

APPROVED MINUTES

AMERICAN FORK CITY PLANNING COMMISSION MINUTES SEPTEMBER 4, 2019

The American Fork City Planning Commission met in a regular session on September 4, 2019 at the American Fork City Hall, 31 North Church Street, commencing at 7:00 p.m.

Present: John Woffinden
Rod Brocious
Chris Christiansen
Harold Dudley
Geoff Dupaix
Christine Anderson
Rebecca Staten

Absent: Eric Franson

Staff Present: Adam Olsen, Senior Planner
Wendelin Knobloch, Planner
Lisa Halversen, Administrative Assistant
Ben Hunter, Engineer

Also Present:

1. Pledge of Allegiance

Chairman Woffinden welcomed everyone and those present recited the Pledge of Allegiance.

2. Hearing, review and action on a zone map amendment from the RA-1 Residential Agricultural zone to the R1-9,000 Residential zone located at 1195 East 300 North

Mr. Olsen explained that the applicant proposes to amend the zoning of two properties along the north side of 300 North, at approximately 1200 East, to the R1-9,000 zone. This is in anticipation of a residential subdivision. The City's Land Use Plan designates the area as "Low Density Residential" and the change to the R1-9,000 zone supports the underlying Land Use Plan. Current use of the properties is residential/agriculture.

Ms. Anderson asked if the commission can suggest an easement through subdivisions to promote connectivity and shorter walking distances.

Mr. Olsen replied that they can't make that a requirement, but it can certainly be an item of discussion moving forward.

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Mr. Hunter indicated that the Engineering Division recommends approval of the proposed development.

Public Hearing Opened

Public Hearing Closed

Mr. Brocious moved to approve the zone map amendment located at 1195 East 300 North.

Mr. Dupaix seconded the motion. Voting was as follows:

Chairman Woffinden	Aye
Rod Brocious	Aye
Chris Christiansen	Aye
Christine Anderson	Aye
Harold Dudley	Aye
Rebecca Staten	Aye
Geoff Dupaix	Aye

The motion carried.

3. Hearing, review and action on a land use amendment from the Residential Low Density to the Professional Office designation, located at 1254 East 300 North

Chairman Woffinden indicated that items 3 and 4 will be discussed together but voted on separately.

Mr. Olsen stated that the applicant proposes to amend the land use and zone designations of a parcel located at 1254 E. 300 N. Current designations are Low Density Residential, and the RA-1 zone. Proposed designations are Professional Office and the PO-1 zone. Due to the parcel's proximity to existing Professional Office and PO-1 designations, the applicant requests amendments. Staff supports the change as it is located adjacent to the hospital, and on the south side of 300 North. Past requests for amendments in this area to Professional Office have been supported.

Mr. Hunter indicated that the Engineering Division has no concerns.

Mr. Dudley asked if it would be a good idea to make changes to the land use map all at once rather than piecemeal changes.

Mr. Olsen concurred that that would be a good idea, property in this area would most likely be designated Professional Office.

Public Hearing Opened

Public Hearing Closed

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Ms. Staten moved to recommend approval of the land use map amendment, from the Residential Low Density designation to the Professional Office designation.

Mr. Christiansen seconded the motion. Voting was as follows:

Chairman Woffinden	Aye
Rod Brocious	Aye
Chris Christiansen	Aye
Christine Anderson	Aye
Harold Dudley	Aye
Rebecca Staten	Aye
Geoff Dupaix	Aye

The motion carried.

4. Hearing, review and action on a zone map amendment from the RA-1 Residential Agricultural to the PO-1 Professional Office zone, located at 1254 East 300 North.

Public Hearing Opened

Public Hearing Closed

Ms. Staten moved to recommend approval of the zone map amendment, to the PO-1 (Professional Office) zone.

Mr. Christiansen seconded the motion. Voting was as follows:

Chairman Woffinden	Aye
Rod Brocious	Aye
Chris Christiansen	Aye
Christine Anderson	Aye
Harold Dudley	Aye
Rebecca Staten	Aye
Geoff Dupaix	Aye

The motion carried.

5. Hearing, review and action on a zone map amendment from the RA-1 Residential Agricultural zone to the R1-9,000 Residential zone located at 665 West 750 North

Mr. Olsen stated that the applicants propose an amendment to a portion of property that is zoned both R1-9,000 and RA-1. The majority of the property is zoned R1-9,000. A change to the R1-9,000 zone will bring the entire parcel under one zone designation. The underlying Land Use Map designates this area as Low Density Residential. The proposed amendment is in compliance with the City's Land Use Map.

