

**West Point City  
Planning Commission  
3200 West 300 North  
August 14, 2014**

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

**Excused:** Curtis Seeds, Jeremy Strong

**WORK SESSION**

**1. Discussion of proposed Flexible Use Area.**

Evan Nelson distributed a picture to give the commission a visual of what the area could look like when the maximum percentages are used. This has been discussed in previous meetings. As a review, the intention is to provide a lot of flexibility to the developers and to allow the development to be market driven. These guidelines will not tell a developer what to put in what location, this is just to preserve sufficient space for commercial development.

Staff is proposing in the new Code that there be an R-6 Zone which would allow higher density residential; up to 20 units per acre. That would allow for three-story apartment buildings in the R-6 Zone. The R-6 Zone would only be allowed in the Flexible Use Area. At this point in time, that zone would not be permissible anywhere else in the city. There is not a code for the R-6 Zone yet.

Staff feels the need to eliminate the requirement previously proposed for an applicant that wants to develop a small part of the property to provide a map illustrating how the whole Flexible Use Area could be developed. Staff feels that is a bit excessive and could be reviewed in the rezone process instead. The Commission agreed with the suggestion to eliminate that requirement.

Korey Kap said he feels we are not being flexible enough since we have no idea what would be proposed on that property. Discussion took place regarding how it could be less restrictive. Korey felt that having maximum percentages allowed for different uses was too restrictive. He would like a developer to have the chance to come in and propose what they would like to build rather than have to meet our requirements. Evan Nelson explained that having the maximum percentages in place is to preserve the commercial property.

**2. Discussion regarding a conditional use permit for an accessory building located at 4665 West 650 North, Rob Parks, applicant.**

Boyd Davis stated that Mr. Parks is planning to put a pole barn in his backyard. It will be a 40' x 60' building. It meets all of the requirements. It is 15 feet off from one fence line and five feet off the other fence line. By Code, they are required to apply for a Conditional Use Permit. It is a single level structure with metal siding. The criteria on accessories buildings states that they must be 15 feet away from any dwelling structure. They can't occupy more than 20% of the lot area. Any accessory building of 1,500 square feet requires a conditional use permit. They are limited to one story. If the lot is 15,000 square feet or larger, then the accessory building may be taller than the house. If it is a small lot, it may not be taller than the house. Accessory buildings are not allowed on vacant lots unless it is zoned agriculture. They must be set back a minimum of one foot from the property line and that is from the drip line of the roof of the accessory building. There is no living space ever allowed in accessory buildings. Staff recommends approval.

**REGULAR MEETING**

**1. Call to Order**

**2. Pledge of Allegiance**

**3. Prayer:** given by Brad Lee

**4. Approval of Minutes from July 10, 2014**

Brian Vincent made a motion to approve the minutes for July 10, 2014, as written. Jeff Macfarlane seconded the motion. All voted aye.

**5. Public Comments:** None given

**6. Recommendation on a proposed amendment to the City Zoning Code regarding the Flexible Use Area.**

Brad Lee stated that this was discussed at length in the work session. There still seems to be a need for more discussion on the topic. Boyd Davis said this is definitely a new concept being proposed. At first they were calling it a Mixed Use Zone and Staff is now proposing a new name for it; the Flexible Use Area. Staff feels that is more descriptive for what they would like in that area. The mixed use projects are traditionally like The Junction project where you have retail shops on the lower level with residential stacked above it. That's not necessarily what they are envisioning for that corner; at least not for all of it. There were opinions given that the Commission would like to allow for some stacked mixed use just like in the Junction project. That would most likely be several years away before we would see a development like that in this area. Staff is proposing more of a flexible area where a developer could come in and say where they would like

to put the different uses. Boyd suggested that at this point, Staff could come back with more examples of that and discuss the percentages that were proposed.

Brian Vincent said since they will be reviewing things as they are proposed in the future, would it be feasible to not set percentages and just zone it as Mixed Use and then let them propose what they would like to do with the area. Korey Kap said he feels that by setting percentages, we are giving them options but then limiting those options. Brian suggested we give them a blank slate so they can present what they would like to build and then we can regulate it as needs be. The Commission all liked the idea of doing away with the percentage restrictions. Boyd Davis stated that one of the reasons he felt having the percentages was a good idea was to protect the City from a developer coming in and proposing 100% residential. The Commission all said they would feel absolutely comfortable denying a proposal like that. The Commission is in favor of the R-6 Zone being allowed only in that area of the City. The Commission is also in favor of the option of a stacked mixed use option.

Brian Vincent made a motion to table this item for further discussion. Korey Kap seconded the motion. All voted aye.

**7. Consideration of a conditional use permit for an accessory building located at 4665 West 650 North, Rob Parks, applicant.**

Rob Parks was present to answer questions. Boyd Davis reviewed the application information. It is a pole barn structure. It meets all of the requirements of the Accessory Building Code. It is the proper distance from the dwelling and from the property lines. Staff recommends approval of the application.

Korey Kap made a motion to approve the conditional use permit for an accessory building located at 4665 West 650 North, Rob Parks, applicant. John Detamore seconded the motion. All voted aye.

**8. Planning Commission Comments:**

Brian Vincent had no comments.

John Detamore thanked Staff for all of their effort on this project.

Korey Kap said he really appreciates all the hard work that Staff does.

Jeff Macfarlane thanked Staff for their hard work and patience as they work through this.

Brad Lee echoed the gratitude mentioned by his fellow commissioners. He also thanked Staff for the summer party that was held. It was a nice time.

**9. Adjournment**

John Detamore made a motion to adjourn at 7:37 p.m. Brad Lee seconded the motion.  
All voted aye.



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Chairperson – Brad Lee



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Secretary – Michelle Bailey