

APPROVED MINUTES

AMERICAN FORK CITY PLANNING COMMISSION MINUTES DECEMBER 4, 2019

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

Present: John Woffinden
Chris Christiansen
Geoff Dupaix
Harold Dudley
Rod Brocious
Ryan Hunter

Absent: Christine Anderson
Rebecca Staten

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

Also Present: Niel Christensen, David Christensen, Allen Christensen, Wayne Christensen, Cindy Christensen, Kathleen Christensen, Mandy Winters, Kristi Townsend, Terry Townsend, Veba Souphom, Tresa Chadwick, Samantha Carson, Norman Chadwick, Wayne Christensen, Carolyn Lloyd, Andrea McAllister, Rio Honaker, James Honaker, Ken Berg, Ginger Romriell, and 10 others

1. Pledge of Allegiance

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

2. Hearing, review and action on the preliminary plan for the AF 10 Combined Project located in the area of 780 West 620 South in the PR-3.0 Residential zone

Mr. Olsen stated that AF 10 Subdivision proposes a combination of both a Conservation Subdivision PUD and Low Density Attached Housing PUD. 47 lots/units are proposed; two lots having existing homes. Overall density for subdivision is 3.9 du/ac. Access is provided off 620 South, and an access connection to 900 West (currently under construction). An open space area

APPROVED MINUTES

exists at the southern portion of the subdivision. Additional open space areas are proposed at the northeastern portion of the subdivision, surrounding the townhome area.

The subdivision proposes a transfer of unused, allowed, units (density) from the Dixie Farms Subdivision, located directly west and south. As the two subdivisions are under one developer, the developer wishes to place unused units from the Dixie Farms area, into the AF 10 Subdivision. This creates an overall density which is slightly higher, at 3.9 du/ac. However, if the combined number of units within Dixie Farms, AF PD South, and AF 10 are accounted for, the overall density for all three projects falls within the 3 du/ac; as allowed in the zone.

Conservation subdivisions within the PR-3.0 zone require 25% open space. The subdivision meets this requirement.

As with other development options in the PR-3.0 zone, the Code allows the Planning Commission flexibility to require changes in the plan. Changes may include, but are not limited to, “adjustments in the density or number of structures, relocation of project elements, redesign of the road system, increase in the amount of open space and provisions for the disposal of surface water drainage” (17.7.503.D).

Mr. Hunter indicated that this is the same developer that owns the property where 900 West is being constructed, they will be providing required utilities and primary access to 900 West. Engineering Division has no other concerns and recommends approval.

Mr. Ken Berg, civil engineer representing applicant, said that this is a somewhat complicated proposal. Lots 201 and 202 are one-acre lots, there is required open space, and there are 2 different developments being proposed that are somewhat combined. 620 South will be widened to the collector road specification.

Chairman Woffinden asked if there would be a no-basement requirement.

Mr. Berg stated that notes on the final plat would indicate that no basements can be built. He disclosed that on east side of the property there is no road stubbing in because that is a UDOT parcel for future UDOT plans. There are reasons why there is not a road on the east, it's not an oversight.

Chairman Woffinden asked about the liquefaction issue, the state says it's a high-liquefaction area but the geotechnical report doesn't acknowledge this.

Mr. Berg acknowledges that it is a high-liquefaction area and said that they are planning to abide by the sensitive lands ordinance to meet liquefaction standards and criteria. Developer will have plans to counterbalance liquefaction potential.

Chairman Woffinden asked for specificity regarding mitigations, Mr. Berg replied that mitigations will be part of a peer-reviewed report.

Mr. Dudley asks if there are to be no basements through the entire development or just parts of it.

APPROVED MINUTES

1 Mr. Berg replied that no basements will be anywhere in the development, this will be noted on
2 the final plat.

3 **Public Hearing Opened**

4 Mr. Rio Honaker said that he has been talking to the contractor about concerns regarding the
5 development. They indicated to him that sewer lines will be 14 ½ ft deep going to 21 ft in that
6 area. He is concerned about what the contingencies are for sewer problems, they can't dig that
7 deep to diagnose problems.

8 Mr. Berg said that's not the correct sewer depth, but the sewer lines will likely be in groundwater.
9 Sewer pipes will be 18", bedded in gravel with clay dikes, and built to city standards to maintain
10 integrity of the lines. They will be working with TSSD to meet all of their requirements as well.

