

AMERICAN FORK CITY PLANNING COMMISSION
SEPTEMBER 2, 2020
NOTICE OF ELECTRONIC MEETING
REGULAR SESSION

Notice is hereby given that the American Fork City Planning Commission will meet in regular session on September 2, 2020, commencing at 7:00 pm. Pursuant to changes in the Utah Open and Public Meetings Act and Covid-19 Guidelines, this meeting will be conducted electronically. Citizens may submit comments via email at zoompubliccomment@afcity.net prior to 5:00 pm the day of the meeting and access a YouTube live stream of the meeting at afcity.org. The agenda shall be as follows:

1. Hearing, review and action on the preliminary plan and final plat for Roderick Catalyst Subdivision Phase 2, located in the area of 1600 South 450 East in the PI-1 Planned Industrial zone – **This item was pulled from the agenda at the request of the developer**
2. Discussion on amendments to the CC-1 zone
3. Other Business
4. Site Plan Committee Report
5. Review and action on the minutes of the August 19, 2020 Planning Commission Regular Session
6. Adjournment

John H. Woffinden, P.G.
Planning Commission Chairman

The order of agenda items may change to accommodate the needs of the commission, city staff and the public

Discussion on Amendments to the CC-1 Zone

Attached to this memo is a draft of potential changes to the CC-1 zone. Comments from the August 5th Planning Commission meeting were taken into consideration and formulated within the draft. While the intent is to allow residential uses within the zone, please look at the allowed commercial uses. If some of the uses do not seem fitting for what you would like to see in a downtown core; or, conversely, if there are uses not listed that you feel should be, please come with suggestions for additions and/or deletions.

As this is a discussion item, no formal action will be taken. Additional items may be added to the draft, which may then be scheduled for a formal public hearing and recommendation to City Council.

Sec 17.4.401 CC-1 Central Commercial Zone

1. Intent. The intent in establishing the CC-1 central commercial zone is to provide a place where retail and service uses can be constructed and maintained which will serve the needs of the citizens of American Fork City and surrounding areas. It is the further intent in establishing this zone to maintain the central business district as the "heart of the city" ~~and to these ends, to promote its development in step with the increase in population within the trading area~~ **allowing residential units to be located therein while maintaining street level commercial uses.** The uses characteristic of this zone are retail stores, banks, office buildings, theaters, hotels, ~~and~~ a wide variety of specialty shops, **restaurants, and higher density residential uses.** Conversely, uses which tend to create business dead spots, cause undue scattering of business and generally tend to thwart the use of the land for its primary purposes, ~~have been~~ **shall be** excluded from the zone.
2. Permitted ~~and conditional~~ uses. The following buildings, structures, and uses of land shall be permitted upon compliance with the requirements set forth in this code.
 1. ~~Caretaker~~ **Multi-family residential** dwellings when located above **or adjacent to** a permitted commercial/~~non-residential~~ establishment. **There shall be no maximum density for residential units within the zone. Provision of required off-street parking stalls shall determine the number and subsequent density of residential units.**
 2. Hotels and motels.
 3. General retail stores and shops providing goods and services for sale at retail in the customary manner, provided that all storage and sales activity shall be contained within a building. ~~Also, manufacturing and processing activities which are an integral part of and incidental to the retail establishment.~~
 4. Office buildings, medical clinics, hospital.
 5. Restaurants and ~~food drive-ins~~ **fast food with sit-down and/or take-out.**
 6. Personal service establishments, such as barber and beauty shops, photographic studios, shoe repair, laundries (commercial and self-service), reception centers, and similar establishments.
 7. Automotive service establishments, including gasoline stations, car washes, parking lots ~~and storage garages~~, and minor automotive repair establishments.
 8. Public parks and buildings.
 9. Establishments of the sale of hardware, lumber, plumbing and heating equipment and similar building products provided that there shall be no outside storage or display.
 10. Automobile, motorcycle, snow mobile sales structures and lots (for both new and used units). Also the related repair facilities when such facilities are included as an integral part of the sales structure.
 11. Recreational enterprises including bowling alleys, recreation centers, motion picture theaters (indoor only), athletic clubs, private clubs, and fraternal lodges.
 12. Funeral homes.
 13. Hospitals.
 14. Accessory signs in accordance with the applicable provisions of Section 17.5.128.
 15. Check Cashing and similar businesses subject to the provisions of Section 17.6.114 of this code and Section 5.30 of the city code.
 16. Permitted accessory uses. Accessory uses and structures shall be permitted in the CC-1 zone provided they are incidental to, and do not substantially alter the character of the permitted principle use or structure. such permitted accessory uses and structures include, but are not limited to buildings such as garages, carports, equipment storage buildings, and supply storage buildings which are customarily used in conjunction with and incidental to a principle use or structure permitted in the CC-1 zone.
 17. Ancillary commercial structures subject to the conditions set forth under Section 17.6.105.

18. Pre-schools and day care nurseries, subject to approval of a site plan in accordance with the provisions of Section 17.6.101.
 19. Other uses similar to the foregoing which are determined by the planning commission to be similar to and in harmony with the intent of the zone, but not including self-service storage facilities (mini-warehouse).
 20. Low power radio service antenna facilities, subject to the provisions of Section 17.6.112 of this code.
 21. Specialty schools, subject to the approval of a site plan in accordance with the provisions of Section 17.6.101.
3. Area, width, and location requirements. There shall be no area, width, and location requirements for commercial buildings and structures constructed in accordance with the building code except that an area sufficient to accommodate parking, loading, unloading and vehicular access shall be provided and maintained.
 4. Special provisions.
 1. All material, merchandise, and equipment (except vehicles in running order) shall be stored within an enclosed building.
 2. All display, sales and repair activities shall be conducted within a fully enclosed building, except those activities that are customarily and appropriately conducted in the open, including but not limited to automobile sales lots and automobile service stations, temporary sales of Christmas trees, and nursery stock, shall be permitted outside a building unless otherwise prohibited under the terms of this code.
 3. No dust, odor, smoke, vibration, or intermittent light, glare, or noise shall be permitted which is discernible beyond the premises except for normal traffic movement.
 4. All off-street parking shall be hard-surfaced. **Parking areas shall be located toward the interior of properties.**
 5. All buildings located adjacent to a ~~major~~ street shall have at least one entrance-way facing onto said street, **with a maximum setback line of 10'. At least fifty percent of any wall area that faces a street or other public space shall contain display areas, windows, or doorways. Windows must allow views into working areas or lobbies, pedestrian entrances or display areas. Walls facing side streets must contain at least twenty-five percent of the wall space in windows, display areas, or doors. Blank walls (i.e., walls without any doors or windows) are prohibited. All buildings and structures located at the edge of the CC-1 zone shall be of a height consistent with those within the neighboring zone (two-stories maximum height).**
 6. All buildings and uses within this zone shall comply with all applicable supplementary development standards as set forth in this code.
 7. All gasoline service station pumps shall be set back at least twenty feet from all property lines.
 8. Prior to the issuance of a building permit for any development within the zone, a site plan shall be submitted to and approved by the planning commission. Said site plan shall be prepared and approved in accordance with the provisions of Section 17.6.101.
 9. As a means of mitigating safety hazards or adverse visual impacts the city may require, as a condition of site plan approval, the installation of landscape features. Where landscaping is required, the site plan shall, in addition to all other plan elements, contain a landscape plan showing the location, type and initial size of all planting materials and other landscape features, and the location of the proposed sprinkler system.

