

APPROVED MINUTES

10.07.2024

**AMERICAN FORK CITY**  
**DEVELOPMENT REVIEW COMMITTEE REGULAR SESSION**  
**OCTOBER 7th, 2024**

The American Fork City Development Review Committee met in a regular session on September 18th, 2024 at the American Fork Public Works Building, 275 East 200 North, commencing at 10:00 a.m.

**Development Review Committee:**

Development Services Director: Patrick O'Brien

Public Works Director: Sam Kelly

Fire Chief: Aaron Brems

**Staff Present:**

|               |                            |
|---------------|----------------------------|
| Ben Hunter    | City Engineer              |
| Dan Loveland  | Chief Building Official    |
| Cody Opperman | Planner II                 |
| Angie McKee   | Administrative Assistant I |
| Ashley Thomas | Administrative Assistant   |
| Mat Sacco     | Fire Marshall              |

Others Present: Tom Freeman, Daniel Herzog

**REGULAR SESSION**

**Roll Call**

**ACTION ITEMS**

- a. Review and action on an application for a Preliminary Plan, known as Bridges at Fox Hollow, located at approximately 1080 North 350 East, American Fork City, UT 84003. The Preliminary Plan will be for approximately 11.23 acres and will be in the PR-3.0 Zone**

Cody Opperman reviewed the background information for action item letter a: The applicant has applied for a Preliminary Plan to develop a single-family subdivision. The project looks to provide a total of 87 dwelling units with the project. Within the development, there will be 33 dwelling units located in a conservation subdivision project and 54 dwelling units located within a flexible lot project. Each project will have its own specific requirements that the applicant is meeting, such as square footage of each lot, open space requirements, etc.

This particular project has had a Development Agreement recently approved with the City Council to show case maintenance responsibilities, fencing requirements, a phasing plan, etc. The applicant is also proposing a side setback reduction for the conservation subdivision project that is set up to go to Planning Commission and City Council for their determination. Overall, the development plans provide many different sizes of lots that meet the requirements of the flexible lot projects and conservation subdivision projects of the City. Patrick O'Brien verified with Cody that the applicant intends to go back to Planning Commission and City Council to request a variance for setbacks. Cody Opperman confirmed that was correct as they are looking to have 5-foot setbacks on each side, so they will need a recommendation from the Planning Commission and a determination will be made by City Council.

Ben Hunter informed the committee that on the engineering side of this project, the golf course will need to approve proposed drainage pipes that will be across the golf course facilities, along with potential updates to agreements between the golf course and the HOA. He noted that these items can be resolved at the final plat level. Patrick O'Brien asked if there are any conditions for the preliminary plan, and Cody Opperman confirmed that there were no additional comments that need to be resolved.

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**Chief Brems moved to approve the proposed Preliminary Plan, located at approximately 1080 N 350 East, American Fork City, in the Planned Residential (PR-3.0) Zone, subject to any conditions found in the staff report.**

**Sam Kelly seconded the motion.**

**Voting was as follows:**

|                        |            |
|------------------------|------------|
| <b>Patrick O'Brien</b> | <b>AYE</b> |
| <b>Sam Kelly</b>       | <b>AYE</b> |
| <b>Aaron Brems</b>     | <b>AYE</b> |

**The motion passed**

- b. Review and action on an application for an Amended Final Plat, known as Holmes Gunther, located at approximately 490 North Mary Pulley Drive, American Fork, UT 84003, American Fork City, UT 84003. The Amended Final Plat will be for approximately 0.34 acres and will be in the R1-9000 zone.**

Cody Opperman reviewed the background information for action item letter b: The applicant has applied for an Amended Final Plat to increase their lot square footage. The project looks to provide a triangular piece of land to the back of their lot to incorporate a new accessory structure. Once the amended final plat has been recorded with the County, the property owner will be able to submit plans into review for their accessory structure to the Building Department. The amended plat is being reviewed in conjunction with another subdivision looking to be created by the lot to the east. Cody also mentioned for the record, that the project conditions of approval included the recently updated authority approval signatures indicating three people, which would be the three people that are here today; The Public Works Director, the Development services Director, and the Fire Chief, rather than just the Development Services Director.

Ben Hunter added that on the engineering side, this lot already has all the existing infrastructure and minimum level of improvements required on the frontages, so there is no further comment from engineering.

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**Sam Kelly moved to approve the proposed Amended Final Plat, located at approximately 490 N Mary Pulley Drive, American Fork City, in the R1-9000 Residential Zone, subject to any conditions found in the staff report.**

**Patrick O'Brien seconded the motion.**

### **Voting was as follows:**

|                        |            |
|------------------------|------------|
| <b>Patrick O'Brien</b> | <b>AYE</b> |
| <b>Sam Kelly</b>       | <b>AYE</b> |
| <b>Aaron Brems</b>     | <b>AYE</b> |

### **The motion passed**

- c. Review and recommendation on an application for a Commercial Site Plan, known as Freeman Commercial Site Plan (Application #2), located at approximately 19 N 900 W, American Fork City, UT 84003. The Commercial Site Plan will be on approximately 1.24 acres and will be in the Planned Commercial (GC-2) zone.**

Cody Opperman reviewed the background information for action item letter c: The applicant has applied for a Commercial Site Plan to develop a rental sales establishment for watercraft. The project has come back through the process to provide additional information for utility lines that was not in the approved site plan previously. Additionally, the project will be incorporating a golf simulator on the second story of their building. As the golf simulator is a different use from the rental of watercraft, they have not provided additional information regarding the amount of parking they will need for the indoor golf simulator. If the project continues forward with the golf simulator, they will need to come back through the site plan process to provide the necessary parking for the new use.