11 Mr. Niel Christensen, resident, is a 5th generation farmer in the area. He said that the city moved
12 north instead of spreading out around the farmland because of the groundwater problem. The main
13 problem with high groundwater is that it compromises the integrity of the sewer system. Rough
14 roads will also be a problem; the road base will be difficult to maintain.

15 Ms. Andrea McAllister indicated that Red Pine Construction has pulled out because they are not
16 being paid, she is concerned about partial work not being finished that the city will be left holding
17 the bag for. She is very concerned about safety in the area, she almost hit a bicyclist on the road
18 tonight. It's not safe and the city keeps bringing subdivisions and more people into the area.
19 Emergency vehicles can't get to some areas in a timely fashion when they have to wait for trains.
20 She asked commissioners to please use their power to plan the area's growth in a way that provides
21 the necessary infrastructure before more people are put in unsafe situations, and asked them to be
22 considerate of residents already living in the area.

23 Mr. Allen Christensen is concerned about water movement through the soil, the sewer lines act as
24 an underground dam that creates puddles on upside and droughts on lower side. There is lots of
25 groundwater in that area that can cause problems with gas lines. Potential issues and problems
26 need to be taken more seriously. Water appears to be collecting around Storrs Avenue from unused
27 water rights, he urges commissioners to protect the water that will be necessary for future needs.

28 Mr. Wayne Christensen, said that the scar from the Timpanogos sewer line is still visible after 30
29 years. Inadequate drains don't put the water where it can be used. Road base acts as a dam, it
30 disrupts the water flow. Major work needs to be done on the drains to keep the water usable for
31 those who have water rights. There are five generations in this area, their family will be staying
32 there. The city has no authority to take their land for roads, as it is agriculturally protected. The
33 city council wants to put in a fiber system that is going to be a lot of money. If the city has money
34 for that, they can buy land someplace else to build roads, not on his agricultural land. The city has
35 property 120 ft south of him that they could use for a road.

36 Mr. Brocious asked him whether the subdivision is impacting the flow of water or if water is no
37 longer available at all.

APPROVED MINUTES

1 Mr. Christensen replied that there has been a reduction by about 50% in water available to use.
2 There are 4 main water sloughs in the area, and when you dig into them the water moves someplace
3 else. This affects his access to the water. It's not an easy case with easy solutions.

4 Mr. Rio Honaker has experience with developments such as gas and sewer lines in the area around
5 the Salt Lake City airport. Some problems can be resolved, but they need to be thought out first.

6 Ms. Carolyn Lloyd resides on lot 201, a one-acre lot in the proposed development. She knows that
7 development is coming, but she is concerned about having duplexes around her home. City code
8 says that development has to be compatible with the general plan for the area, she wants to see
9 more of a transition, not duplexes right next to her home. The geotech report says that groundwater
10 is 5 ft down in her area, it is really more like 2 ft. The liquefaction map shows the area as a high-
11 liquefaction area. She has a sump pump that runs 24/7 until May. The geotech report was done at
12 end of 2018, one of the driest years on record. She suggested that another geotech report be done.
13 After the wet winter last year, she had a lot more water at her house, there are a lot of fluctuations.
14 Her house was built 25 years ago, and within 3 years there were a lot of cracks in her ceilings from
15 movement.

16 Ms. Andrea McAllister says that water is definitely an issue in the area, the farmers that water have
17 had to build structures to get enough water. She has noticed a big decrease in water pressure in
18 her house.

19 Ms. Tresa Chadwick lives on lot 202, the other one-acre lot. Her home was built in 1979, her walls
20 have shifted and moved, liquefaction is a factor. They are on an artesian well, the water has slowed
21 significantly in the last couple of years. She thinks they could have a problem getting the amount
22 of water needed to the new residences. She knows that development and growth will come, but
23 she wants more of a buffer between her and the 4-plexes. Larger lot sizes would indicate more
24 care in planning.

25 Chairman Woffinden asked Mr. Berg about the planned open space, if it's on buildable land.

26 Mr. Berg said that the planned amount of open space is part of the requirements for development
27 in the area, there is also a spring there that is being protected.

28 Mr. Niel Christensen asked who will maintain the open space. Will it be like a city park? Or will
29 it become a thicket of russian olives that people can't get in and out of? His wells have also dried
30 up and they are having to pump. He fears that mud will eventually cover the spring and clog it.

