalter just

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likes to farm and rodeo. He kind of told me it would be like four or five years he thought, before he sold the property. After being down there for a year, he called me this fall and said, never mind, I'm sick of traffic. I'm not coming back. So, it was literally over Christmas break. He was back up here and we kind of sat down and hashed this out. So, it's mostly just years of knowing the gentleman, he reached out to us because we happened to build some industrial buildings in Lindon and Pleasant Grove and kind of the areas that he knew what we did. Being friends with them, he can reach out. We had met with the city on our Development Review Committee, and it was kind of expressed to us where it was, they had never mentioned 1100 south or north. We kind of looked at it. If you go back to the zoning map, you'll see that the property that we're touching, is actually owned by the church. So that's the annexation map, that if you look at the overlay, you'll see everything to the right of us is kind of overlaid already to be annexed in as that light industrial, which is what we do. We did learn in the process that the city park is the area just to the left that big rectangle is the future city park. I don't believe the city's actually closed on it yet, but from what I understand you guys have it under contract or at some stage of it. So, to the north is planned industrial to the east is tracks to the east is planned industrial. To the south is a unique piece with a chapel on it and that R1-1200 and then planned industrial around it. So, from the park's perspective, our thought was there's an 84-foot road it's a four-lane road out front. It is pitched between industrial and railroad tracks. It kind of makes sense to be industrial in our minds. We're not residential developers. So, we wouldn't approach it as that anyways, it also provides convenient connection to the future vineyard connector as well as the freeway from that location. Understanding that it is kind of surrounded by current industrial uses and further industrial uses. That's half the reason Mr. Buckwalter knows that Amazon's right there. They throw out a lot of traffic. So, kind of at any standpoint, I actually kind of thought between the industrial east of first East and the park would kind of give you that buffer for residential which I think on the overlay map is the plan. Kind of everything west of there. On that old overlay map from 2005 I believe. That is the last time this was addressed. You'll also see that basically all the high density out by the train station was once low density. So, there's been considerable changes in the amount of density that's already moved in out there. So that's kind of what we're looking at. So, I was unaware until just before the meeting, Travis let me know that the city had decided not to recommend it. So that was news to meet as of about 20 minutes ago also.

Harold Dudley: Can you pull back up the land use map?

Travis Van Ekelburg: Do you want the actual land use map, or just the one from the presentation?

Harold Dudley: Just the one from the presentation is fine...Okay, thank you, I just couldn't remember.

Chairwomen Anderson: Okay, thank you. Any questions for the applicant? Okay, appreciate it.

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Public Hearing Opened

Taylor Levitt: I've worked for Property Reserve which is one of the companies that the church owns. So, we do own most of the property east of the Buckwalter property as well as everything around the meeting house there. The only thing we don't own is that very furthest right corner portion of the triangle south of the tracks and north of 1100 right there.

Harold Dudley: The green portion?

Taylor Levitt: Half of the green portion. So, we would like to see your residential right around the meeting house, but I think it totally makes sense to have industrial closer to the railroad tracks. Those are really noisy tracks and it's not right next to the station or the trains will be slowing down to where they'll be traveling at faster speeds. Maybe accelerating and decelerating for the American Fork station. So, I think there will be a lot of noise there. It'd be nice to have an industrial buffer between the tracks and then any residential vibe. Thanks.

Public Hearing Closed

Chairwomen Anderson: Could you just show this slide again of where the park is in relation to this whole section? I have a question. Maybe you could clarify. This section that is not annexed in yet, this white section. If that were to annex in, I think I've heard tonight that it would annex in residential, and I've also heard that it would annex in P-1. Would you clarify that?

Travis Van Ekelburg: So, as you can see, this is current from our land use map. As you can see, it's designed industrial. So, upon annexation, it would fall into the industrial zoning.

Chairwomen Anderson: Okay, thank you. Thank you. Further questions, comments, discussion, opinions?

Rodney Martin moved to recommend approval for the proposed Land Use Map Amendment, located at 7058 North 5750 West, American Fork City, UT 84003, from the Residential Low-Density designation to the Design Industrial designation, subject to any conditions found in the staff report.

Harold Dudley seconded the motion.

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Voting was as follows:

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

(During the roll call voting, Bruce Frandsen's original vote was to Abstain.)

Chairwomen Anderson: Because you're close by?

Bruce Frandsen: Yeah, I know all of the people.

Chairwomen Anderson: I don't think you need to abstain if you know the people, it's just if you are having troubles with like financial affairs.

Harold Dudley: Yeah, not just if you know them, but it's up to you.

Chairwomen Anderson: If you stand to gain or lose financially from this then you should Abstain, but you're welcome to vote. We'll come back. Well, what do we do?

Harold Dudley: Finish your roll call.

Chairwomen Anderson: Can we do that? I can skip somebody?

Harold Dudley: Yeah.

Rodney Martin: Yeah. Well, you can do it in any order you want.

(The roll call vote continued, and Bruce changed his vote to Aye)

The motion passed

ACTION ITEMS

Chairwomen Anderson noted that the following Action items were pulled from the agenda.

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- a. **Review and recommendation on an application for a Commercial Site Plan, known as Roderick Catalyst Business Park Lot 6, located at approximately 148 East 1600 South, American Fork City, UT 84003. The Commercial Site Plan will be on approximately 5.95 acres and will be in the Planned Industrial (PI-1) Zone.**

- b. **Review and recommendation on an application for a Commercial Site Plan, known as Roderick Catalyst Business Park Lot 7, located at approximately 68 East 1600 South, American Fork City, UT 84003. The Commercial Site Plan will be on approximately 6.2 acres and will be in the Planned Industrial (PI-1) Zone.**

- c. **Review and recommendation on an application for a Commercial Site Plan, known as Roderick Catalyst Business Park Lot 8, located at approximately 100 East 1553 South, American Fork City, UT 84003. The Commercial Site Plan will be on approximately 9.10 acres and will be in the Planned Industrial (PI-1) Zone.**

Other Business

Chairwomen Anderson let the commission know she will not be able to attend the next meeting.

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Harold Dudley apologized for being late, and also being a no show at the last meeting. He explained why he was not able to attend the last 2 meetings and requested phone numbers of staff to text last-minute conflicts that may cause the commissioners to not be able to attend the meeting.

Because the April 3rd meeting is in the middle of spring break, the commission decided to cancel that meeting.

Chairwomen Anderson talked about the possibility of doing the bi-yearly Planning Commissioners dinner in April.

Adjournment

David Bird motioned to adjourn the meeting.

Chris Christiansen seconded the motion.

Meeting adjourned at 6:44 PM

Angie McKee

Administrative Assistant I



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