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AMERICAN FORK CITY PLANNING COMMISSION MINUTES AUGUST 19, 2020

The American Fork City Planning Commission met in a regular session on August 19, 2020 in an electronic meeting on the Zoom platform, viewable on the City's YouTube link, commencing at 7:00 p.m.

Present: John Woffinden
Chris Christiansen
Ryan Hunter
Christine Anderson
Harold Dudley
Rod Brocious

Absent: Geoff Dupaix

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

Others Present: Kurt Yingling

Public Comments Received: Daunell Clark, Sariah Bigelow, Cailey Taylor, Josh Boshard, Shane Lefler, Mark and Carla Nielsen, Kaden and Mardi Gubler, Jennifer Harrison, Michael and Debra Aston, Eric Harrison, Nathan Osmond, Robert and Melissa Carnesecca, and LaRee Finch

1. Discussion on the Northampton House Historic Building Conservation Project, located at 190 West 300 North

Mr. Adam Olsen stated that this is a discussion item only, no decisions will be made. Proposals for this property have come before the commission twice before, the owner has taken your comments into consideration and they have another concept that they would like your feedback on. They would like to attach buildings to the original structure instead of building separate structures.

Chairman Woffinden proposed that the applicant be given 8-10 minutes to present his proposal.

Mr. Kurt Yingling presented a possible plan for the historic building located at 198 West 300 North. He proposed adding a new section to the existing building that is compatible with the

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1 allowed uses. To achieve a long-term stable use, they request residential living compatible with
2 code C6 and C11. He felt that this use will be in harmony with the underlying zone. The value
3 of the historic overlay is important, since this site was originally a church which would not
4 match today's zoning. The intent of this new plan is to create a long-lasting preservation of the
5 historic structure and a benefit to the community. He believes that they could use the existing
6 building for residential purposes. However, since it is going to be very expensive to improve the
7 building and bring it up to safety standards, a viable concept plan should repurpose the building
8 in a way that brings both aesthetic value and an added tax base for the city. There cannot be
9 enough living units put in the building itself; for this plan to make sense, extra units would need
10 to be added. A lot of time and thought has been put into how to make this building work
11 aesthetically. This plan is in the beginning stages, and the idea is for the additional units to
12 match the style of the existing building.

13
14 Chairman Woffinden opens the meeting up for commissioners' comments.

15
16 Mr. Ryan Hunter indicated that he is not in favor of higher density as shown in this plan, it
17 doesn't fit in with the area. He is opposed to taking a private financial strain and making it a
18 public issue.

19
20 Mr. Rod Brocious asked if they've considered a commercial/office type of use? He is in favor of
21 preserving the building but feels that an office use might be more appropriate.

22
23 Chairman Woffinden asked if they would they still have to do the seismic upgrades if the use
24 were to switch.

25
26 Mr. Olsen replied that city staff have been in discussions with potential office users, but there are
27 some other existing obstacles that make housing use more attractive. This property is in an R2
28 zone, which consists of single-family homes and duplexes. He said that the applicant is relying
29 on #11 in the code. Since there is not a specific use specified, and it has never been a residential
30 structure from the beginning, is this use similar enough that the commissioners could make that
31 bridge? Appurtenant structures were discussed last time, but connecting the structures may help
32 to mitigate concerns expressed previously.

33
34 Ms. Christine Anderson felt that the commission has some leeway to accept other uses, and
35 residential could be a good fit. Even higher-density uses can be well-designed and planned and
36 create great communities. If the new additions can tie in well with the visual character of the
37 historic building, she thinks that it may be able to work. She doesn't feel that the traffic would
38 be that much more than it is for the current use.

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1 Mr. Chris Christiansen agreed that if they want to save and preserve this building, this option
2 gives an opportunity to consider the residential use. He is open to a solution besides seeing it
3 torn down.

4
5 Ms. Anderson indicated that maximum capacity for Northampton House is 800 people, and with
6 61 residential units there will not be nearly that many people in the building. In Ms. Clark's
7 emailed comments, she mentioned the average household trip count. She cited 2009 numbers,
8 but the 2017 numbers are half that many. We're simply not making as many trips as we were 10
9 years ago. In the past two decades, trips have decreased by 20%. Also, trips are one-way, so a
10 trip to the store is counted as two trips. She felt that 60 one-or two-bedroom units are not going
11 to have a lot of teenage drivers making many trips. Older couples or younger families would
12 have fewer trips.

13
14 Mr. Olsen referenced the public comment from Ms. Clark. If this item continues to move
15 forward, we will have a public hearing. He emailed her comment previously to all
16 commissioners.

17
18 Mr. Harold Dudley stated that there could be potential for some residential, apartment-style
19 development here. However, he has concerns about this concept. First, the square roofs don't fit
20 visually. Second, this plan has too many units. His third concern was what the existing building
21 will look like, and his last concern was that the neighbors are already nervous about increasing
22 density. He suggested that Mr. Yingling meet with neighbors to allay their concerns.

23
24 Chairman Woffinden agreed that additions should be redesigned to visually coordinate better
25 with the existing building.

26
27 Mr. Olsen indicated that there are more public comments, these will be kept for future reference
28 to be sent to commissioners with any official site plan.

29
30 Chairman Woffinden reminded commissioners that there was a full house of residents opposed
31 to previous plans.

32
33 Mr. Yingling stated that he has reached out to the community for feedback, but he got the
34 impression that they were purposely keeping quiet. He is making an effort to facilitate
35 communication. He is trying thru email to get buy-in from residents. He is not ignoring them.
36 Regarding the building design, he has spent countless hours on the design. The reason it looks
37 the way it does is that there is a general consensus that it is very difficult to get a new addition
38 that looks like the original building and has adequate functionality. Most new additions are
39 contemporary in design, but reflect a historic motif. Stained glass has been added as have other
40 features to keep the historic feeling.

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1 Mr. Dudley gave the example of the additional buildings at the state capitol. One was built in the
2 1970's and doesn't work, and the other two were built in the 1990's and complement the capitol.
3 He suggested going back to the architect for other designs. Planning commissioners and
4 residents will scrutinize the design. He also suggested a roofline that is not flat.

5
6 Mr. Olsen stated that Mr. Yingling is wondering if this is worth pursuing further, and wants to
7 get commissioners' feedback for the concept. Many residents are opposed to this and at a future
8 meeting we would accommodate the airing of their views.

9
10 Ms. Anderson replied that this is third time he has come to the commission with a plan. She felt
11 that this plan is the closest, but the new buildings need to be visually closer to the original style.
12 She recognized that he has worked hard to come up with something to preserve the building. The
13 historic overlay gives the commission a larger set of tools, and she felt like it is going in a good
14 direction.

15
16 Mr. Olsen said that if they are willing to consider residential use, they are able to state conditions
17 such as residential use in the building itself but not in additional buildings, etc.

18
19 Mr. Ryan Hunter is not opposed to changing the use to residential, he just has concerns about the
20 density. He also feels that the additions do not enhance the property, it feels like the church is a
21 sore thumb in the proposed development.