31 Mr. Honaker said that he has been keeping the area cut while decisions are in the process.

32 Mr. Dupaix wanted to hear from Scott Sensanbaugher about the residents' water concerns, he has
33 walked the properties with residents. What is the Engineering Division doing to make sure the
34 residents water rights and pressures aren't affected?

35 Mr. Sensanbaugher replied that if residents have a claim about water rights and access, they would
36 have to work it out with the developer. The development complies with city code.

APPROVED MINUTES

1 Mr. Brocious said that the potential impacts to the spring and water access make him concerned.
2 Has the city done measurements to determine if flows have been reduced?

3 Mr. Sensanbaugher stated that such water concerns are not a city function, residents should contact
4 state engineers.

5 Mr. Brocious replied that this is not the case if a development in the city is creating an impact on
6 the springs.

7 Mr. Sensanbaugher said that there's a state process to follow for damages to water rights. He's not
8 making a judgement call about water rights, it's a state issue. His only role is to say if the
9 development meets code or not.

10 Mr. Brocious said that as a civil engineer, he recognizes that there could be a direct correlation
11 between development and changes in water amounts and flows. There are many other factors that
12 affect groundwater. He is concerned that the city is not truly filling its role in oversight and
13 monitoring, the residents have legitimate concerns. At what point are 200 South and other roads
14 going to be looked at for greater capacity? The city continues to approve developments, what will
15 trigger the necessary road improvements?

16 Mr. Sensanbaugher gave an update on 200 South. He said that the city council at their meeting
17 two weeks ago approved a purchase order to complete the rest of the design of 200 South. Council
18 is moving full speed ahead with the design for full complete widening from Millpond Road to the
19 frontage road next to the freeway. The plans would upgrade a large water line, add pedestrian and
20 bicycle facilities, and widen to two lanes in each direction. The full section will be built for just a
21 portion of the length, in a core area, then down to some widening on both ends. There would be
22 full pedestrian and bicycle lanes for the whole length. Design is resuming, they anticipate finishing
23 in April –May of 2020. City council in January will consider creating a financing mechanism to
24 build this project. The project would hopefully go to bid next summer, and begin construction in
25 maybe a year from now. This is conditional on a funding mechanism being approved, please speak
26 your mind to the council. When 200 South is improved it will be much safer than it is now. Road
27 design is moving forward regardless of approval or disapproval of this proposal tonight.

28 Mr. Dupaix expressed concerns about getting good bids in the summer when contractors are maxed
29 out.

30 Mr. Sensanbaugher stated that this has needed to go forward, but it will be council's decision when
31 to bid it out.

32 Mr. Dupaix said that no one on the commission is against development, but they take seriously the
33 long term prospects. He wants to make sure they come in with their eyes wide open, maybe the
34 city should take more time to evaluate things to make them better for the future of the area and
35 current residents.

36 Mr. Dudley pointed out that he relies on city staff to review engineering, water rights, etc. He
37 hears from staff that developments meet city requirements. He hears the residents' concerns as

APPROVED MINUTES

1 well, but relies on staff for information. He points out that residents of lots 201 and 202 will have
2 to sign the final plats, they have a lot of power to get it to final plat.

3 Mr. Hunter asked if city code has a requirement for the geotech report to be recent? He suggested
4 that perhaps the code needs to be revised to specify time limits for such reports. If digging a trench
5 impacts the groundwater by creating a dam or ditch, does our code need to consider this?

6 Mr. Hunter stated that the sensitive lands ordinance identifies hazardous conditions, steep slopes
7 and high-liquefaction areas. Geotech reports indicate where groundwater is, but the sensitive land
8 ordinance allows the city to require ongoing monitoring of groundwater levels. The city plans on
9 implementing this. Code does not specify a time frame for a geotech report, but the building
10 department accepts reports from the last 3-5 years as adequate.

11 Chairman Woffinden said that when the developer comes back with a final plat these can be
12 addressed further. He asked the developer what modifications would be done for liquefaction
13 problems. He pointed out that their geotech report doesn't address it at all, but this whole area is a
14 high-liquefaction area.

15 Mr. Chad M., with EarthTek Engineering, the developer's geotechnical advisor, stated that clay
16 soil is in area, it doesn't have the same liquefaction problem that sandy soil has.

