

AMERICAN FORK CITY PLANNING COMMISSION
MAY 5, 2021
NOTICE OF ELECTRONIC MEETING
REGULAR SESSION

Notice is hereby given that the American Fork City Planning Commission will meet in regular session on May 5, 2021, 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 final plat for Calvary Condominiums, located at 338 East State Road in the GC-1 General Commercial zone
2. Other Business
3. Site Plan Committee Report
4. Review and action on the minutes of the April 21, 2021 Planning Commission Regular Session
5. 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

NOTICE OF ELECTRONIC MEETING

In accordance with Resolution No. 2020-07-20R, Chairman Woffinden has determined that conducting meetings of the Planning Commission with an anchor location, such as the City Council Chambers, presents a substantial risk to the health and safety of those who may be present there. The following are facts upon which this determination has been made:

- Utah has been in a declared state of emergency due to COVID-19 since March 6, 2020, a virus outbreak that has been recognized by the World Health Organization, federal, state and local leaders as a pandemic.
- The Centers for Disease Control and Prevention (CDC) has stated that COVID-19 is easily spread from person to person between people who are in close contact with one another through respiratory droplets when an infected person coughs, sneezes, or talks. This virus can also be spread by people who are non-symptomatic.
- As reported by the Utah Department of Health, reported COVID-19 cases in Utah County continue to rise at a rate higher than reported rates for the state.
- Federal, state, and local authorities recommend that individuals limit public gatherings, wear face masks, and follow social distancing guidelines.
- It is difficult to anticipate the number of attendees at any meeting in order to maintain social distancing to comply with State Phased guidelines. Further, regardless of the number of attendees, social distancing measures for Planning Commission, staff, and attendees will be difficult to maintain in the City Council Chambers.
- COVID-19 continues to pose an immediate threat to the health, safety, and welfare of American Fork City residents.
- American Fork City can provide a way for the public to hear, or hear and view, open portions of Planning Commission meetings and to provide a way to participate in public hearings.

For the next 30 days, all Planning Commission meetings will be conducted via electronic means. The meetings are broadcast live-streamed, and available at a later time, at <https://www.americanfork.gov/AgendaCenter>. To make a public comment, email comments to zoompubliccomment@afc-city.net prior to 5:00 p.m. the day of the meeting for the comment to be read into record. Please indicate in the subject line which item your comment refers to.

AGENDA TOPIC: Hearing, review and action on the final plat for Calvary Condominiums, located at 338 East State Road in the GC-1 (General Commercial) zone.

BACKGROUND INFORMATION				
Location:		338 East State Road		
Applicants:		KW Commercial-KW South Valley Keller Williams		
Existing Land Use:		Church/Commercial		
Proposed Land Use:		N/A		
Surrounding Land Use:	North	Commercial		
	South	Residential		
	East	Commercial		
	West	Residential		
Existing Zoning:		GC-1 (General Commercial)		
Proposed Zoning:		N/A		
Surrounding Zoning:	North	GC-1 (General Commercial)		
	South	R2-7,500		
	East	GC-1 (General Commercial)		
	West	GC-1 (General Commercial) & R2-7,500		
Land Use Plan Designation:		General Commercial		
Zoning within Land Use Plan Designation?		x	Yes	No

Background

The proposed final plat divides an existing building into two condo units. The church facility will consist of one unit (on two floors) and the commercial spaces on the ground floor will be one additional unit. The plat identifies common areas such as parking/landscape areas, restrooms, elevators, etc.

The proposed final plat complies with the provisions of the Development Code relating to condo conversion projects.

Consistency with the Land Use Plan

The Land Use Plan designates this area as General Commercial. The proposed subdivision is consistent with the Land Use Plan designation.

FINDING OF FACT

After reviewing the application for final plat approval, the following finding of fact is offered for consideration:

1. The proposed site plan complies with Section 17.7.803 (Condominium Conversion Project) of the Development Code.

POTENTIAL MOTIONS

APPROVAL

Mr. Chairman, I move that we recommend approval of the final plat for Calvary Condominiums, with the finding listed in the staff report and subject to any findings, conditions, and modifications listed in the Engineering report.

DENIAL

Mr. Chairman, I move that we recommend denial of the final plat for Calvary Condominiums.

TABLE

Mr. Chairman, I move that we table action on the final plat for Calvary Condominiums.