22
23 Chairman Woffinden agreed. He felt that the owner should worry about the existing building,
24 they don't need to put additional buildings around the existing church.

25
26 Ms. Anderson said that it may not be possible to save the building without additional income.

27
28 Chairman Woffinden and Mr. Ryan Hunter suggested perhaps a third the number of units as
29 planned.

30
31 Mr. Brocious agreed that the density is too high, and the architect hasn't quite met the aesthetic
32 standard.

33
34 Chairman Woffinden thanked Mr. Yingling, and asked him to keep working with staff.

35 36 **Public Comments Received**

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Dear Mr. Olsen,

I am writing to address a few of the many concerns held by neighbors of the Northampton House property, which has yet another proposal under consideration by the Planning Commission this week.

Underlying Zoning Incompatibility: As of Christmastime, the current owners hold five adjacent properties, totaling 2.68 acres, at the corner of 300 N. and 200 W. The underlying zoning (R2-7500) in this area is clearly residential, with a limit of up to six units (or three duplexes) per acre. Only the acre on which the church building stands has inclusion, nationally or locally, in the Historically Significant overlay or registries; which we expect means that the four other plats (two of which are currently used as parking for the Northampton House and the remaining two contain rental homes) are subject to the 3 duplex-per-acre limitation of surrounding properties.

Unreasonably High Density: The owners are again requesting permission to build, presumably on the only acre that has a Historic Building exemption, 36 one- and two-bedroom, high-rise apartments. They claim this should be allowed as appurtenant structures "essential to" their apartment business, because they otherwise cannot afford upgrading and remodeling the existing Third Ward Meetinghouse into the other proposed 20-25 units within the building. This would amount to a total of 61 units---half a ward---on a single acre! This is more than ten times the underlying zoning limit for residential housing. Even the 20-25 units proposed for within the Northampton House building (four times the underlying zone maximum) seems unsupportably high.

Inadequate Infrastructure: An 8" water line is insufficient to service the needs of a high-density subdivision. Upgrading utility lines to accommodate additional units and addressing the property's natural springs has been estimated to cost as much as--or more than--what the owner (in an earlier meeting) presented as the prohibitively impossible expense required to bring the building up to seismic compliance, should the building's use be changed. Fire protection issues are also a consideration. Certainly such things can be addressed, but these issues are immediately expensive and have long-term consequences, potentially for the entire neighborhood.

Dangerous Streets: Both streets at this corner have high traffic for residential neighborhoods: 300 N. is a corridor maintained by the city for emergency vehicle traffic and 200 W. features a city park (with dangerously inadequate parking) and serves as the main route to and from Shelley Elementary. Additionally, the intersection has a history of accidents and even a fatality involving a child, partly because of the blind hills at 300 N. and 200 W.; though the intersection has been somewhat leveled out and the posted speed limit has been dropped, this continues to be a dangerous place for children to cross on their way to school or for drivers to proceed as they similarly make trips into or beyond the neighborhood.

Traffic Burden: The owners claim their proposal to change the usage of the Historic Church from an elegant reception center into high-density housing will have little impact on traffic, since the reception center often hosts crowds of people. While it is true that some of their parties have many attendees, most of the Northampton House traffic is limited to after-hours times when the roads are less congested, and most vehicles come and go only once, trickling in and out at staggered intervals. A rule for considering residential traffic loads is 10 trips per day per unit, presumably during times of the highest-density traffic patterns. It is possible that an abnormally

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1 high traffic evening at the Northampton house might see as many 300 trips during times of
2 otherwise low traffic flow; the current proposal would more than double that, directly and
3 dramatically increasing flow during times of highest traffic by over 600 trips per day. And
4 locating apartments in this area, where most destinations are driving distances, would require
5 significantly more parking than the normal 1.5 spaces per unit generally regarded as adequate
6 for rentals in areas with good pedestrian access--which would require more designated room
7 and likely increase the area's traffic burden beyond the previous estimates.

8 **Pedestrian Issues:** This American Fork location is not a "walking destination" area and many of
9 the surrounding blocks have shifted, crumbled or nonexistent sidewalks, streets and
10 curbing. Even a walking trip the few blocks to downtown American Fork from this area requires
11 a railroad-track crossing that is not pedestrian-friendly. Unlike historic renovation projects in
12 major cities, such as the famous "Red Door Church" near downtown Cleveland, where a
13 Lutheran church building on 1.5 acres was remodeled into five upscale condos and the
14 surrounding HOA-controlled property was built with a total density of fewer than 14 units per
15 acre (more than double American Fork's zoning, but perhaps more understandable in
16 Cleveland), this American Fork residential neighborhood does not host or have easy access to
17 shopping, dining, public transportation, universities, an internationally-recognized hospital or
18 even a temple within safe and reasonable walking distance. The proposed project is
19 incompatible with the property location.

20 **Community Desire to Maintain Current Zoning:** This is not New York, University Heights,
21 Park City or even downtown Provo. For the same reasons the current owners have stated that
22 this location will not support a Fine Dining venue, it is not a "highly-desirable" rental area, likely
23 to support an upscale rental apartment venue. Knowing this, owners of neighboring properties
24 have purchased and built nearby houses based on the existing residential zoning laws,
25 purposely choosing to live in a quieter residential neighborhood. Neighboring residents
26 vigorously oppose changing the underlying zoning to allow higher-density housing, business or
27 industrial uses.

28 **Social Burdens:** The fact that an upscale high-density construction/remodeling rental
29 properties project is unlikely to be desired or sustainable in this part of Utah County begs the
30 question: What happens if this project is permitted and built, despite community pleas to oppose
31 high density housing in the neighborhood? Dispatchers treat as common knowledge the fact
32 that even new and beautiful high-density developments are magnets for police intervention:
33 management of drug traffic and domestic violence escalates in high-density rental areas.
34 Promises of only the kinds of tenants who will invest in the surrounding community are
35 impossible to keep: the owners have stated that their proposal for high-density housing is due to
36 their private financial constraints; financial pressures to keep all units filled will mount as
37 expenses do. This effectively transfers a private burden to the public.

38 **Loss of Historical Significance:** The old Third Ward Building is a beautiful and peaceful part
39 of our community, but it may lose its historic significance in a variety of ways. One practical way
40 might be that, over time, those who have connections with it move away or move on. The
41 "Historic Building" designation---and whatever benefit flows from that---requires that remodels
42 and additions be in harmony with (and subservient to) the period styling of the building to be
43 preserved. Buildings on the National Historic Register may (at the discretion of their owners) be

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demolished or remodeled, but if the building is gone or remodels significantly alter (or modernize) the look and feel of the buildings to be preserved, the Historic designation---and all its benefits---may be revoked. This is likely one reason the zoning overlay guidelines for erecting additional structures state that any structures built on a Historic Property may not be stand-alone business buildings, but that (like covered parking or a storage shed for yard tools) they merely support the activities the Historic Property is housing. Written to be flexible enough to accommodate arising business models, the guidelines should not be taken as license to flout underlying zoning laws.