17 Chairman Woffinden asked how they reconcile the state's calling it a high liquefaction area?

18 The geotech advisor said that because groundwater is high, the state probably assumes it will have
19 a liquefaction problem.

20 Chairman Woffinden replied that he believes the problem is that the reports are done in a dry year
21 and in the fall. Their results and conclusions might be completely different in the spring and in a
22 wet year.

23 The geotech advisor replied that this is why they have different depth requirements.

24 Chairman Woffinden asked how you would mitigate problems.

25 The geotech advisor says piers are an option. He says he will get the Chairman data from 40-50
26 ft if the current 20-30 ft isn't good enough for him.

27 Mrs. Samantha Carson has two concerns – 1. City ordinances shouldn't allow 4-plexes in the
28 middle of single-family homes. There are already houses built in the area that have water
29 problems. They live down there and know these problems are there, even though the homes were
30 built to code, and 2. Code isn't adequate in the area.

31 Chairman Woffindendon said they can't make a developer do more than the code requires.

32 Mr. Olsen stated that this type of development is allowed under the PUD code, as long as the total
33 density meets requirements, regardless of housing type. The overall density is not higher and
34 meets code. 3 units per acre is the total requirement in this area.

APPROVED MINUTES

1 Mr. Dupaix said that PUD's are allowed in other areas of the city.

2 Mr. Allen Christensen referenced the discussion on water rights being a state issue. His issue is
3 that he feels the city is negligent in allowing development that affects water rights, and he feels it
4 opens the city up to litigation.

5 Mr. Dupaix said that Mr. Dudley makes a good point in reminding us that lots 201 and 202 have
6 to sign off on this, that gives the homeowners other protections in the future. With that
7 understanding, he is willing to approve.

8 **Public Hearing Closed**

9 **Mr. Dupaix moved to recommend approval of the preliminary plan for the AF 10**
10 **Subdivision, with the finding listed in the staff report and subject to any findings, conditions,**
11 **and modifications listed in the Engineering report.**

12 **Mr. Hunter seconded the motion. Voting was as follows:**

13	Chairman Woffinden	Nay
14	Chris Christiansen	Aye
15	Geoff Dupaix	Aye
16	Harold Dudley	Aye
17	Rod Brocious	Aye
18	Ryan Hunter	Aye

19 **The motion carried.**

20
21
22 3. Hearing, review and action on the preliminary plan for the AF PD South Low Density
23 Attached Housing Project located in the area of 620 South 900 West in the PR-3.0
24 Residential zone
25

26 Mr. Olsen stated that AF PD South Subdivision is proposed as a Low Density Attached Housing
27 PUD (Planned Unit Development). 24 units are proposed in a townhome arrangement. Overall
28 density for the subdivision is 3.8 du/ac. Access is provided off of 900 West. An open space area
29 exists at the southeastern portion of the subdivision. Additional open space areas are proposed
30 surrounding the townhome areas.

31 The subdivision proposes a transfer of unused, allowed, units (density) from the Dixie Farms
32 Subdivision, located directly east and south. As the two subdivisions are under one developer, the
33 developer wishes to place unused units from the Dixie Farms area, into the AF PD South
34 Subdivision. This creates an overall density which is slightly higher, at 3.8 du/ac. However, if the
35 combined number of units within Dixie Farms, AF PD South, and AF 10 are accounted for, the
36 overall density for all three projects falls within the 3 du/ac as allowed in the zone.

APPROVED MINUTES

1 Townhome structures are allowed within the PUD type (Low Density Attached Housing); with a
2 maximum number of dwelling units per structure capped at 6. The subdivision proposes 3, 4, and
3 5-unit townhome structures; within the allowed unit count per structure.

4 As with other development options in the PR-3.0 zone, the Code allows the Planning Commission
5 flexibility to require changes in the plan. Changes may include, but are not limited to, “adjustments
6 in the density or number of structures, relocation of project elements, redesign of the road system,
7 increase in the amount of open space and provisions for the disposal of surface water drainage”
8 (17.7.504.D).

9 Mr. Hunter said that the Engineering Division’s comments are similar to the previous item, utilities
10 and roads will be provided and it meets code requirements.