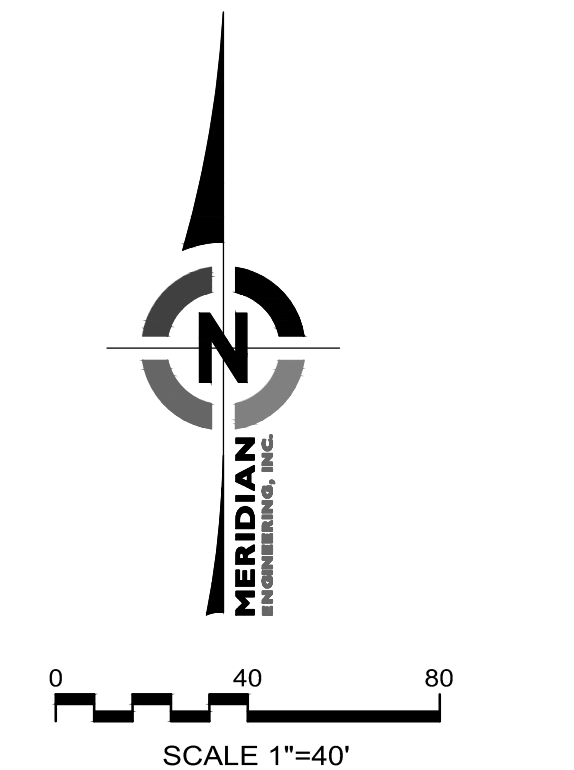
STANDARD CONDITIONS OF APPROVAL

Standard Conditions of Approval:

APPLICANT is responsible and shall submit/post/obtain all necessary documentation and evidence to comply with these Standard Conditions of Approval prior to any platting, permitting, or any other form of authorization by the City including plat recording or other property conveyance to the City and prior to scheduling a pre-construction meeting. All recording shall take place at the Utah County Recorder's Office.

1. **Title Report:** Submit an updated Title Report not older than 30 days or other type of appropriate verification that shows all dedications to the City are free and clear of encumbrances, taxes, or other assessments.
2. **Water Rights:** Submit evidence that all the required water rights have been conveyed to American Fork City.
3. **Performance Guarantee:** Post a performance guarantee for all required public and essential common improvements.
4. **Easements and Agreements:** Submit/record a long-term Storm Water Pollution Prevention Maintenance Agreement signed and dated by the property owner and any required easement documentation.
5. **Land Disturbance Permit:** Obtain a Land Disturbance Permit.
6. **Compliance with the Engineering Division Plan Review Comments:** All plans and documents shall comply with all the Technical Review Committee comments and the City Engineer's final review.
7. **Commercial Structure:** Record an Owner Acknowledgment and Utility Liability Indemnification if the proposed building is a multi-unit commercial structure served by a single utility service.
8. **Sensitive Lands:** Record all applicable documents required for compliance with the City's Sensitive Lands Ordinance.
9. **Utility Notification Form:** Submit a Subdivision Utility Notification Form.
10. **Professional Verification:** Submit final stamped construction documentation by all appropriate professionals.
11. **Fees:** Payment of all development, inspection, recording, street light, and other project related fees.
12. **Mylar:** Submit a Mylar. All plats will receive final verification of all formats, notes, conveyances, and other items contained on the plat by City staff (recorder, legal, engineer, GIS, planning).

**SITUATE IN THE NORTHWEST 1/4 OF SECTION 24,
TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN,
AMERICAN FORK CITY, UTAH COUNTY, STATE OF UTAH**



I, MICHAEL W. NADEAU, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, HOLDING CERTIFICATE NUMBER 4938744, IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS SUBDIVISION PLAT IN ACCORDANCE WITH SECTION 17-23-17, HAVE VERIFIED ALL MEASUREMENTS, AND HAVE SUBDIVIDED SAID PARCEL(S) OF LAND INTO LOTS, PARCELS AND STREETS, TOGETHER WITH EASEMENTS HEREAFTER TO BE KNOWN AS: "CALVARY CONDOMINIUMS" AND THAT THE SAME HAS BEEN CORRECTLY MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT.



LEGAL DESCRIPTION

BEGINNING AT A POINT IN A FEE LINE, SAID POINT IS 230.73 FEET N.00°41'43"E, PARALLEL TO THE MONUMENT LINE FROM THE SOUTHEAST CORNER OF LOT 3 PLAT "A" AMERICAN FORK CITY SURVEY OF BUILDING LOTS, SAID POINT IS ALSO 353.74 FEET N.89°18'04"W, ALONG THE MONUMENT LINE OF 200 SOUTH STREET AND 263.73 FEET N.00°41'43"E, FROM THE FOUND STATION MONUMENT LOCATED AT THE INTERSECTION OF 200 SOUTH STREET AND 400 EAST STREET (NOTE: BASIS OF BEARING IS N.00°42'08"E, ALONG THE MONUMENT LINE BETWEEN THE FOUND MONUMENTS LOCATED AT THE INTERSECTIONS OF 400 EAST STREET 200 SOUTH STREET AND 400 EAST STREET MAIN STREET); AND RUNNING THENCE S.89°04'33"W, 190.30 FEET TO A POINT IN THE EAST BOUNDARY LINE OF RICHLAND PARK SUBDIVISION RECORDED AS MAP NO. 172:1943 IN THE OFFICE OF THE UTAH COUNTY RECORDER; THENCE ALONG SAID EAST BOUNDARY LINE AND ITS EXTENSION N.00°44'43"E, 388.20 FEET; THENCE N.89°25'00"W, 31.39 FEET; THENCE S.00°01'41"E, 75.57 FEET; THENCE S.87°00'44"E, 434.76 FEET TO THE EASTERN RIGHT OF WAY OF EAST STREET; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE N.00°41'43"E, 76.19 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF STATE STREET (US-89); THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE THE FOLLOWING TWO (2) COURSES AND DISTANCES: 1) S.89°18'17"E, 26.02 FEET AND 2) S.73°31'25"E, 343.10 FEET; THENCE S.00°41'43"E, PARALLEL TO THE MONUMENT LINE 451.01 FEET TO THE POINT OF BEGINNING.