Lasting Impact of Structures: We urge the Planning Commission and our City Council to use caution when considering projects that significantly change or lay the foundation for change in the uses of property in residential areas within city limits. Even the history of this building shows that significant buildings, whether through sale or death, can outlast their owners and builders---and such buildings often outgrow the purposes of their original intent. If additional apartment structures are built using an exemption consideration for a Historic Building and the old building or its designation as Historically Significant goes away, the newly-permitted construction will linger, effectively changing zoning without changing the zoning laws. This is one reason the initial proposal (seven three-story apartment buildings constructed around the perimeter of the five properties) was so vigorously opposed: If the project were approved and the structures were built, they would still stand if their owner later deemed it too costly to renovate (and instead demolished) the Historic Building that had justified their existence. Subsequent proposals requiring additional construction present the same concern.

Value of Zoning Laws and Charity in Saying No: Sometimes it is inconvenient for a property owner to be told he may not do what he wants with his own land. My parcel, more than a half-acre adjacent to the Northampton House owners' properties, could probably support more than the permitted six hens---but city codes clearly state limits that protect me and my neighbors from annoyance and contention as well as from our city being overrun by poultry farms. This is one value of living within city limits: those limits are in place for many reasons. As a parent, I also set boundaries and sometimes must say No to my children for their welfare and for the good of the entire family. Last week one of my college-student daughters asked for a favor that would have been convenient to grant; I knew she would be upset with me, but I declined because I could predict that allowing her request would ultimately harm our relationship and the relationships of others within the family. It would have benefitted her only temporarily, while establishing patterns that we don't want to sustain. Saying No was the most loving thing I could do; though my daughter pouted awhile, her need that day was resolved and our relationship has a better chance, as she takes more responsibility for herself and her personal economy. As a parent who has taught several young children not to ask for candy at the grocery store check-out line, I know that sometimes there is harm in asking---and that there is grave danger in granting repeated requests, just because one tires of saying No.

We want to be good neighbors, which I believe means we want the best for individuals as well as for the community. In the long run as well as proximately---and for many reasons---I believe that proposals to add to the Third Ward Building will harm much more than it will help anyone.

Many thanks for your time and your efforts in our community. Sincerely, Daunell Clark

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To whom it may concern,
I would like to convey my concerns regarding the rezoning that would need to take place in the proposed changes to the NHH, I live in this block and like the current zoning. Some of my other concerns are the unneeded increase in local traffic with the current proposed 61 units, the increased burden on community health services and the religious burden on local ward leaders (we already have 3 hospice (beehive homes in our stake)...also if the city council decided to move forward, when do we get to see the plans for NHH Phase2 and how does this fit into AF master plan from a community development plan.

I understand the need to allow the property owner to make decisions to benefit his livelihood however perhaps he should re-evaluate if that is the best line of business he should pursue given the reservations and distaste expressed by his current tenants.

Lastly, this should be tabled until we can meet in person, since this feels very one sided given we can't be present to rebuttal his comments.

Regards,
Shane Lefler
AF Citizen

Dear Planning Commission;

There have been numerous meetings where the proposed development of the Northampton and the surrounding area have been discussed. It has been painfully obvious that this is a decision that needs to involve extensive input from the community that it will impact. I suggest at a minimum of tabling the conversation until a time in which all parties can be represented equally.

However, if the discussion continues. I would like to pose the following issues: Current Zoning adherence, Safety, Utility Infrastructure, and American Fork City's Master Plan

- **Current zoning for the area** - the current zone is an R-2-7,500; a zone designated as "established for the purpose of providing a place where one and two-family dwellings on individual lots can be constructed having attractively landscaped yards and a favorable environment for family life. The R-2-7,500 Overlay (O) is established to provide additional development options for those wishing to live on separate, smaller lots; with densities as permitted under the "two-family dwelling" option as found in the zone, but without the requirement of a common wall between residences. Somewhat smaller lots and dwellings are characteristic of this zone than are characteristic of the R-1-7,500 residential zone. Duplexes and other types of two-family dwellings are also characteristic of this zone as are planned unit developments. **High-density apartment houses and commercial and industrial uses are not permitted in this zone.**"(ORDINANCE NO 2017-03-13; part 1 sect 2). The current operation of the Northampton house does meet the current zoning requirements. An attempt to go beyond current zoning should require the commercial establishment to, at minimum, meet current zoning. Once compliant with current zoning guidelines, the planning commission might then consider moving beyond the scope of current zoning restrictions.
- **Safety** - The proposed changes would seem to indicate that auto, as well as pedestrian traffic, would increase substantially with the influx of residents in such a confined area. As the

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instigator of the proposed change, Mr. Yingling should be required to commission a third party traffic study that would allow everyone to understand what current traffic safety concerns in the area might be and how the proposed development could impact the pedestrian, vehicle and residential safety of the area. The study should be required before any further discussion.

- **Utility Infrastructure** - is the utility infrastructure currently in place sufficient to sustain this size of development? What improvements and increases in capacities in irrigation, sewer, and electricity would have to occur before this development could function properly without being a burden on the surrounding community? Who would be responsible for the upgrades or changes?
- **American Fork City Master Plan:** allowing this development would be far outside the scope of the masterplan for the city of American Fork. It would create an "island" of development density not provided for in the masterplan This proposal exceeds the masterplan for American Fork City that the planning commission is sworn to protect.

There are more points and concerns to raise. This is the beginning of a long list. However, with just these four points, there is enough concern to table the issue until more information has been gathered and we are in a position to meet as a community and discuss this with all concerned parties represented.

Thanks, Mark and Carla Nielsen

Dear Planning Commission Committee,

I am writing in opposition of the changes to the Northampton House property as currently proposed. Moreover, due to the overwhelming impact on the community surrounding the property, I ask that further discussions be postponed until all parties can be represented in-person.

Here are the primary reasons for my opposition:

- **Current zoning for the area** - the current zone is an R-2-7500; a zone that is "established for the purpose of providing a place where one and two-family dwellings on individual lots can be constructed having attractively landscaped yards and a favorable environment for family life... **High-density apartment houses and commercial and industrial uses are not permitted in this zone.**" I ask that the committee **decline to entertain** any future proposals that do not fall within the currently established zoning requirements.
- **Unknown final project** -- the plan presented only represents a portion of the planned development. I ask that the committee require the **entire project** be presented prior to any approvals.
- **Safety** - The proposed plan would increase auto and pedestrian traffic in an area with existing safety concerns. I ask that the committee require Mr. Yingling to provide a third party traffic study to help us understand the impact of his proposal.
- **American Fork City Master Plan:** allowing this development would be far outside the scope of the masterplan for the city of American Fork. This plan would create an island of development density not provided for in the masterplan This proposal exceeds the masterplan for American Fork City that the planning commission is sworn to protect.

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1 We are sympathetic to Mr Yingling's situation and his need to change to the property and building to
2 make it economically viable. However, we are not supportive of him asking us to pay for his changes in
3 the form of decreased property values, higher traffic, higher density, and huge infrastructure changes.

4 Thanks, Kaden and Mardi Gubler

5
6 Hello,

7 I am emailing today because I have several concerns regarding the North Hampton house, which is on
8 your agenda.

9 First and foremost, as a citizen of American Fork for more than 20 years, and as a homeowner very close
10 to this property, I have huge concerns about any discussion of changing the current zoning code for this
11 property. I DO NOT want this code to be changed for Mr. Yingling. I believe that the property should
12 remain bound to the current zoning laws for several reasons.

