

**West Point City
Planning Commission
3200 West 300 North
July 10, 2014**

Present: Brad Lee, Jeremy Strong, Brian Vincent, John Detamore, Curtis Seeds, Jeff Macfarlane, Boyd Davis – City Engineer, Kyle Laws – City Manager, Evan Nelson – City Finance Director, Michelle Bailey – Planning Commission Secretary

Excused: Korey Kap

Visitors: Flo Abrams, Dale Abrams, Douglas Hawkes, Spencer Hawkes, Steve Rush, Sam Knecht

WORK SESSION

1. Discussion and review of Rocky Mountain Power substation located at approximately 200 South 4300 West.

Steve Rush and Sam Knecht from Rocky Mountain Power were present to answer any questions from the Commission. Boyd Davis stated that Staff sent mailers to every resident that lives within 300 feet of the site. Boyd Davis commented that if they chose to vote on the motion tonight and approve it, Staff would ask that the approval be contingent upon it being constructed according to the submitted plans; also, that the Staff comments, which were attached to the Staff Report, be addressed. As an update, the plans have been submitted to the Fire Department. They sent it back saying that everything is fine and they had no comments. Regarding the irrigation question from the last meeting, Sam Knecht said that Rocky Mountain Power will be installing an irrigation system and tying into the secondary water. The design details were not available when they submitted the plans which were reviewed in the last meeting.

Jeff Macfarlane said he was approached by a resident who had concerns. Steve Rush said that he spoke with Doug Hawkes, as well. Mr. Hawkes asked Rocky Mountain Power if they would allow him to salvage some rods that are currently on the property. Rocky Mountain Power will provide something in writing granting Mr. Hawkes permission to remove those rods from the property and use them. Mr. Hawkes also expressed concerns regarding the ditch along the north side of the property. Mr. Rush said Rocky Mountain Power will be responsible for maintaining the grounds and the ditch. They will not be piping the ditch, but will maintain it. Curtis Seeds asked why we don't require them to pipe the ditch. Boyd Davis responded that we will ask them to do that once the back portion of the property develops. Boyd Davis said that Dale Abrams stopped by the office to make some comments about the substation. Mr. Abrams asked if the City could require Rocky Mountain Power to pave the road. Upon thinking about that, Staff doesn't see a logical reason to require that. Jeremy Strong said a concerned resident contacted him making sure that nothing would be done to that road. They want it to remain a dirt road.

Doug Hawks asked Mr. Rush how much traffic would be generated by the substation. Mr. Rush responded that during construction, there will be traffic. After the substation is completed, a substation is typically visited once a month by one man in one pickup truck. He goes in just to read the meters and check the oil levels. Boyd Davis reminded the commission that they are the decision makers on this item. It will not go on to City Council. The Council has been made aware of what is going on, but they have not expressed any concerns.

2. Discussion of proposed Mixed Use Zone and Flexible Use Area.

Evan Nelson presented a sample code based on what was discussed in the last meeting. A few changes were made to the original proposal to integrate items suggested. Staff has been talking about changing the General Plan Map and calling it a Flexible Use Area rather than a Mixed Use Zone, with the idea that the area being discussed would be developed and rezoned so there wouldn't actually be a mixed use zone. The Flexible Use Area could be a mixture of zones within that zone subject to our criteria being met. The proposed Code verbiage says, "The area on the General Plan Map designated as 'Flexible Use' has been created to encourage development that is market-driven and to allow higher densities, while preserving and enhancing the City's interest in commercial development." The overall idea is that we are interested in more commercial development, but we know we need to allow some high density residential but still want to preserve commercial property. In order for a developer to use this land, he would have to go through a rezone process. The acceptable zones for this area are the higher density residential zones, any of the commercial zones, the professional office zone, and the research/industrial park zones. The R-6 zone doesn't exist in our current Code. It is being added with the thought that in order to allow for apartment buildings, we would need a higher density than what our current Code allows. The R-5 zone only goes up to 10.5 units per acre. The Commission liked what was proposed. They realize a need for higher density zoning in the future.

Last time this was discussed, we had residential areas in the flexible use area limited to 15%. That percentage has been raised to 25%. Staff feels that limiting non-commercial uses in this area is important. Jeremy Strong stated, "I think it's important that we reserve as much commercial as we can, but like Gary Wright says, it's not going to come without people. If we are limiting ourselves to 10 or 15% we are not going to get the commercial that we need. I think jumping it up to 25% is a really good idea." Evan Nelson reminded the commission that the maximum percentages really only apply to the ground floor, so if they wanted to do a stacked use, it would allow for even more residential than those percentages would allow.

Evan Nelson pointed out that there are a few properties along the edge of that property that are residences right now. We want to make sure that we don't overly restrict those property owners. We had put a threshold that if you were developing more than three acres, you'd have to go through a more stringent process in order to make it easier on the smaller property owners. Staff discussed this and decided to lower that threshold down to two acres instead of three. The Commission was fine with that change. Staff feels it is

most likely that one developer will come in and develop the entire property, but this needs to be in place in case that doesn't happen. The properties that exist now will not be subject to the regulations. If the property being developed is more than two acres, the developer would be required to show Staff a map of how the whole area could be developed and still meet those minimum percentages before applying for a rezone.