SURVEYOR'S NARRATIVE

1. SPECIAL WARRANTY DEED IN FAVOR OF CALVARY HOLDINGS: ENTRY NO. 114518-2013.
2. RICHLAND PARK SUBDIVISION NUMBER 7742-1943, IN BOOK 51 PAGE 010.
3. WARRANTY DEED IN FAVOR OF THE UTAH DEPARTMENT OF TRANSPORTATION: ENTRY NO. 101462-2016.
4. MAP OF AMERICAN FORK CITY 1893.
5. AMERICAN FORK CITY SURVEY BY WILLIAM C. CITY SURVEYOR (MAY 29, 18 9 DATE APPEARS INCOMPLETE ON PLAT).
6. AMERICAN FORK CITY BLOCK SURVEY.
7. RECORD DESCRIPTIONS OF ADJOINING PARCELS SHOWN HEREON.

(W) BEARING AND/OR DISTANCE DATA TAKEN FROM SURVEYED MEASUREMENTS.
(R) BEARING AND/OR DISTANCE DATA TAKEN FROM RECORD LEGAL DESCRIPTIONS.
(C) BEARING AND/OR DISTANCE DATA CALCULATED FROM SURVEYED MEASUREMENTS COUPLED WITH RECORD INFORMATION.
(CBS) BEARING DATA CALCULATED FROM AMERICAN FORK CITY BLOCK SURVEY, UTAH COUNTY SURVEYOR STREET MONUMENT COORDINATE SHEET.

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED OWNER(S) OF THE PARCEL OF LAND DESCRIBED HEREON AS CALVARY CONDOMINIUM, A UTAH CONDOMINIUM, LOCATED ON SAID PARCEL OF LAND HAVE CAUSED THE SAME TO BE SURVEYED AND A CONDOMINIUM PLAT CONSISTING OF THREE (3) SHEETS TO BE PREPARED, AND DOES HEREBY CONSENT TO THE RECORDATION OF THIS CONDOMINIUM PLAT AND SUBMITS THIS PROPERTY TO THE UTAH CONDOMINIUM OWNERSHIP ACT, AND DOES HEREBY DESIGNATE ALL STREETS, UNLESS OTHERWISE INDICATED, AS COMMON STREETS INTENDED FOR THE USE OF THE CONDOMINIUM OWNER(S) AND FOR INGRESS AND EGRESS IN, OFF AND THROUGH SAID CALVARY CONDOMINIUMS, SUBJECT TO ANY RESTRICTIONS AND EASEMENTS OF RECORD.

ALSO, SAID OWNER(S) HEREBY OFFERS AND CONVEY TO ALL PUBLIC UTILITY AGENCIES AND THEIR SUCCESSORS OR ASSIGNS A PERPETUAL EASEMENT AND RIGHT OF WAY TO THE AREAS SHOWN ON THIS CONDOMINIUM PLAN AS COMMON AREAS FOR THE CONSTRUCTION AND MAINTENANCE OF SUBTERRANEAN OR OVERHEAD ELECTRICAL, TELEPHONE OR COMMUNICATION, NATURAL GAS, SEWER AND WATER LINES AND APPURTENANT PARTS THERETO, TOGETHER WITH RIGHT OF ACCESS. PURSUANT TO UTAH CODE 10-9A-604(1)(g), THE OWNER HEREBY CONVEYS TO THE COMMON AREA AS INDICATED HEREON, TO "THE CALVARY ASSOCIATION AMERICAN FORK CITY, UTAH" AT 340 EAST STATE STREET, AMERICAN FORK, UTAH.

DATED THIS _____ DAY OF _____ A.D. 2021

OWNER: CALVARY HOLDINGS, LLC

BY: _____

ITS: _____

(CALVARY HOLDINGS, LLC)

STATE OF UTAH }
COUNTY OF SALT LAKE } S.S.

ON THIS _____ DAY OF _____, 2021, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF SALT LAKE, _____, WHO, BEING BY ME DULY SWORN, DID SAY THAT HE/SHE IS THE _____ OF _____, A LIMITED LIABILITY COMPANY, AND THAT THE FOREGOING OWNER'S DEDICATION WAS SIGNED FOR, AND IN BEHALF OF, SAID LIMITED LIABILITY COMPANY, BY AUTHORITY OF ITS ORGANIZATIONAL DOCUMENTS, AND HE/SHE ACKNOWLEDGED TO ME THAT SAID LIMITED LIABILITY COMPANY EXECUTED THE SAME.