13 First, I don't believe that a change is consistent with the AF Master Plan, and that this would be in
14 violation of that plan.

15 Second, there has been no independent study done to investigate the safety of the intersection
16 involved, and the problems of increased traffic. I believe that without an independent study by a
17 qualified third party, there should be NO
18 ACTION whatsoever on this proposal.

19 Third, I see NO REASON for approving phase 1 of the proposal without first requiring total disclosure of
20 phase 2 plans, and any other phases that might be proposed by the current owners of the property. It is
21 in the best interests of both the city and its residents to be 100% clear on not just the first phase, but on
22 the end product, so neither the city or its citizens will be forced, at a later time, to accept zoning and
23 code changes that would not have been accepted at the outset. Complete disclosure and honesty
24 should be priority.

25 Finally, I am vehemently opposed to the planning commision making any decisions about this matter
26 until the community can attend in person. I have attended every meeting at which this matter has been
27 discussed, and I know that all members of the commision are aware of the community interest in this
28 matter. While Mr. Yingling has made his proposed plans available to a few community members, that
29 DOES NOT qualify as working for community support or consensus. While the current owners would, no
30 doubt, be happy to continue without comment from the citizens of American Fork, it is wrong for the
31 Planning Commision to deny the citizens their right to participate by making a decision while current
32 policies do not allow for attendance at the meeting. I would hope that the integrity of each member of
33 this commision would require this, regardless of the emotional arguments of the owners and their
34 plight. 2020 has been an unprecedented year for everyone and we should all be required to wait until it
35 can be handled appropriately. The rights of one property owner should NOT be allowed to overshadow
36 the rights of dozens of other property owners.

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1 I believe that the property owners must be required to abide by current zoning laws, without exception,
2 just as I and every other surrounding property owner is required to do.

3 Thank you, Jennifer Harrison

4
5 Dear Planning Commission:

6 As a concerned neighbor, we are asking that the zoning for the Northampton House not be changed to
7 high density. Thank you for your consideration.

8 Michael Aston, Debra Aston

9
10 Hi, I am Eric Harrison and live on the same block as the NHH. I am super disappointed that this
11 discussion will be held during covid when I can't give my input at the meeting in person.

12 I am writing this however to give my opinion about the plans that are proposed by Mr. Yingling. I think
13 that the proposal needs to be considered within the context of Mr. Yingling's full plans. I am concerned
14 that these plans (considering both phases) will be putting 60+ units on my block. This is on a street that
15 is vital to the city for many reasons. 300 North is a very busy road and adding that many vehicles right
16 here doesn't seem safe. It will congest 300 N's emergency medical traffic headed to the hospital, it will
17 increase risk of car accidents and endanger the neighborhood children.

18 Isn't it the case that according to the zoning Mr. Yingling shouldn't be able to put more than 15 homes
19 on this property? I built my house here assuming that zoning wasn't going to change and thus open up
20 the area to apartments which diminish our property values. Does adding large multi family housing in
21 this area fit with the AF city master plan? If so, I'd like to discuss that too. I like the feel of the
22 neighborhood as mostly single-family with a few duplexes scattered around. Many of my neighbors built
23 and moved here due to the same reasons. Mr. Yingling's full plans will change all of that.

24 My request is that you please insist that we see and discuss both phases of the plans, and please
25 suspend all decisions until the community can attend in person. Finally please don't rezone this area just
26 to allow these apartments to be built. Last meeting there were quite a few of us who were concerned.
27 That has not changed. Please don't let this one sneak under the radar due to covid.

28 Respectfully, Eric Harrison

29
30 To whom it may concern,

31 My wife and I have been residents of American Fork since June 13, 2005. We live directly
32 across the street from the North Hampton House (NHH) and are greatly concerned with the plans
33 that Mr Kirt Yingling is proposing. We've visited with him personally one-on-one and have

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1 heard his reasoning for what it is he wants to do, however, there are important zoning laws that
2 were put in place for a reason.

3 1. The Proposed Project Is Outside Of Code - According to code, Mr. Yingling cannot fit more
4 than 15 homes on his property. The property is zoned as R-2-7500 Medium Density. Your job as
5 a committee is to protect the master plan; period. Our neighborhood already has way too many
6 accidents at the corner of 300 North 200 West. The current construction is making it even worse.
7 Adding a high density property, which is WAY outside of code, in a medium density
8 neighborhood, is preposterous!

9 2. Danger, Danger!! - We are the proud parents of four children and live on a street where there
10 are countless other children who live near or around the NHH. Adding a high density project in a
11 neighborhood where it doesn't belong is only asking for trouble or even death. Not to mention,
12 the NHH is also located on the same street as Shelley Elementary. Many more children walk past
13 the NHH each day on their way to school. With Mr Yingling's proposed plans, we would be
14 putting a lot more children's lives in danger.

15 3. Creating An Island - Mr Yingling is creating an island where it doesn't belong. The property,
16 if I'm not mistaken, is actually three separate properties. The NHH is an historic building and
17 only makes-up for a portion of the proposed project. The benefits of owning an historic building
18 should not and cannot be grandfathered into his other two properties. He says that he and his
19 wife don't want to be in the reception business anymore. That's not our problem. He complains
20 that he needs roughly \$150,000+ to bring the NHH up to code and that he doesn't have the
21 money to do this. Perhaps he could sell one or both of the homes that he just purchased on either
22 side of the NHH to help cover that expense? He paid over \$300,000 for just one of those homes.
23 The neighborhood is not buying the sob stories. In the words of Johnnie Cochran, "If it doesn't
24 fit, you must acquit."

25 4. What Haven't We Seen? We as a neighborhood insist on seeing any and all plans for phase 2
26 before even thinking about approving phase 1. As a neighborhood, we are united in this decision.

27 5. As neighbors of the NHH, we insist on suspending any decisions from being made until we as
28 a community can attend in person. We stand firm in this decision.

29 Sincerely, A Concerned Neighbor, Nathan Osmond
30

31 To whom it may concern,
32

33 My family lives in the cul-de-sac directly behind the North Hampton House. My neighbor shared with me
34 Mr. Yinglings plan for the North Hampton House. Currently on the block from 300 N to 400 N that the
35 North Hampton House is located on has by my count 27 houses. Once again by my count only two
36 houses have more than one family living in it. The proposed 36 apartments more than doubles the
37 current density of our neighborhood. This will greatly impact the feel and fabric of my community.
38 While Mr. Yingling does not live here, it is clear he does not care about how this change would impact

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1 the families that live in this area. Apartments are not the same as homes. I am not against apartments.
2 If our block had half the homes and Mr. Yingling owned a much larger percentage of the block think it
3 could make more sense, but with the current layout of house it does not.

4
5 I am concerned about safety. We live 1.5 blocks south of Shelley Elementary School. Every day while
6 school is in I see children walking past the North Hampton House and worry the increase in housing
7 density would make for an unsafe environment.

8
9 Is the block we live on even zoned for that density Mr. Yingling is proposing?

10
11 We have been told this is phase one of Mr. Yingling's plan for development. Yet if phase one is
12 approved, phase two will be almost impossible to stop, so why do we not get to see what his plan for
13 phase two is?

