

APPROVED MINUTES

08.11.2025

AMERICAN FORK CITY

DEVELOPMENT REVIEW COMMITTEE REGULAR SESSION

August 11th, 2025

The American Fork City Development Review Committee met in a regular session on August 11th, 2025, at the American Fork Public Works Building, 275 East 200 North, commencing at 10:00 a.m.

Development Review Committee:

Public Works Director: Sam Kelly

Chief Building Official: Dan Loveland

Fire Chief: Aaron Brems

Staff Present:

Ben Hunter City Engineer

Annalisa Reed Planner

Cody Opperman Planner II

Angie McKee Administrative Assistant I

Mat Sacco Fire Marshall

Others Present: Derek Rindlisbacher, Stewart Harman, Cedar Jordan

REGULAR SESSION

Roll Call

COMMON CONSENT AGENDA

Minutes of the July 14th, 2025, Development Review Committee Regular Session.

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Chief Brems motioned to approve the Common Consent agenda

Sam Kelly seconded the motion

Voting was as follows:

Dan Loveland	AYE
Aaron Brems	AYE
Sam Kelly	AYE

The motion passed

ACTION ITEMS

- a. **Review and action on an application for a Preliminary Plat, known as High Pointe Apartments, located at approximately 620 South 740 E, American Fork, Utah 84003, American Fork City. The Preliminary Plat will be on approximately 3.5 acres and will be in the PC Planned Community.**

Cody Opperman reviewed the background information for action item letter a: The applicant has applied for a Preliminary Plat to develop an apartment and townhome development. The project looks to provide 144 apartments and 16 townhome units. This property is part of the Lake City Row Development Agreement. Per the development agreement, this property was identified as HD Residential- Mixed Use. This would require a commercial element in addition to the residential use. The development does not propose any commercial element in the project for the property identified as HD Residential – Mixed Use.

Stewart Harman, counsel for the applicant, asked for clarification as to what specific aspects of the development agreement staff believes are not being met.

Cody Opperman explained the project is missing the mixed-use component that requires a commercial atmosphere in the area.

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Stewart Harman explained that this development has five phases, and asked if it was the City's position that phase one and phase 5, that were designated as commercial, were actually developed as commercial?

Cody Opperman agreed that while there were phases in this area that were part of the commercial element of the project, and were developed with a commercial atmosphere, where this area specifically says high density residential and mixed use, the commercial aspect still needs to be provided on this property.

Stewart Harman asked if phase two is to be developed the same as phase three with the same mixed-use requirements, and any commercial ratio requirement is required to be included in that phase as well.

Cody Opperman stated that he would say that wherever it says 'mixed-use', the commercial element should be provided.

Stewart Harman asked again to clarify that even though the original intent of the development was that all of the commercial development would be provided in phases one and five, if it is the city's position that the commercial element still needs to be included in each additional phase, he would like to know what the city plans to do with the completed projects such as Sol Haven, Walton Town Homes, and Arza apartments to require the commercial component be met on those spaces.

Cody Opperman explained that back in 2021, or whenever the development agreement was written, he was not part of the city staff and apologized for not knowing the history of the agreement. Mr. Opperman also noted that the completed developments mentioned were also approved before he was a member of the American Fork City staff, so he does not know what the city administration would require of them. He further explained that if an area is specifically indicated as commercial use, that area would only require commercial development. This area says high-density residential and mixed uses are required, so while high-density housing is allowed, it should be incorporated with the commercial aspect in order to address the mixed-use requirement.

Stewart Harman expressed his concern with the city not having an issue with treating High Point differently than Elevate or Sol Haven and also noted that he could not find anywhere in the city code that clarifies what mixed use actually means, so one- and two-family units show the mixed use.

Cedar Jordan informed the committee that this was the third review for this project, and he would like to know what the options are if there is a denial today.

Cody Opperman explained that the decision has not been made, so the DRC can still go the route of approval, denial, or tabling. He explained that if it is approved, the conditions that were mentioned by the DRC staff would just need to be addressed, then it would come back for a post

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entitlement review to make sure that all those conditions have been met. He continued to explain that if it is denied today, then there is an appeal process that would go before the City Council to be approved or denied but if the appeal is denied by City Council, in order to continue forward with the project, a brand new application starting from the beginning would need to be submitted.

Sam Kelly mentioned his concern with having a development agreement in place that required mixed uses that other developments did not follow. He believes the committee should probably look at that agreement, so they can fully understand what components of commercial were required in it.

Sam Kelly moved to table action for the proposed Preliminary Plat, located at approximately 620 S 740 E American Fork, UT, in the PC Planned Community Zone, in order to coordinate with staff to review agreements and other things to make sure that we're doing what is appropriate for this area.

Chief Brems Seconded the motion

Voting was as follows:

Dan Loveland	AYE
Aaron Brems	AYE
Sam Kelly	AYE

The motion passed

- b. Review and action on an application for an Accessory Structure, known as Roberts Detached Garage, that is 750 square feet or greater, located at approximately 1021 N 150 W, American Fork City. The Accessory Structure will be on approximately 5.97 acres and will be in the R1-9000 Residential Zone.**

Cody Opperman reviewed the background information for action item letter b: The applicant has applied for a site plan to develop a Residential Accessory Structure. The Accessory Structure exceeds the 750 square foot threshold, requiring the application to be brought to the Development Review Committee for a determination. There are some minor conditions of

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approval, but the residential accessory structure meets the code section 17.5.105-106 for the applicants' property for residential, low density, and for the R1-9000 zoning as well.

Dan Loveland asked if the height of the accessory structure is shown somewhere.

Annalisa Reed reported that she spoke to the applicant who confirmed that the current home is not more than 25 feet, and the residential accessory structure is 21-feet, but at post entitlement those measurements would be required.

Sam Kelly noted the information provided does not show public utilities but may not be something needed on this type of project.

Sam Kelly moved to approve the Accessory Structure, known as Roberts Detached Garage, located at approximately 1021 N 150 W, American Fork City subject to any conditions found in the staff report.

Dan Loveland seconded the motion

Voting was as follows:

Dan Loveland	AYE
Aaron Brems	AYE
Sam Kelly	AYE

The motion passed

Other Business

There was no other business to discuss.

Adjournment

Dan Loveland motioned to adjourn the meeting.

Sam Kelly seconded the motion.

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Voting was as follows:

Dan Loveland	AYE
Aaron Brems	AYE
Sam Kelly	AYE

The motion passed

Meeting adjourned at 10:26 AM



Angie McKee

Administrative Assistant I

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