COMMISSION NUMBER: _____ PRINT NAME: _____

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC SIGNATURE: _____

**SITUATE IN THE NORTHWEST 1/4 OF SECTION 24,
TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN
AMERICAN FORK CITY, UTAH COUNTY, STATE OF UTAH**

PREPARED BY:

AMERICAN FORK PLANNING DIRECTOR

APPROVED THIS _____ DAY OF _____ A.D. 2021

BY THE AMERICAN FORK PLANNING COMMISSION

AMERICAN FORK PLANNING DIRECTOR _____ DATE _____

AMERICAN FORK PUBLIC

APPROVED AS TO SANITARY SEWER AND WATER UTILITY DETAIL

THIS _____ DAY OF _____ A.D. 2021

AMERICAN FORK PUBLIC UTILITIES DIRECTOR

AMERICAN FORK ENGINEERING DIVISION

I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED BY THIS OFFICE AND HAVE FOUND IT TO BE CORRECT IN ACCORDANCE WITH INFORMATION ON FILE

AMERICAN FORK ENGINEER _____ DATE _____

EVARY HOLDINGS, LLC
340 EAST STATE STREET
AMERICAN FORK, UTAH 84003

CITY APPROVAL

PRESENTED TO AMERICAN FORK THIS _____ DAY

OF _____ A.D. 2021 AND IS HEREBY APPROVED

AMERICAN FORK MAYOR _____

ATTEST: AMERICAN FORK RECORDER _____

SURVEYORS SEAL

CITY ENGINEER SEAL

CLERK-RECORDER SEARCH

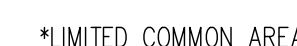
COMP. FILE
19092
PRELIMINARY PLA

PROJECT NO.
19092

SHEET NO.
1 OF 4



1. ALL LAYOUT, AREAS AND DIMENSIONS SHOWN HEREIN ARE MEASURED FROM ACTUAL MEASURED DISTANCES COUPLED WITH ARCHITECTURAL PLANS PROVIDED TO MERIDIAN BY CALVARY HOLDINGS.
2. UNLESS OTHER WISE SHOWN, ALL INTERIOR DIMENSIONS ARE TO THE INTERIOR SURFACE OF THE WALL INDICATED.
3. THE VERTICAL DIMENSIONS OF EACH UNIT AND EACH COMMON/PRIVATE AREA EXTEND FROM THE FLOOR ELEVATION TO THE CEILING ELEVATION AT THE SAME HORIZONTAL LOCATION. FLOOR AND CEILING ELEVATIONS ON THE SAME LEVEL MAY VARY AT DIFFERENT HORIZONTAL LOCATIONS.
4. DIMENSIONS TAKE PREFERENCE OVER SCALE.
5. STAIRS ARE INCLUDED IN PRIVATE OWNERSHIP AND ARE NOT CONSIDERED COMMON AREA OR LIMITED COMMON AREA.



TOTAL OWNERSHIP

UNIT-100	COMMON AREA OWNERSHIP	641 S.F.
	PRIVATE OWNERSHIP	4,105 S.F.
UNIT-200 (TOTAL)	COMMON AREA OWNERSHIP	1,101 S.F.
	LIMITED COMMON AREA	216 S.F.
	PRIVATE OWNERSHIP	31,903 S.F.
UNIT-200 (1ST FLOOR)	COMMON AREA OWNERSHIP	641 S.F.
	LIMITED COMMON AREA	108 S.F.
	PRIVATE OWNERSHIP	17,255 S.F.
UNIT-200 (2ND FLOOR)	COMMON AREA OWNERSHIP	460 S.F.
	LIMITED COMMON AREA	108 S.F.
	PRIVATE OWNERSHIP	14,648 S.F.

*LIMITED COMMON AREA - COMMON AREA RESERVED FOR UNIT 200.



FIRST FLOOR PLAN

SCALE: 1"=15'



SCALE: 1"=15'



UTAH COUNTY RECORDER

RECORDED AND FILED AT THE REQUEST OF

RECORDED AS ENTRY NUMBER _____

RECORDED AS ENTRY NUMBER _____

DATE: TIME: BOOK: PAGE:

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

555 • CHIEF DEPUTY, UTAH COUNTY RECORDER

COMP. FILE

19092
PRELIMINARY PLAT

FREEBORN (1917) <i>1917</i> <i>1917</i>	FREEBORN (1917) <i>1917</i> <i>1917</i>
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PROJECT NO.