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A Development Code text amendment is proposed (following agenda item) that will affect the development potential of this area. However, the zone map amendment acts independent of the proposed code text amendment, and is supported by the underlying Land Use Map.

Mr. Hunter indicated that the Engineering Division has no concerns.

Public Hearing Opened

Public Hearing Closed

Mr. Dupaix moved to recommend approval of the zone map amendment for 665 West 750 North.

Ms. Anderson seconded the motion. Voting was as follows:

Chairman Woffinden	Aye
Rod Brocious	Aye
Chris Christiansen	Aye
Christine Anderson	Aye
Harold Dudley	Aye
Rebecca Staten	Aye
Geoff Dupaix	Aye

The motion carried.

6. Hearing, review and action on an amendment to Section 17.7.501.E.1.a of the American Fork City Development Code relating to the minimum project area in Single-Family Cluster PUD Projects.

Mr. Olsen said that the proposed amendment modifies the minimum area required for PUD projects in the R1-9,000 zone. Currently, a minimum of 5 acres is required. The applicant proposes reducing this to 4 acres. Minimum project area for PUD's in the R1-7,500 through R4-7,500 zones is 4 acres. The change would bring the area required for projects in the R1-9,000 zone in-line with the requirements of projects within the R1-7,500 through R4-7,500 zones.

Should the amendment pass, the applicant will return with a PUD proposal on property at approximately 700 North 700 West.

Mr. Brocious asked if density would increase if this is approved.

Mr. Olsen replied that the overall density does not change.

Mr. Dudley felt that if the density does not change, approval may give more flexibility and the ability to do more things with the land.

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1 Mr. Olsen concurred, he didn't see a negative effect if approved. The underlying density stays
2 the same, the setback requirements also would stay the same. The difference in size is made up
3 for in increased common open space, the footprint of the PUD would just be smaller.

4 Ms. Anderson said that at first she was leaning against making this city-wide change, she asked
5 how much R-9 property is left in the city.

6 Mr. Olsen doesn't know the amount, but the majority is on the north side of city and already built
7 out.

8 Mr. Knobloch said that the difference for this project is where the entry point would be, nothing
9 else would change.

10 Mr. John Jensen, representing Davies Design Build, is working with the landowner. This
11 amendment doesn't change very much, as only undeveloped parcels would be affected. He said
12 that he checked to see how many projects are in between 4 and 5 acres, and there are 6
13 throughout the city. They want the increased flexibility this amendment would provide. The
14 landowner has been working on this for a year and a half. She doesn't want to ruin the existing
15 park. They believe this to be a neutral proposal. They would like to put homes where the current
16 homes stand. There are no private streets in their plan. They propose 14 potential lots and home
17 sites.

18 Mr. Dudley asks if the existing home will be coming down.

19 Mr. Jensen replied that tentatively they plan on keeping the home.

20 **Public Hearing Opened**

21 Mr. Brian Blackhurst, neighbor, owns the house next to the park. The applicant's home has been
22 used as a short-term vacation rental and has turned into a fiasco. The police are always being
23 called. Dancing, karaoke have been going on all night. His concern is that having the open
24 common space will encourage such activity. John Heiner was the original developer, the current
25 owner bought their lot and the other 6 lots. He is worried that there will be no way to control the
26 noise and partying. The neighbors that were approached by the current developer indicated that
27 they would rather it just be developed as the original 6 lots than have a PUD in their back yard.
28 They would be sad to lose the park but that has been outweighed by the noise and partying.

29 Chairman Woffinden indicated that the city council is currently rewriting the short-term rental
30 ordinance. He understands and empathizes with the neighbor's concerns. This property has been
31 a problem for quite a while, because of noise and parking, etc. and if development means the
32 problems would be taken care of then that would be a positive development.

33 Ms. Anderson asked the applicant if the intention is to keep renting the existing home as a short-
34 term rental.

35 Mr. Francis Rode said that the hope is that there would be a single family in each home. They
36 would have an HOA, no more Air BnB and VRBO. They want higher-end homes, and that kind
37 of buyer won't want short-term rentals in the neighborhood. They have listened to and

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1 understand the concerns of the neighbors. The main concerns of the neighbors seem to be the
2 short-term rental issue, not the going from 5 to 4 acres. They want goodwill and a solution to the
3 rental problem.