14
15 Also, the timing of the proposal is not fair. We as a community are unable to come and have our voices
16 heard on matters that will greatly impact my neighborhood, and ask that we have our voice heard in
17 person before such a decision can be made.

18
19 Thank you, Robert and Melissa Carnesecca
20
21

22 As a concerned citizen and a member living in the neighborhood of the North Hampton Reception
23 Building I am concerned about the proposed development Mr. Yingling is requesting. We live in a quiet
24 neighborhood. There is a grade school 2 blocks north of 200 West 300 North. There is a park across the
25 street on the same block as the North Hampton building. I am concerned and not supportive in allowing
26 him to rezone the area for high density housing. I am very concerned about the amount of traffic, the
27 automobiles and the children that live in the area that will be going to school and to the park with the
28 proposed development. In the spring and summer there are baseball games, in the fall football
29 practices are held at the park which is across the street. There is not enough parking currently to handle
30 the cars that come to support and participate in the activities. I have reviewed his plans and note that he
31 is desiring to develop his development in 2 two stages but needs to have the area zoning changed to
32 accommodate his proposal. The area he is desiring to develop will bring about a lot of additional traffic
33 and parking problems Add high rise apartments in a neighborhood with single dwelling and a few
34 duplexes. If he wants to add to the neighborhood maybe he only has one story apartments. I
35 understand he has a facility and land and he wants to get a return on it but not at the cost of devaluing
36 the neighborhood. I believe he is trying to build housing that is too dense for the area he has.

37 Thank you, LaRee Finch, AF resident
38
39
40

UNAPPROVED MINUTES

2. Hearing, review and action on a land use map amendment from the General Commercial to the Public Facilities designation, located in the area of 1730 N. North County Blvd. (9826 North 4800 West)

Mr. Olsen told commissioners that the city-initiated land use map amendment proposes a change from commercial to public facilities, in anticipation of a future fire station. The amendment will bring into congruence the zoning and land use map designations of “Public Facilities” as the property annexes into the City. The “Public Facilities” designation encompasses institutional, school and public (City, County, State, Federal) uses.

Public Hearing Opened

No public comments received

Public Hearing Closed

Ms. Anderson moved to approve the land use amendment.

Mr. Ryan Hunter seconded the motion. Voting was as follows:

Chairman Woffinden	Aye
Chris Christiansen	Aye
Christine Anderson	Aye
Ryan Hunter	Aye
Harold Dudley	Aye
Rod Brocious	Aye

The motion passed.

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

3. Hearing, review and action on the Blackhurst Property Land Use Map Amendment from the Residential Medium Density to Residential High Density designation, located at 440 South 100 East

Mr. Olsen stated that the applicant proposes to amend the land use and zone map designations at 440 S. 100 E. from a residential medium density to a residential high-density designation. The property is located adjacent to I-15. If approved, the applicants wish to construct at least one 4-plex on the property; potentially more through a subdivision plat. Surrounding zoning consists of R2-7,500, which allows single-family and duplex uses.

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Ms. Anderson asked what the final density would be if approved.

Mr. Olsen said that the limiting factor would be the underlying property size, as it is under two acres. At most it could potentially could have 12 units per acre, but it would probably be closer to 8 units.

Ms. Anderson asked if there would be visibility from I-15, and Mr. Olsen replied that there would not be visibility as there is already a barrier.

Mr. Brocious asked what the purpose of the desired density change is, and he wondered if it would be an enhancement of the neighborhood if approved.

Mr. Olsen indicated that there is a high-density parcel to the north in a mobile home park, and the property owner feels that it makes sense as a buffer since it is next to the freeway.

Ms. Anderson asked if it is possible to grant a high-density allowance with a limited number.

Mr. Olsen replied that there are self-limiting factors such as lot size, width and depth requirements for a 4-plex. The shape of the lots limits how many units they can fit and meet the requirements. Greenwood Elementary and the river and the trailer park are existing features in the area.

Public Hearing Opened

No public comments received

Public Hearing Closed

Mr. Dudley moved to approve the land use map amendment.

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

Chairman Woffinden	Aye
Chris Christiansen	Nay
Christine Anderson	Aye
Ryan Hunter	Aye
Harold Dudley	Aye
Rod Brocious	Aye

The motion passed.

UNAPPROVED MINUTES

- 1 4. Hearing, review and action on the Blackhurst Property Zone Map Amendment from R2-7,500
2 to R4-7,500 Residential zone, located at 440 South 100 East

3
4
5 **Public Hearing Opened**

6 **No public comments received**

7 **Public Hearing Closed**

8
9 **Mr. Dudley moved to approve the zone map amendment.**

10
11 **Ms. Anderson seconded the motion. Voting was as follows:**

12		
13	Chairman Woffinden	Aye
14	Chris Christiansen	Nay
15	Christine Anderson	Aye
16	Ryan Hunter	Aye
17	Harold Dudley	Aye
18	Rod Brocious	Aye

19 **The motion passed.**

- 20
21 5. Hearing, review and action on the Rawlings Zone Map Amendment from the R1-7,500 to
22 R2-7,500 Residential zone located at 165 East 300 North

23
24 Mr. Olsen stated that the applicant proposes to change the zone on his property from R1-7,500 to
25 R2-7,500. The underlying land use map designates the area as “medium-density residential” and
26 a change to the R2-7,500 is supported by the underlying land use designation. Single-family and
27 duplex uses are allowed in the R2-7,500 zone. The applicant would like the ability to convert his
28 single-family use to a duplex use; provided his property meets the parameters for duplex use.

29 Mr. Dudley asked if the applicant should be encouraged to speak with their neighbor and square it
30 off, so there is not an island left that is zoned R1.

31 Mr. Olsen indicated that the zone can’t be changed without a property owner’s consent. Changing
32 the zone is not a guarantee that the applicant will put a duplex in, it is currently single-family.

33 Mr. Christiansen felt like the property owner should bring forward a plan when he has the need,
34 not preemptively.

35 Ms. Anderson doesn’t like the island being left over, but the owner’s request seems fair.

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Mr. Dudley would like to table this item and ask the applicant to talk to his neighbor and ask if he wants to join in the request to rezone. He doesn't think the change is wrong if it squares it off and doesn't leave an island zoned for single-family.

Public Hearing Opened

No public comments received

Public Hearing Closed

Ms. Anderson asked how an owner of an island would be affected if the request is approved. It seems that they can change their zoning in the future if they desire. She expressed concern about requiring a property owner to have to get his neighbor's signature regarding what he can do with his property.

Mr. Ryan Hunter expressed his concern that if someone buys a lot knowing that they will have a single-family home to the side, but the neighbor changes his zoning, that affects the other neighbor because now he's an island surrounded by duplexes.

Ms. Anderson pointed out that the neighbor didn't comment on the proposal, and asked if that implied consent.

Mr. Olsen points out that this will go on to the city council, commissioners can make concerns known in the minutes and the council can take those into consideration.

Mr. Dudley doesn't see a problem with tabling it and asking the applicant to talk to his neighbor, then it wouldn't have to go to council. If the neighbor is on board, it would save time and steps in the future by having them join in the current zone change application.

Mr. Dudley moves to table action on the zone map amendment with instructions for staff to reach out to applicant and make sure the neighbor is aware of the rezone and can join application at the same time if desired.