19092

SHEET NO

2 OF 4

COMP. FILE
19092
PRELIMINARY PLAT

PROJECT NO.	19092
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SHEET NO.
2 OF 4

PRELIMINARY - NOT TO BE RECORDED



WEST ELEVATION PLAN

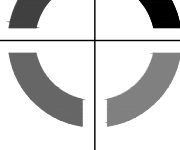
SCALE: 1"=10'

-
- PRIVATE OWNERSHIP
- COMMON AREA OWNERSHIP
- *LIMITED COMMON AREA

*LIMITED COMMON AREA - COMMON AREA RESERVED FOR UNITS 200 & 201



SCALE: 1"=10'

PREPARED BY:	
 MERIDIAN ENGINEERING, INC. 1628 WEST 11010 SOUTH, SUITE 102 SOUTH JORDAN, UTAH 84055 PHONE (801) 569-1315 FAX (801) 569-1319	
CALVARY CONDOMINIUMS SITUATE IN THE NORTHWEST 1/4 OF SECTION 24, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, AMERICAN FORK CITY, UTAH COUNTY, STATE OF UTAH	
UTAH COUNTY RECORDER	
RECORDED AND FILED AT THE REQUEST OF _____	COMP. FILE 1992 PRELIMINARY PLAT
RECORDED AS ENTRY NUMBER _____	
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____	PROJECT NO. 19092
FEE: \$ _____ CHIEF DEPUTY: UTAH COUNTY RECORDER	SHEET NO. 3 OF 4



UNAPPROVED MINUTES

AMERICAN FORK CITY PLANNING COMMISSION MINUTES APRIL 21, 2021

The American Fork City Planning Commission met in a regular session on April 21, 2021 in an electronic meeting on the Zoom platform, viewable on the City's YouTube link, commencing at 7:00 p.m.

Present: Vice-Chairwoman Christine Anderson
Chris Christiansen
Geoff Dupaix
Rod Brocious

Absent: Chairman John Woffinden
Ryan Hunter
Harold Dudley – present for part of meeting

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

Others Present: Ken Berg, Ginger Romriell, Buck Swaney

Public Comments Received: None

Vice-Chairwoman Anderson referred to the "Notice of Electronic Meeting."

1. Hearing, review and action on the preliminary and final plats of Autumn Crest Phase 1 Plat E Subdivision, located in the vicinity of 930 East 1040 North

Mr. Olsen stated that Autumn Crest Subdivision was preliminarily approved in 2012 and 2015 but not all plats received final approval. The area of Plat E is one such example. The preliminary plan has lapsed, and the applicants have returned with a new preliminary plan and final plat for Plat E.

Access is provided off an existing stub-street, 1040 North. Plat E is an infill area of the Autumn Crest subdivision, consisting of 10 lots and located directly north of Plat A and west of Plat D. All lots meet or exceed the requirements of the R1-9,000 zone.

Mr. Hunter said that the engineering division has reviewed the plans and they meet the requirements. Some roadway dedications to UDOT are being worked on, they recommend approval.

UNAPPROVED MINUTES

Mr. Ken Berg, civil engineer, indicated that Autumn Crest Plat F will be coming soon.

Public Hearing Opened

No comments were received.

Public Hearing Closed

Mr. Brocious moved to approve the preliminary plan of Autumn Crest Plat E, subject to any findings, conditions, and modifications found in the engineering report.

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

Christine Anderson	Aye
Chris Christiansen	Aye
Rod Brocious	Aye
Geoff Dupaix	Aye

The motion passed.

Mr. Brocious moved to approve the final plat of Autumn Crest, Plat E, with the findings listed in the staff report, and subject to any findings, conditions and modifications found in the engineering report.

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

Christine Anderson	Aye
Chris Christiansen	Aye
Rod Brocious	Aye
Geoff Dupaix	Aye

The motion passed.

2. Review and action on the North Binch Annexation agreement located in the vicinity of 800 West 500 South

Mr. Olsen told commissioners that the North Binch Annexation consists of 26.02 acres and is located in the area of 800 West 500 South, south of the Willow Glen townhome development. Existing use of the area is agriculture. The City's Land Use Map designates the property as TOD (Transit Oriented Development). Within that TOD designation, the property lies within the General Mixed-Use and Neighborhood Edge sub-designations, with density ranges of 8-20 du/ac

UNAPPROVED MINUTES

in the General Mixed-Use area and 4-14 du/ac in the Neighborhood Edge area. Rights-of-way for 700 West and 620 South will be dedicated as part of the annexation and are identified in the agreement. The annexation agreement is the first step toward ultimate development of the property.

Mr. Hunter said that there are rights-of-way to be dedicated, they are shown on the master plan and meet the requirements shown in the street cross-sections. Developer may end up adding another road for an adjoining development, engineering staff recommend approval.

Ms. Ginger Romriell, developer, agreed with staff's characterizations.

Mr. Brocious asked about the power and water easements that bisect the property, and if anything regarding this is needed for the annexation.

Mr. Olsen replied that nothing further is needed for the annexation, easements will be addressed in future submittals.

Mr. Hunter added that annexation is to define the geographic boundaries of the property, other issues and concerns will be addressed in the future.

Mr. Dupaix asked if there are any concerns with how the easement will affect the development from an engineering point of view.

Mr. Hunter replied that the developer is aware of the easements, they will probably put open space or roadway in that area.

Mr. Brocious asked what the width of the easements are.

Mr. Ken Berg said that the water easement is 30 ft and the sewer is 20 ft. It will be reflected on the drawings.

Mr. Dupaix moved to recommend approval of the North Binch Annexation Agreement.