Patrick O'Brien asked to clarify that the current application is just for the use of the rental business, not any other internal uses. Cody Opperman confirmed that the square footage for this building was only for the ground floor, and the Rental Sales Establishment on the parking plan provided. Patrick O'Brien mentioned to Mr. Tom Freeman that while he was probably aware of the initial parking approval, and how that was accommodated, he was welcome to speak on any information he has on a proposed future use.

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Tom Freeman acknowledged that he was surprised to see this come up, as he had just submitted this information this morning. He thanked the staff for their quick work. He also mentioned that he was hoping to share the thought around as to plant a seed, because the rental business is in large part dormant in the wintertime, and some friends in other cities have golf simulators which are also a more seasonal use. He feels there will not be a need for more parking spaces, as he thinks there are 38 to 39. Mr. Freeman confirmed there was initially some communication about doing a venue of sorts, but after talking with Ben Hunter he felt like that might be a little bit over utilization. Mr. Freeman reiterated that he was not expecting this to be a subject discussed on this agenda, but due to the seasonality of both businesses, he believes this to be the perfect answer.

Patrick O'Brien reminded the committee that all they would be approving today is the rental business use, not the use for the golf simulator, so that would have to come back through later. Mr. O'Brien noted that this morning Mr. Freeman submitted a request for a zoning clearance letter, but nothing in terms of a site plan amendment to consider parking or any other review elements for the golf simulator use.

Tom Freeman agreed that he only submitted a set of plans (for a zone clearance letter request), to get the proposed use approved by the city because his bank is asking that he complete the mezzanine floor in the next 90 days. Mr. Freeman mentioned that he would not want to try and complete it so quickly, but the bank is putting that as a parameter.

Ben Hunter wanted to clarify that he does not recall having the conversation Mr. Freeman mentioned about the 2<sup>nd</sup> floor use of a golf simulator, but he did agree with Mr. Freeman that in the past, they may have had a conversation about the need for a new traffic study to determine the impact that a new or added use would have on this project. Mr. Hunter noted that the only pending comment on the engineering side is clarification of capping the T at the main line. When Mr. Freeman added that had been done many months ago, he was directed to add that note to the plan set.

**Patrick O'Brien moved to recommend approval for the proposed Commercial Site Plan, located at 19 N 900 W, American Fork City, in the Planned Commercial (GC-2) Zone, subject to any conditions found in the staff report.**

**The motion was not seconded, and therefore died. Further discussion occurred.**

Sam Kelly asked about the possibility of tabling this item until the 2<sup>nd</sup> floor use is included on the site plan. Tom Freeman stated that he would prefer to move forward in case the mezzanine ended up not working, he could still complete the main level. Mr. Kelly reminded the applicant that he would be required to go back through this same approval process and accrue the fees associated with the new application and review process.

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Mr. Freeman suggested it will be precisely the same site plan, and there is not going to be any changes or amendments to the site plan. Patrick O'Brien reminded him that adding a new use would change the parking requirements. Mr. Freeman explained that he believes there is a tremendous surplus of parking, and they will never even come close to utilizing more than a fraction of it.

Mat Sacco reminded the group that the type of occupancy could change to a business that is not seasonal in the future and also mentioned that the area behind the building needs to have a solid fence that does not allow access, as that area cannot continue to be used. Mr. Sacco reminded Mr. Freeman that the criteria for use of that space was that fire would need to have access back there, and that has not been met.

**Patrick O'Brien moved to recommend approval for the proposed Commercial Site Plan, located at 19 N 900 W, American Fork City, in the Planned Commercial (GC-2) Zone, subject to any conditions found in the staff report.**

**Chief Brems seconded the motion.**

### **Voting was as follows:**

|                        |            |
|------------------------|------------|
| <b>Patrick O'Brien</b> | <b>AYE</b> |
| <b>Sam Kelly</b>       | <b>AYE</b> |
| <b>Aaron Brems</b>     | <b>AYE</b> |

**The motion passed**

### **Other Business**

Cody Opperman informed the committee that the Final Plats for Bridges at Fox Hollow, and the East side of the Gunther project should be coming through for review soon. Staff are also continuing to work on the Code rewrite and general plan.

### **Adjournment**

**Sam Kelly motioned to adjourn the meeting.**

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**Chief Brems seconded the motion.**

Meeting adjourned at 10:33 AM

A handwritten signature in black ink, appearing to read 'Angie', with a stylized flourish extending from the end.

Angie McKee

Administrative Assistant I

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