4 Mr. Jensen said that the beautiful park and green area should stay that way and benefit the
5 neighbors. The homeowner doesn't have any desire to rip it out to make more lots.

6 Mr. Christiansen asks if there are really 14 lots there.

7 Mr. Jensen said that if they keep the stream, there are only 11-12 lots, but that would mean
8 destroying the park and putting in private streets. They are asking for less than what they could
9 squeeze in in order to keep the neighborhood nicer.

10 Chairman Woffinden indicated that the stream is a natural stream and it would cost the developer
11 a lot to mitigate that.

12 Mr. Brocious said that he's probably OK approving the amendment, the short-term rental is a
13 whole separate issue that doesn't really pertain to the amendment issue. The commission could
14 make a requirement of no short-term rentals and put it in the CC&R's.

15 Mr. Jensen indicated that they would support such language.

16 Mr. Brocious said that they want to be clear, such requirements may not be under the purview of
17 this commission.

18 Mr. Olsen agrees, and added that city council passed an ordinance recently to prohibit short-
19 term rentals.

20 Mr. Christiansen is hesitant to make changes like this without knowing all the ramifications
21 throughout the city, unless there is a very compelling reason.

22 Mr. Lane Scott lives next to the property on the east side, his concern is that with the open area,
23 the homes would be pushed back next to the existing homes. There also is no current privacy
24 fence.

25 Ms. Lisa McDougal is the property owner of Spring Creek Mansion. She indicated that her
26 property costs 20-30k per month in the summer months to keep up, rental only brings in about 2-
27 3k. monthly. Her rental rules address noise levels of tenants and have usually been complied
28 with. When her tenants have broken the rules, they have been charged extra. Vacation rentals
29 are a pain and she's tired of dealing with it. She is trying to preserve the years of effort and work
30 on her property and make it a beautiful place in the city. She wants to leave a legacy of beauty.
31 She could rip it out and put as many houses in as possible, but she doesn't want to do that.

32 **Public Hearing Closed**

33 Ms. Staten asked Mr. Jensen if the plans would involve a road and homes on the east side of the
34 property.

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Mr. Jensen said that the original plan doesn't propose houses up and down the east boundary, but one would be at the top and bottom, the lots would be on the outer edges.

Ms. Anderson moved to recommend approval of the code text amendment relating to the minimum project area in Single-Family Cluster PUD Projects.

Mr. Dupaix seconded the motion. Voting was as follows:

Chairman Woffinden	Aye
Rod Brocious	Aye
Chris Christiansen	Nay
Christine Anderson	Aye
Harold Dudley	Nay
Rebecca Staten	Aye
Geoff Dupaix	Aye

The motion carried.

Mr. Dudley had a prior commitment and had to leave.

7. Hearing, review and action on a District Framework Plan for the Castlewood Project, located at 900 West 200 South in the TOD Transit Oriented Development zone

Mr. Olsen stated that the area comprising this District Framework Plan consists of approximately 9.7 acres. It is located at approximately 900 West 200 South, and runs north/south. The property lies within the Transit Core District, and within the Mixed-Use Core sub-district. The highest intensities of use and densities are planned in this area.

District Framework Plans are covered in Section 4 of the TOD Code. A District Framework Plan lays the overall groundwork, or backbone, of forthcoming development. District Framework Plans proceed through Planning Commission and ultimately City Council. Following approval of a District Framework Plan, subsequent development submittals are reviewed and either approved or denied by staff; the exception being formal subdivision plats, which proceed through Planning Commission and City Council. Per Section 4.01.3 of the Code, District Framework Plans expire 24 months after approval "if not acted upon further through the submittal of a block plan". Extensions may be granted by the Council, if requested and deemed appropriate.

The Castlewood District Framework Plan was tabled at the June 5, 2019 Planning Commission meeting. At that time, the applicant was simultaneously requesting a Code amendment relating to street types allowed within the block types within the Core sub-district. The Planning Commission recommended denial of the proposed amendment, and the applicant withdrew the request prior to the City Council meeting. Since that time, the applicant has re-worked the district framework plan, eliminating the need for a dead-end street. Staff has reviewed the subsequent plan and has determined it is ready for Planning Commission review and recommendation.