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

Christine Anderson	Aye
Chris Christiansen	Aye
Rod Brocious	Aye
Geoff Dupaix	Aye
Harold Dudley	Aye

The motion passed.

UNAPPROVED MINUTES

- 1 3. Hearing, review and action on amendments to Section 17.7.507.F.6 of the American Fork
2 City Municipal Code regarding building primary orientation

3
4 Mr. Olsen stated that the proposed City-initiated code text amendment deals with building
5 primary orientation for multi-family structures within the PC (Planned Community) zone. Staff
6 recommends that a building's primary orientation, in addition to being "toward a street" be
7 expanded to include drive aisle, common area or other public or private open space. This will
8 allow buildings to orient toward open spaces (whether public or private), drive aisles as found in
9 traditional multi-family developments or public/private streets. In so doing, this will allow
10 greater flexibility in siting structures--as intended by the PC zone--and be similar to allowances
11 given for building placement in the TOD (Transit Oriented Development) zone.

12 Mr. Hunter has no engineering concerns or comments.

13
14 **Public Hearing Opened**

15 No comments were received.

16 **Public Hearing Closed**

17
18 **Mr. Dupaix moved to recommend approval of the proposed amendments to the**
19 **Development Code.**

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

21	Christine Anderson	Aye
22	Chris Christiansen	Aye
23	Rod Brocious	Aye
24	Harold Dudley	Aye
25	Geoff Dupaix	Aye

26 **The motion passed.**

- 27
28
29 4. Hearing, review and action on an amendment to the Lake City Row Planned Community
30 Master Plan, located in the vicinity of 860 East Utah Valley Drive in the PC Planned
31 Community and the PI-1 Planned Industrial zones

32
33 Mr. Olsen reminded commissioners that this item was tabled at the April 7th Planning
34 Commission meeting. The Planning Commission requested additional information regarding the
35 shared parking areas, numbers of stalls included and any buffering proposals. Discussion
36 centered around shared parking, reduced housing units, and the appropriateness of office
37 warehouse uses in a mixed-use community setting. Staff remains opposed to the amended

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concept plan, for the same reasons as stated in the original memo and at meeting. Regardless of any potential reduction in units, areas for shared parking or buffering, staff is of the feeling that office warehouse is more conducive to an industrial or light industrial area, not a traditional mixed use higher density development.

Lake City Row comprises of properties that were annexed under the Vest Annexation (2019). The property was zoned PC (Planned Community) in anticipation of mixed-use development consisting of office space, retail space, and higher density residential.

The Lake City Row master plan was approved in November 2019. The master plan envisioned up to 2,500 residential units located both independently and within mixed-use commercial areas. Additionally, areas of commercial office were approved as part of the overall master plan. The applicants were also granted approval of a reduced parking ratio of 1.8 stalls per unit; provided that a large area of shared parking would be present in-between office commercial and high density residential, in order to provide overflow parking for the adjacent residential; the peak demand for each use being offset. This area is called out as cross-hatched on both the original (approved) plan and the proposed amended plan.

The applicants have proposed a change to the master plan, altering the “commercial” in Phase 1, by removing the “office” designation and “2-5” story from the anticipated product type. In its place, they propose a “1-5” story “commercial” building product type, consisting of office-warehouse. Staff recommends against the proposed change. Following are reasons for such a recommendation of denial:

The master plan approval granted a unit count of up to 2,500 units (corresponding overall density of 25 du/ac) on the premise that this is a true mixed-use development. Office-warehouse uses are typically found within largely industrial/light-industrial locations, not within traditional high density mixed-use developments. Office and traditional commercial such as retail create the mixed-use environment conducive for high density, where residents can conveniently access workspaces and other traditional commercial and retail uses.

Parking requirements for the residential portions of the project were reduced from the City standard of 2.25 stalls per unit, to 1.8 stalls per unit. This was based on a proposed count of approximately 1,500 commercial parking spaces being provided from the commercial office area in Phase 1. Office warehouse uses have a reduced parking requirement; warehouse portions requiring only 1 space per 1,000 sq. ft. While the applicants propose a reduction in the number of units from 2,500 to 2,250, the reduction in units is proposed in the northern area of Phase 3, well outside of the area designated for shared parking space. Phase 3, directly adjacent to Phase 1 and adjacent to the area proposed for shared parking has already received site plan approval for over 500 units at the ratio of 1.8 stalls per unit. Parking for the office use (Phase 1) adjacent to Phase 3 was intended to alleviate parking pressure from this area. Office warehouse use, if approved, will reduce the number of shared parking spaces available. In addition, the remaining, undeveloped Phase 3 is located north of Quality Drive. While the applicants state that parking

UNAPPROVED MINUTES

1 pressure will be minimized by a decrease in units, there is still, in effect, approval to park at a
2 reduced 1.8 stalls per unit.

3 Staff is concerned that if the master plan is amended to allow office warehouse uses in Phase 1,
4 not only will the shared parking be greatly reduced, but additional requests may be made to
5 convert the remaining commercial areas to office-warehouse, which will further reduce the
6 intended mixed-use community that was promised with the original approval.