Mr. Christiansen seconded. Voting was as follows:

Chairman Woffinden	Aye
Chris Christiansen	Aye
Christine Anderson	Aye
Ryan Hunter	Aye
Harold Dudley	Aye
Rod Brocious	Aye

The motion passed.

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6. Hearing, review and action on a site plan for the Bach Apartments, located in the area of 740 East 620 South in the PC Planned Community zone

Mr. Olsen said that this property was annexed in 2019 as part of the Vest Annexation. A concept plan approval followed, designating this area as high density residential. A subsequent development agreement was approved, allowing the overall development a parking ratio of 1.8 stalls per unit.

The site plan proposes 338 apartment and townhome units, a combination of studio and 1-3 bedroom units. 626 parking stalls are provided, which is slightly above the 1.8 ratio required in the memorandum of understanding approved by the Council and master developer. Access to the project will be off 620 South. Townhome units will be located at the perimeter of the development and apartments will be located at the interior. Renderings of the townhome and apartment units are included in the submittal materials, as are landscape plans.

Mr. Ben Hunter said that the primary access is 620 South, which is under construction at present. All requirements and upsizing have been met, Engineering Division recommends approval. 620 South will connect to 860 East.

Mr. Brocious asked for clarification regarding one of the notes to the contractor regarding Quality Drive and storm water discharge.

Mr. Ben Hunter replied that this note pertains to the Ritchie Apartments, not the Bach Apartments. Storm drain discharge from the Bach Apartments will tie into Quality Drive, and that is part of the project that Ritchie will be constructing. If this isn't finished before the Bach Apartments are ready, they may discharge into a ditch depending on timing. There is a contingency plan for additional flows which may require additional work on the ditch.

Mr. Brocious asked if this item should be part of the approval process in case Ritchie doesn't come through with the project.

Mr. Ben Hunter said that the developer will need to show that the ditch has the necessary capacity, they are aware and we have noted it on their plans.

Mr. Brocious asked if they need to get any approval from ditch owner.

Mr. Ben Hunter replied that the ditch property owner is who Bach Homes bought the property from, and it is in all parties' best interests to make sure that each of the storm drain pieces are in place.

Public Hearing Opened

No public comments received

Public Hearing Closed

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1 **Mr. Ryan Hunter moved to approve the site plan for the Bach Apartments, with the finding**
2 **listed in the staff report and subject to any findings, conditions and modifications listed in**
3 **the engineering report.**

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

5	Chairman Woffinden	Aye
6	Chris Christiansen	Aye
7	Christine Anderson	Aye
8	Ryan Hunter	Aye
9	Harold Dudley	Aye
10	Rod Brocious	Aye

11 **The motion passed.**

12

13 7. Hearing, review and action on the Ritchie American Fork 860 Apartments, located in the
14 area of 860 East Quality Drive in the PC Planned Community zone

15 Mr. Olsen informed commissioners that the property was annexed in 2019 as part of the Vest
16 Annexation. A concept plan approval followed, designating this area as high density
17 residential/potential mixed use. A subsequent development agreement was approved, allowing the
18 overall development a parking ratio of 1.8 stalls per unit.

19 The site plan proposes 513 apartment units, a combination of studio and 1-3 bedroom units. 949
20 parking stalls are provided, which is slightly above the 1.8 ratio required in the memorandum of
21 understanding approved by the Council and master developer. Access to the project will be off
22 Quality Drive and 860 East. This development will frame the southwest corner of Quality Drive
23 and 860 East.

24 Mr. Ryan Hunter asked what leeway and input commissioners have regarding design and
25 appearance. He is concerned that this area surrounding the Deseret Industries will not look
26 appealing in 20 years.

27 Mr. Olsen replied that all comments will be forwarded to the city council. The developers are
28 meeting requirements in materials, etc, but commissioners' concerns can be added into a motion.

29 Chairman Woffinden said that design standards can become a problem very quickly, we have to
30 be aware of and careful with that.

31 Mr. Olsen said that most renderings of new developments are rectangular with clean lines, this is
32 the time to air concerns about appearance if commissioners have such concerns.

33 Mr. Ryan Hunter did not feel that this plan is visually appealing, especially if it's repeated for
34 many acres.

35 Chairman Woffinden called this the "Ikea look."

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Mr. Dudley would like to encourage use of varying materials and colors.

Ms. Anderson asked the about minimum number of discrete products that will be required.

Mr. Olsen stated that this proposal goes above the minimum code requirements, he thinks that code may require two or three different products.

Ms. Anderson suggests making this standard the minimum requirement.

Commissioners all agree that the proposal is bland and minimalist, and without much imagination.

Mr. Ryan Hunter said that it is appropriate for a high-density area, he just wants to make sure it is architecturally appealing.

Mr. Ben Hunter points out the ditch on the plan, where storm drainage would have to go into if the drainage project isn't finished by Ritchie. The roadway plans are ready to go, they just need to have bonding in place. Quality Drive currently ends in a dead-end cul-de-sac, but it will become a thru street along with improvements to 860 East. The Engineering Division recommends approval.

Ms. Anderson asks if this zone can accommodate commercial development on the ground level.

Mr. Olsen said that this zone does have some ground-floor commercial. The concept plan identifies this as one of the high-density residential nodes, commercial development will be in adjoining plans.

Public Hearing Opened

No public comments received

Public Hearing Closed

Mr. Ryan Hunter moved to approve the site plan for the Ritchie American Fork 860 Apartments, with the finding listed in the staff report and subject to any findings, conditions and modifications listed in the engineering report.

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

Chairman Woffinden	Aye
Chris Christiansen	Aye
Christine Anderson	Aye
Ryan Hunter	Aye
Harold Dudley	Aye
Rod Brocious	Aye

The motion passed.

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1 8. Review and action on the final plat of Easton Park Subdivision Phase 5, located in the area
2 of 547 South 860 East in the PC Planned Community zone
3

4 Mr. Olsen indicated that Easton Park was approved in 2016. The four lots which constitute Phase
5 5 were approved as one lot in 2016 (Lot 95, Phase 3). The applicant wishes to separate the one lot
6 into four. All other provisions of the original approval remain intact. No additional living units
7 are being created with this plat. It is simply a condominium conversion of an existing building, a
8 housekeeping item for the developer.

9 Mr. Ben Hunter stated that all infrastructure is in place, and the Engineering Division recommends
10 approval.

11 **Ms. Anderson moved to approve the final plat for Easton Park Phase 5, with the findings**
12 **listed in the staff report and subject to any findings, conditions and modifications listed in**
13 **the Engineering report.**

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

15	Chairman Woffinden	Aye
16	Chris Christiansen	Aye
17	Christine Anderson	Aye
18	Ryan Hunter	Aye
19	Harold Dudley	Aye
20	Rod Brocious	Aye

21 **The motion passed.**

22
23 9. Hearing, review and action on an amended site plan for Swig, located at 135 East Main
24 Street in the CC-1 Central Commercial zone
25

26 Mr. Olsen told commissioners that Swig proposes a small drive-through structure near the southern
27 entrance to the Fresh Market complex. 17 parking stalls will be removed for placement of the
28 structure and accompanying drive-through lanes. Sufficient parking remains with the removal of
29 these 17 stalls. Additional landscape will be installed north of the proposed structure, as well as
30 within an area currently used as a snow-cone stand in the summer. The property owner has agreed
31 to a lease of this area with Swig.