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Mr. Hunter indicated that the Engineering Division recommends approval of the proposed development. They have met with the applicant many times since their last submittal, this plan meets all the requirements of the TOD code.

Mr. Brocious stated that the prior proposal asked for a cul-de-sac, in this current proposal it is a through street.

Mr. Mike Hathorne is representing Castlewood Development, he clarified that they had to work through a logistical issue with staff regarding block size in the transportation overlay, and they also worked through issues regarding streets. It was a very good exercise and they appreciate working through issues with staff. What they are proposing now is in complete accordance with the code as written.

Mr. Dupaix expressed that this plan is much better, he thanked Mr. Hathorne for working to get to a plan that fits within the overlay.

Ms. Anderson was concerned about the width of the neighborhood streets, due to her belief that wider streets lead to increased speeds.

Mr. Hathorne replied that 10 ft travel lanes and 6ft street parking gets you to the 32 ft required by engineers.

Mr. Hunter indicated that the 32 ft width is required for access and maneuvering by fire engines, the developer has latitude how to use the space but 32 ft is the minimum requirement. This configuration of 10 ft travel and 6 ft on-street parking will probably be used throughout the TOD, the on-street parking also helps solve a parking problem.

Mr. Dupaix felt that narrow lanes contribute to unsafe travel by limiting room for movement while having competing participants.

Chairman Woffinden said that in his neighborhood travel seems to speed up with narrower lanes. At times traffic is so heavy that fire vehicles have been blocked out.

Public Hearing Opened

Public Hearing Closed

Mr. Brocious moved to recommend approval of the District Framework Plan, with the finding as outlined in the staff report, and subject to any findings, conditions and modifications listed in the engineering report.

Mr. Christiansen seconded the motion. Voting was as follows:

Chairman Woffinden	Aye
Rod Brocious	Aye
Chris Christiansen	Aye

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Christine Anderson Aye
Rebecca Staten Aye
Geoff Dupaix Aye

The motion carried.

8. Hearing, review and action on modifications to Section 17.4.608(408) Transit Oriented Development Table 4A Operational Overlays of the American Fork City Municipal Code

Mr. Hunter stated that operational overlay maps have been updated as staff have identified challenges and discrepancies within the TOD area. As an example, Willow Glen will not have a road going through it as previously shown. Also, the 200 South on the previous map didn't reflect the accurate design plan.

The road networks are the same, colors have changed to indicate what kind of road they are. The new maps reflect the Castlewood road and other district framework plan planned roads and connectivity. Pedestrian thoroughfares are shown as well throughout the TOD. Staff will continually update overlays as more developments are approved.

Mr. Brocious said that there should still be connectivity between streets such as 350 South and 700 West.

Mr. Hunter said that projected numbers from traffic studies have influenced decisions about collector roads. There are also wetlands that they want to minimize impact to.

Mr. Brocious said that the two additional collectors seem like natural fits.

Public Hearing Opened

Public Hearing Closed

Mr. Dupaix moved to recommend approval of the zone map amendment.

Mr. Brocious seconded the motion. Voting was as follows:

Chairman Woffinden Aye
Rod Brocious Aye
Chris Christiansen Aye
Christine Anderson Aye
Rebecca Staten Aye
Geoff Dupaix Aye

The motion carried.

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9. Other Business

Mr. Olsen reminded commissioners of the planning commission dinner tomorrow night. It will be at the Rotary Park at 6:30 pm.

10. Site Plan Committee Report

Mr. Knobloch reviewed the upcoming Planning Commission items, there will be a commercial fence and the NBFF district framework plan. There will also be an engineering item regarding pressurized irrigation. The next meeting will be held on September 18, 2019.

11. Review and action on the minutes of the August 21, 2019 Planning Commission Regular Session

Mr. Dupaix moved to approve the minutes of the August 21, 2019 Planning Commission Regular Session.

Mr. Christiansen seconded the motion. Voting was as follows:

Chairman Woffinden	Aye
Rod Brocious	Aye
Chris Christiansen	Aye
Christine Anderson	Abstain
Harold Dudley	Aye
Rebecca Staten	Aye
Geoff Dupaix	Aye

The motion carried.

Mr. Dupaix moved to adjourn.

Ms. Anderson seconded the motion. All concurred.

Meeting adjourned at 8:20 pm.



Lisa Halversen, Administrative Assistant