7 Mr. Buck Swaney, applicant, displayed maps of the original proposal and the amended proposal.
8 A shared parking amenity would be removed under the proposed amendment. Many of the
9 remaining apartments are larger (2-3 bedroom) and don't require any additional parking.
10 Originally this area was approved for a density of 50 units per acre because it was closer to the
11 shared parking. Actual density numbers along with a demand for use and parking have come
12 down so that the net result of the highest density phase in the development is that parking
13 demand has been reduced. Their shared parking easement with Twin Lab remains intact. Only a
14 portion of the planned shared parking would have been oriented for use by the apartments,
15 parking stalls in this area will reduce from 200 to 150. This is a minor reduction compared with
16 the reduction in demand. Regarding the area of 207 parking stalls – if the zoning were industrial
17 then 93 stalls would be required. They are providing almost double that amount to be used by
18 office space as well.

19 The proposed warehouse building will be glassy and have a high-quality finish. It is intended to
20 be highly usable and desirable as possible corporate headquarters. He then showed a table of
21 parking counts. The table named projects west of 860 East, the master plan had a deficit of 912
22 stalls. If office designation was allowed on all sites, 600 parking stalls would be required. Under
23 their proposal, density goes down to 31 units per acre and the plan reflects lighter parking use
24 because of larger units. The actual parking stall deficit would be 572. Shared stalls under an
25 office/flex use provide 453 spaces. The entire parking picture would end up with large decrease
26 in demand along with modest decrease in parking and still ends up with more parking than
27 expected.

28 Mr. Swaney discussed the issue of walkability, they propose significant pedestrian infrastructure.
29 He displayed a map of pedestrian use, their plans prioritize pedestrian connections along 860
30 East. He showed the site plan for the office/warehouse and pointed out walking connections
31 along 860 East and good pedestrian circulation.

32 He then spoke about buffering and asked what the planning commission would like to see. He
33 believes that distance will be a buffer for the parking areas, and he added that they could look at
34 landscaping for noise buffering.

35 Mr. Dupaix would like to see landscaping as a buffer along the roadway.

UNAPPROVED MINUTES

1 Mr. Swaney stated that they will do as much landscaping as they can responsibly and they can
2 add enhancements at the site plan level. They will use a landscape architect and defer to the
3 wishes of the planning commission.

4 Mr. Dupaix indicated that he's gone to the area several times with the map as a reference. It
5 looks like they are close to meeting the 1.8 parking standard. He references the development
6 across the city boundary in Pleasant Grove. There is an LDS church, a school (Liahona Prep
7 Academy), and other commercial development. This area is mostly industrial, with a church and
8 school. As you move east you get into higher-density housing. He feels comfortable allowing the
9 adjustments because he thinks the parking can work and he thinks it is more consistent to allow
10 the office/warehouse because it's what is already there. He doesn't see it as an issue. The whole
11 west side of the road is already office or industrial.

12 Vice-Chairwoman Anderson stated that she keeps going back to the basics that would make a
13 mixed-use area work. She sees a big difference between office/retail and office/warehouse. The
14 proposed changes would result in less office/retail space, fewer employment options for the
15 residents of the high-density area, increased truck traffic, and decreased parking availability. She
16 feels that the density in this area was approved on the basis that it would be mixed-use.

17 Mr. Dupaix knows what will be coming into the surrounding area and feels that the truck traffic
18 will be miniscule compared to what is going to be on 860 East. He doesn't feel the increase in
19 truck traffic will be substantial.

20 Vice-Chairwoman Anderson added that the idea of a mixed-use area is to bypass the traffic
21 problem by putting residential and commercial in close proximity so that driving is decreased.
22 She wants to support the developer as much as possible, but the commission's main
23 responsibility is to the residents.

24 Mr. Swaney clarified that this proposal is a less intense land use. Office use requires four stalls
25 per 1000 sf, this proposed adjustment would be less intense. Regarding walkability- everything
26 in this area is walkable to residents. That has always been the developer's intent.

27 Vice-Chairwoman Anderson asked if all of phase 3 has been approved.

28 Mr. Olsen replied that the lower portion below Quality Drive has been approved.

29 Vice-Chairwoman Anderson added that this part would be impacted by a change in parking.
30 They have already been approved for over 500 units and it seems likely they will come up short.

31 Mr. Swaney replied that there is a right-of-way on the west side of the parcel which is allocated
32 to the shared parking amenity. The final calculation was 1.97 stalls, it will be a couple of years
33 before it reaches capacity. This will be supplemented by shared parking that's already built, they
34 have the right-of-way leading to it.

35 Vice-Chairwoman Anderson asked other commissioners for their input.

UNAPPROVED MINUTES

1 Mr. Christiansen asked a question about the table displayed by Mr. Swaney. There appears to be
2 a typo in one of the numbers. He was not at the last meeting and he is hesitant. He doesn't feel
3 that this will mesh well like previous projects.