11 Mr. Dupaix asked if right-of-way lines match up to what we have for 900 West?

12 Mr. Hunter affirmed, says that 620 South may differ a little bit from the north to the south

13 Mr. Berg said that this is a unique and challenging piece, bordered by 620 South and 900 West,
14 they don’t want driveways backing onto these roads. The proposal is to do low-density attached
15 housing so driveways and access are in the rear, not facing the main streets. They have the same
16 25% open space requirement.

17 Mr. Dudley asked about the long piece of property that’s not part of Dixie Farms or the other
18 properties. Mr. Berg said that it is a tax sale property, and has no access, it is landlocked.

19 Mr. Olsen said that if the property were ever to be for sale, Dixie Farms would add lots on it.

20 Mr. Dudley says this plat locks it in without any access. He asks Mr. Olsen if he’s ok with that.
21 Mr. Olsen said that sometimes remnant parcels are landlocked into developments, there’s a few
22 around.

23 Mr. Brocious asked when Mr. Berg anticipates final plat and construction. Mr. Berg replied that
24 this development is in the middle of the total project. 900 West is bringing water and irrigation to
25 site, and the sewer is being finalized with TSSD. Sewer /storm water construction will start at the
26 lake and come up, they want to get that started. They are ready to begin construction on plat A,
27 and also complete 900 West. They can’t really start the subdivision until utilities, road and plat A
28 are done, he thinks maybe fall of 2020 at the earliest. Mr. Brocious said that he was asking because
29 he’s trying to see if the 200 South safety issues can be resolved before this phase of construction
30 would begin. Mr. Berg indicated that they are optimistically a year away from occupancy.

31 **Public Hearing Opened**

32 Mr. Allen Christensen congratulated Chairman Woffinden for recognizing the seriousness of the
33 liquefaction issue that hasn’t been addressed. They need to be taking more measurements than in
34 the driest season of the driest year. Earthquake safety is a concern to him as well.

35 Ms. Lloyd said that there is standing water at this section, there are huge ditches that go through
36 there. The report says that groundwater is 2 1/2 ft down. It doesn’t seem wise to be putting

APPROVED MINUTES

duplexes there. All these roads go out onto 200 South. A slow train backs up traffic by 30 cars frequently, developments will bring more people and more needs. This is a case of putting the cart before the horse, developments are coming before necessary infrastructure is in place.

Chairman Woffinden indicated that there are plans for a fire station in the area.

Mr. Niel Christensen pointed out that city water comes from wells. Will this development need to have well water? He advises to not disregard the flowing water. It is not easily detected, you can put in a fence for 50 feet and be dry, then go uphill and find water in a posthole. It is not an easy problem to solve, city code won't be adequate. The Christensen family is tired of being brushed off, he asked the commission to please solve the problems up front. As he sat on the Board of Adjustment for 30 years, he solved problems that should have been handled in planning commission.

Mr. Jim Honaker says that he knows development is coming, but the roads are a critical issue for him.

Public Hearing Closed

Mr. Christiansen moved to recommend approval of the preliminary plan for the AF PD South Subdivision, with the finding listed in the staff report and subject to any findings, conditions, and modifications listed in the Engineering report.

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

Chairman Woffinden	Nay
Chris Christiansen	Aye
Geoff Dupaix	Aye
Harold Dudley	Aye
Rod Brocious	Aye
Ryan Hunter	Aye

The motion carried.

4. Other Business

Mr. Olsen handed out the calendar for Planning Commission meetings for 2020. He informed commissioners that all fitness center memberships have been updated.

Chairman Woffinden informed commissioners that there will be no meeting on December 18.

5. Site Plan Committee Report

Mr. Knobloch had no upcoming Planning Commission items to review. The next meeting will be held on January 8, 2020.

APPROVED MINUTES

6. Review and action on the minutes of the November 20, 2019 Planning Commission Regular Session

Mr. Dupaix moved to approve the minutes of the November 20, 2019 Planning Commission Regular Session.

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

Chairman Woffinden	Aye
Chris Christiansen	Aye
Geoff Dupaix	Aye
Harold Dudley	Aye
Rod Brocious	Aye
Ryan Hunter	Aye

The motion carried.

7. Adjournment

Mr. Dupaix moved to adjourn.

Mr. Brocious seconded the motion. All concurred.

Meeting adjourned at 8:50 pm.



Lisa Halversen, Administrative Assistant