32 Ms. Anderson expressed concerns about backups in drive-thrus. She asked if they were required
33 to be able to fit 10 cars.

34 Mr. Olsen affirmed, saying that in normal times that is more than enough. Sometimes drive-thrus
35 need more or less space, and commissioners are free to propose a different number.

36 Ms. Anderson indicated that she is not ready to propose a code change requiring more cars, but it
37 will be interesting to see in the future if more space is required.

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- 1 Mr. Ryan Hunter said that Swig is popular, and if traffic backs up into the road it can become a
2 problem very quickly.
- 3 Mr. Dudley asked if it would be a modular building or a new structure.
- 4 Mr. Olsen replied that it will be a permanent structure on a foundation, he showed elevations.
5 Several commissioners expressed concern about the access becoming backed up.
- 6 Mr. Ben Hunter said that code gives recommendations for accesses, but on private property there's
7 no standard established. No code specifies distance from accesses. The developer is not adding
8 a lot of public infrastructure for the building, just a couple of private laterals. He recommends
9 approval.
- 10 Mr. Brocious asked if the access should be a right-in, right-out access for safety. He is afraid that
11 there will be a large traffic count coming out of the building. He suggested requiring a traffic study.
- 12 Mr. Ben Hunter said that this project is too small to require a traffic study, and it uses existing
13 access points.
- 14 Mr. Brocious replied that it is a land-use change, and he felt that should that trigger a traffic study.
- 15 Mr. Ben Hunter reiterated that city code does not require that to be done as a result of the size of
16 the change.
- 17 Mr. Ryan Hunter asked a hypothetical question. If the property owner added several small
18 establishments on this property, would they would ever have to do a traffic study?
- 19 Mr. Ben Hunter suspects that people don't even consider making left turns out onto the street, it's
20 too busy. If it becomes a large enough safety concern or issue, it will go through the established
21 process. He would guess that if many more of these proposed buildings were placed in a parking
22 lot it would get more scrutiny, but one drive-thru is probably not enough to trigger that.
- 23 Ms. Anderson replied that the Swig will probably increase the amount of traffic at this access point
24 by 90%. She thinks a right- in, right-out access would be helpful.
- 25 Mr. Ben Hunter added that safety concerns can trigger requirements for a study, he doesn't know
26 if this would meet that benchmark or not.
- 27 Mr. Brocious said that the city engineer always has the authority to request a traffic study in the
28 interests of public safety.
- 29 Mr. Ben Hunter replied that he would have to confer with city legal counsel, with possible input
30 from the city council. He thinks that this access will largely function as a right-in, right-out
31 anyway.

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Mr. Brocious agreed, but he thinks it will fail during peak hours. The right turn onto 100 East is already very backed up during peak hours. He predicts that you won't be able to get out onto Main Street, and the drive-thru will become backed up.

Mr. Ryan Hunter loves the idea of a Swig in the downtown, he is all for it. He would like to see a traffic study done to give a good picture so that it doesn't become a failure.

Mr. Ben Hunter said he regularly drives by the Swig in Lehi, and it does back up sometimes. He thinks that people generally let other people out when they have to stop at a stoplight anyway.

Chairman Woffinden asked if a traffic study would be required to do a right-in, right-out similar to Main Street?

Mr. Ben Hunter said that yes, based on traffic flows, recommendations such as a right-in, right-out could be made.

Mr. Brocious asked about new additional water being drained out onto Main Street, does this site need a UDOT permit to discharge surface water?

Mr. Ben Hunter replied that the water would mostly be preexisting, and the developer would make minor modifications such as sloping the curb and adding an additional sump in the drive-thru lane. Swig wouldn't add any additional flows.

Mr. Christiansen isn't a fan of how the building looks, it doesn't fit in with the existing architecture.

Mr. Olsen said that commissioners can make recommendations, but there aren't any architectural standards for a drive-thru drink establishment. They are free to make that as part of their motion if desired.

Public Hearing Opened- Public Comments Received

To whom it may concern,

My name is Sariah Bigelow and I live at 751 W 200 S, American Fork, Utah. I am writing to express my support in favor of a swig location in American Fork. I love their drinks and having one in American Fork would be convenient! In addition I think having a more permanent structure would be more beneficial than seasonal/temporary locations we have for similar items.

Sincerely, Sariah Bigelow

Hello!

My name is Cailey Taylor and I live in American Fork at 751 W 200 S. I LOVE Swig and think it would be such a great addition to the community we have here! I know so many people that get a soda before

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they go into work in the mornings as a pick-me-up, and I think a lot of people would be happy if we were able to get a Swig here. Please consider approving their request to build here!!!

Best, Cailey Taylor

Hello,

My name is Josh Boshard, I'm a resident of American Fork and a business owner. 942 W 750 N American Fork, UT 84003. I am contacting you to let you know of my support for the new proposed Swig. My son works for the Swig company and having another one in American Fork would be fantastic. They provide quality jobs and great pay. Please consider my support for their growth in American Fork.

Best, Josh Boshard

Public Hearing Closed

Mr. Brocious moved to approve the site plan for Swig with the findings listed in the staff report and subject to any findings, conditions, and modifications listed in the Engineering report, and request a traffic study be performed to evaluate an exit ramp on 100 East, and that the building match the architectural composition of the surrounding buildings.

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

Chairman Woffinden	Aye
Chris Christiansen	Aye
Christine Anderson	Aye
Ryan Hunter	Aye
Harold Dudley	Aye
Rod Brocious	Aye

The motion passed.

10. Hearing, review and action on an amended site plan for Chick-Fil-A, located at 183 North West State Road in the SC-1 Planned Shopping Center zone

Chairman Woffinden stated that this item was removed from the agenda at the request of the property owner, they had some additional concerns to address.

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11. Other Business

There was no other business to discuss.

12. Site Plan Committee Report

Mr. Knobloch reviewed the upcoming Planning Commission items. The next meeting will be held on Wednesday, September 2. The agenda will include additional discussion about the CC-1 in the downtown area and allowed uses. There will also a subdivision application for an industrial project.

13. Review and action on the minutes of the August 5, 2020 Planning Commission Regular Session

Ms. Anderson moved to recommend approval of the amended minutes of the August 5, 2020 Planning Commission Regular Session.

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

Chairman Woffinden	Aye
Chris Christiansen	Aye
Christine Anderson	Aye
Ryan Hunter	Aye
Harold Dudley	Aye
Rod Brocious	Abstain

The motion passed.

Mr. Dudley wanted to further discuss public notification. He said that some cities require sending out letters to neighbors referencing a proposed zone change. He thinks this is an idea worthy of consideration.

Ms. Anderson felt that it can be problematic to try and find all nearby property owners.

Mr. Olsen replied that we post signs and publish public notice. He added that if there is a sensitive or controversial issue, city staff tries to go above and beyond on the notification requirements.

14. Adjournment

All voted in favor.

Meeting adjourned at 9:30 pm.

Lisa Halversen, Administrative Assistant

UNAPPROVED MINUTES

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