4 Mr. Brocious wasn't in attendance at the last meeting either, he feels that changing the
5 designation would result in less available parking. He feels that mixed-use will be more
6 appropriate for the project.

7 Vice-Chairwoman Anderson asked if planning staff would give an overview of their position for
8 those that were not able to attend the last meeting.

9 Mr. Olsen stated that Mr. Swaney has done a good job crunching the numbers and selling their
10 proposed amendment. Overall, office designation has a lower parking requirement than
11 commercial so there would be less area for shared parking. Staff feels that the proposed
12 amendment also goes against how it was sold and promoted as mixed-use. The developer wants
13 to change to office/warehouse and the city council will ultimately decide. As planning staff we
14 felt it went against the original proposal as parking stalls would be reduced while density
15 remained the same. We don't feel that the office/warehouse use is conducive to the mixed-use
16 vision. The planning commission tabled this at the last meeting because they wanted more
17 information about buffering and parking numbers, so Mr. Swaney agreed to come back tonight
18 with more details.

19 Mr. Swaney added that the developers originally desired to build office/retail on this site. They
20 were working toward this with Woodbury until COVID-19 pulled the carpet out from under
21 office use. Their proposed amendment is driven by economics and the unforeseen change from a
22 pandemic, not by being disingenuous or playing shell games. They agree that mixed-use is the
23 original intent, but this is amendment is how they can keep the project going.

24 Mr. Dudley agrees that things have changed over the past year and the analysts aren't sure where
25 it will go. The state of Utah is reducing their office space by 50%. How do you plan for this new
26 situation? He agrees with both Mr. Dupaix and Vice-Chairwoman Anderson and also with Mr.
27 Olsen. He feels very torn about the decision. He believes that a decision needs to be made and
28 there are valid reasons to be on both the developer's side and city staff side. He doesn't know
29 what the right decision will be. He believes that industrial mixed-use developments can be done
30 right. He gives the example of such a development along Jordan Parkway at about 9000 South.
31 He feels this is very nicely done and can stay vibrant because it allows for a lot of uses such as
32 corporate headquarters, etc. He doesn't have a strong opinion either way.

33 Vice-Chairwoman Anderson expressed her high hopes for different areas of the city. This may
34 be an area where we have the option to make it a really nice mixed-use area, she wants to hold to
35 that. She doesn't know what the future looks like for office/warehouse, but she thinks they have
36 a responsibility to the residents to hold to the general plan.

UNAPPROVED MINUTES

Mr. Olsen stated that a quorum of four will be required to move this amendment forward. City council will read the minutes and can reach out to staff for clarification and council will make the final decision. This item will only move forward (approval or denial) with four votes. Five commissioners are in attendance, so a vote does not need to be unanimous to move it forward.

Mr. Swaney gave final remarks by displaying an image of their proposed building. He indicated that it is designed to function more as a corporate headquarters and will have a mixed-use function.

Commissioners thanked him for his work.

Mr. Christiansen has listened to the views of his colleagues and feels that this amendment is different from the original intent of the project. He pointed out that if commission agrees to the change, we are locked in to the difference. If we stick with the original plan, we can always change it later if the situation demands. He is leaning toward holding to the original intent.

Public Hearing Opened

No comments were received.

Public Hearing Closed

Mr. Christiansen moved to recommend denial of the proposed Lake City Row master plan amendment, with a finding that conversion of office commercial to office warehouse does not follow the original intent to create a mixed-use community and the removal of “office” from Phase 1 will reduce availability of parking intended as shared parking (as identified in the original master plan).

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

Christine Anderson	Aye
Chris Christiansen	Aye
Rod Brocious	Aye
Harold Dudley	Aye
Geoff Dupaix	Nay

The motion passed.

UNAPPROVED MINUTES

5. Other Business

Mr. Olsen told commissioners that council will hold a special session to fill Barbara Christiansen's seat. He'll keep them informed of the decision. They hope to have that meeting in person on Thursday, April 29.

Commissioners asked if Planning Commission would resume in-person meetings at that time.

Mr. Olsen replied that the commission will be notified, there are more commissioners than council members and thus more logistical issues. Staff will give them enough lead time to plan.

6. Site Plan Committee Report

Mr. Knobloch reviewed the items for the upcoming Planning Commission meeting to be held on Wednesday, May 5, 2021. There is only one item, a final plat for Calvary Condominiums, a conversion to commercial condos from existing development.

7. Review and action on the minutes of the April 7, 2021 Planning Commission Regular Session

Mr. Dupaix moved to recommend approval of the minutes of the April 7, 2021 Planning Commission Regular Session.

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

Christine Anderson	Aye
Chris Christiansen	Aye
Rod Brocious	Abstain
Harold Dudley	Aye
Geoff Dupaix	Aye

The motion passed.

8. Adjournment

Mr. Dupaix motioned to adjourn.

Mr. Brocious seconded the motion. All voted in favor.

Meeting adjourned at 8:15 pm.

UNAPPROVED MINUTES

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Lisa Halversen
Administrative Assistant