

**West Point City
Planning Commission
3200 West 300 North
November 20, 2014**

Present: John Detamore, Korey Kap, Jeff Macfarlane, Curtis Seeds, Jeremy Strong, Boyd Davis – City Engineer, Kent Henderson – City Council Representative, Kyle Laws – City Manager, Michelle Bailey – Planning Commission Secretary

Excused: Brad Lee, Brian Vincent

WORK SESSION

Discussion regarding Planning Commission pay policy.

Boyd Davis explained to the commissioners that the City's auditor has said that the Planning Commission needs to be added to the payroll and be considered employees of the City. The pay received by the Commission will now be taxed. The pay per meeting has been increased by \$10. Each will receive a W-2 form at the end of the year for tax purposes.

Discussion regarding the proposed rezone of Castle Creek property located at 1800 West 800 North, Castle Creek Homes, applicant.

Boyd Davis stated this is the Heslop property. It is now owned by Castle Creek Homes. Castle Creek is requesting this rezone. The request is for the east portion to be rezoned to an R-5, and the west portion to be rezoned to a C-C zone. The request is consistent with the General Plan. As a recap, the R-5 zone is residential and allows up to 10.5 units per acre. That is enough for townhouses. That is the maximum; they don't have to do that, they can go anything up to that. The C-C stands for Community Commercial. That zone would allow mostly retail uses, including a big box store if they can fit it on the property. Also, there is a developer's agreement in place that gives Castle Creek Homes some specific requirements that are above and beyond what the zoning code requires. The developer's agreement tells them what size their townhouses must be, it talks about the architectural style of the townhouses, it talks about the landscaping, etc. They have been given even more requirements, and they have agreed to that with the City Council. It will be a quality project. They have turned in their application. Along with the application, they must turn in legal descriptions of the property. There's one legal description for the residential area and a second legal description for the commercial area. Staff sent out notices announcing the public hearing being held tonight. The notice was in the newspaper, on the City's website, on the State Public Noticing website, and on our building. We didn't send out letters to each resident, but we will do that when it goes to the City Council. Staff recommends approval of this rezone. Jeremy Strong asked if anyone has brought forth any valid complaints against the rezone request. Boyd Davis said the family has expressed concern, but the request is within

the parameters of the General Plan. There really is no reason to deny it, especially with the developer's agreement in place.

Discussion regarding the development process for the proposed Smith's Marketplace project.

Boyd Davis presented the conceptual site plan that was submitted to Staff a couple of months ago. It shows the Smith's Marketplace at the back of the property. Along 2000 West, they are showing two different spots for fast food, a small strip center, a credit union and a bank. Smith's will have a fuel center as well. There is another small retail space to the side of the Smith's building. There is also an area for future expansion. This could change as they don't have any commitments on any of the pads surrounding the Smith's. Kyle Laws said the developer has had interest in the pad sites but no commitments have been made yet. Jeff Macfarlane asked what the reason is behind choosing angled or 90° parking. Boyd Davis responded that Smith's has chosen to do 90° parking. Our Code allows that. Discussion took place regarding parking width. Curtis Seeds asked about their plans for signage. Boyd Davis responded that they are planning to have a large pylon sign at two entrances and then small monument signs in other areas. The canopy over the gas pumps will be the sign for the fuel center. They would like to have a digital sign with the gas prices, but it will be on the south side of the canopy so it faces the parking lot rather than the street or neighborhood.

Smith's would like to begin construction in April 2015 and open December 2015. It will be pushing it to get all of the approvals done by then. The Planning Commission will need to go through the public hearing process for a rezone of a portion of the property. There will be a subdivision plat because each of those pads will be a lot. Just like a residential subdivision, they will have to review the subdivision plat. They will be required to obtain five different conditional use permits for this project. The permits will be issued for the big box store, the garden center, the fuel center, the convenience store at the fuel center, and the buffer around the site. Those will all need review by the Planning Commission. The final site plan will be reviewed looking at the parking, circulation in the parking lot, the landscape plans, lighting etc. The tentative schedule for approvals was given.

Kyle Laws stated, "The West Point Community Development Renewal Agency, that the Council created, asked all of the taxing entities to give up 50% of their property tax revenues for that area. They will keep 50% of their revenues and 50% will go to the community development agency to be used for infrastructure. The budget was set for that, that over a 15 year period, they will give 50% of their property tax and their budget will be about \$2,000,000 that may be used for infrastructure. It will all be paid now, probably by the developer, and then as we collect that increment, we will pay it as we get it over the next 15 years. Each taxing entity must vote to approve that and enter into an inter-local agreement with the community development agency."

REGULAR MEETING

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Prayer:** given by Jeremy Strong
4. **Approval of Minutes from September 25, 2014**

John Detamore made a motion to approve the minutes for September 25, 2014, as written. Korey Kap seconded the motion. All voted aye.

5. **Public Comments:** None given

6. **Public Hearing regarding the proposed rezone of property located at approximately 1800 West 800 North, Castle Creek Homes, applicant.**

Boyd Davis gave a summary of the proposal. Castle Creek Homes owns the property located at approximately 1800 West 800 North. It is an L-shaped property. There is also some frontage on 2000 West. They are proposing to rezone the east portion to R-5 and the west portion to the C-C zone. This fits with the General Plan. The R-5 is a residential zone that allows up to a maximum of 10.5 units per acre. The C-C zone is Community Commercial which is retail uses; even a big box store if it would fit on the property. There is a developer's agreement in place on this property that adds some additional requirements. The developer submitted an application and legal descriptions of the property which is being rezoned. Those have been reviewed by Staff. This public hearing was noticed in the newspaper, on the City's website, on the State's public noticing website, and on City Hall. This meets all of the requirements and is consistent with the General Plan. Staff recommends approval of the rezone.

Mike Schultz, Castle Creek Homes – Mike stated that he appreciates the Planning Commission considering their request. This has been in the works for a long time. About a year and a half ago, a different plan was proposed. The Planning Commission approved it, but the City Council denied it. Since that time, the developer has been working with Staff, the Council, and the Mayor to come up with an idea that will work for everyone involved. They have worked hard on the developer's agreement as well.

Jeremy Strong made a motion to close the public hearing. John Detamore seconded the motion. All voted aye.

7. Consideration of a rezone request for property located at approximately 1800 West 800 North, Castle Creek Homes, applicant.

Korey Kap made a motion to approve the rezone request for property located at approximately 1800 West 800 North, Castle Creek Homes, applicant. Jeremy Strong seconded the motion. All voted aye.

8. Planning Commission Comments

Korey Kap had no comments.

John Detamore had no comments.

Jeremy Strong had no comments.

Curtis Seeds had no comments.

9. Adjournment

John Detamore made a motion to adjourn at 7:12 p.m. Curtis Seeds seconded the motion. All voted aye.

Chairperson – Brad Lee


Secretary – Michelle Bailey