Staff feels like when uses are stacked, just the R-6 zone would be stacked above something else. The something else really could only be commercial or professional office. So, the criteria that Staff came up with for the vertical stacking is that you can only stack R-6 and it can only be stacked on commercial or professional office. The proposed stacking of uses need to be approved through the regular rezoning process. Staff felt that this was the simplest way of addressing this rather than coming up with an entirely new mixed use code with a point system and things like that that other cities use.

Boyd Davis suggested that we require a developer's agreement on these types of developments. If someone is allowed to do a stacked mixed use project, we don't have anything in our Code that regulates what that should look like. If we require them to do a developer's agreement, we could require them to show their plans for what it will look like and the commission could require certain facades etc when it is built.

REGULAR MEETING

1. Call to Order

2. Pledge of Allegiance

3. Prayer: given by Brian Vincent

4. Approval of Minutes from June 26, 2014

John Detamore made a motion to approve the minutes for June 26, 2014, as written. Curtis Seeds seconded the motion. All voted aye.

5. Public Comments: None given

6. Public hearing regarding Rocky Mountain Power Substation located at approximately 4300 West 200 South.

Boyd Davis stated that Rocky Mountain Power has purchased property at approximately 4300 West 200 South to build a substation. They have submitted plans to us and we have been reviewing those. This is located across the street from Flo Abrams' residence, and across the street from the Davis & Weber Counties Canal Company secondary water pond. They are building this substation and also planning a transmission line going to the east along the Davis County drainage channel. The plans they have submitted and what they have verbally committed to is that the substation will have a wall around it similar to

a substation located in Riverdale City. They have committed to doing landscaping as well, with shrubs and so forth around the property. These plans have been reviewed. They are proposing to have two entrances, a large turnaround area inside the wall of the substation, black iron gates, a stamped concrete wall with color, and a landscaping plan with a sprinkler system. They are planning to put one transformer in at this time and there will be room to expand as needed in the future. There were no questions for Staff or Rocky Mountain Power.

John Detamore made a motion to open the public hearing. Brian Vincent seconded the motion. All voted aye.

Dale Abrams – 426 North 5000 West, West Point – I am concerned about the road a little bit and the maintenance, where it is just gravel, during construction. Who will help maintain the road? Davis/Weber Canal Company doesn't do any maintenance. I'm just wondering how long it will take before we get maintenance on it. Is Rocky Mountain Power planning on doing landscaping, curb, gutter and oil just like anyone else? Or are they going to wait for a developer to come in before we make Rocky Mountain Power do their part as far as curb and gutter to make it look good. Davis Weber Canal said they would make the pond beautiful and would help maintain the road, but they haven't done anything. Those are a few of the concerns I've got.

Jeff Macfarlane made a motion to close the public hearing. John Detamore seconded the motion. All voted aye.

7. Consideration of a Conditional Use Permit for Rocky Mountain Power Substation.

Boyd Davis addressed one of Mr. Abrams' questions regarding the curb, gutter, sidewalk and road. Just like any other developer, they will be required to pay for their portion of that. However, at this point, with the road not being developed completely, we don't see a reason to do just their section. We have asked that they do a postponement agreement and that will be approved by the City Council. That means if and when that road is developed, Rocky Mountain Power will agree to pay for their portion at that time.

Jeremy Strong stated that he lives near this property but has been given permission to still vote on this agenda item because it is not a conflict of interest.

John Detamore made a motion to approve the Conditional Use Permit for Rocky Mountain Power Substation contingent upon it being built to the standards submitted in their plans as well as meeting the requirements by Staff as written in the Staff Report. Curtis Seeds seconded the motion. All voted aye.

8. Planning Commission Comments:

Brian Vincent thanked Staff and Rocky Mountain Power for the work they have done on this substation project and their diligent efforts in submitting the plans and making the changes requested. Also, Brian thanked City Staff, as a whole, for the job they did on the

4th of July celebration. They did a great job and it seems to get better and better every year.

Curtis Seeds had no comments.

Jeremy Strong felt the 4th of July celebration was a great way to bring the community together. We have such a wonderful community and building it together is very important.

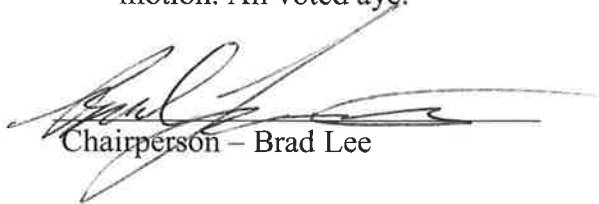
Jeff Macfarlane felt the celebration was a huge success. The firework show is always great.

John Detamore gave a big shout out to all those on the committee. They did an incredible job. The Public Works crew and Staff work so hard. Thank you for what you did.

Brad Lee said he feels our 4th of July celebration is a class act. It is very dynamic. There is a tremendous amount of work and effort by our volunteers to see that our citizens have a place to come and celebrate our Nation's independence. Every year, the fireworks display gets better, and it is phenomenal.

9. Adjournment

Brian Vincent made a motion to adjourn at 7:21 p.m. John Detamore seconded the motion. All voted aye.



Chairperson – Brad Lee



Secretary – Michelle Bailey

