

**West Point City  
Planning Commission  
3200 West 300 North  
October 8, 2015**

**Present:** Brad Lee, John Detamore, Korey Kap, Jeremy Strong, Brian Vincent, Boyd Davis – Community Development Director, Troy Moyes – City Planner, Michelle Bailey – Planning Commission Secretary

**Excused:** Jeff Macfarlane, Curtis Seeds

**Visitors:** Kyle Kanno, John Mayhew, Jeramie Humphries, Jonathan Arrington, Lynda Chicado-Shendow

**WORK SESSION**

**1. Discussion regarding a Conditional Use Permit for an accessory building located at 2024 North 4500 West, Jeramie Humphries, applicant.**

Troy Moyes explained that the applicant wants to put an accessory building on his property. Jeramie Humphries is not the current property owner at this time. He is working on obtaining the property. Staff received an email from Michelle, who is the property owner, giving Jeramie permission to act as the applicant to build this on the property. It is approximately an 8,000 square foot building, but it is located on almost 3.5 acres of property. They will build it in the middle of the lot. He wants to grow produce in a greenhouse. They will be grown in water so it's more of a year round type of business. A picture in the packet depicts how it will look. It meets all of the requirements. He obtained signatures from the adjacent property owners for the application. Brian Vincent mentioned that the application states that they want to produce year round and supply that produce to the community. Brian asked if he is intending on selling produce. Troy Moyes responded that he wants to get through this process first, but eventually he does want to sell produce. He intends to have a business there in the future. There was no further discussion.

**2. Discussion regarding a Conditional Use Permit for an accessory building located at 3838 West 300 North, Kyle Kanno, applicant.**

Troy Moyes stated that the size of the accessory building is not an issue but Kyle is applying for a conditional use permit because the building will protrude into the side yard. There are requirements in the Code that pertain to this. Any accessory building may protrude into the side yard of a residential dwelling but shall require a Conditional Use Permit and must also fulfill the following requirements. *1. The accessory building must maintain the side yard setback of the residential dwelling based off the zoning.* He is in the R-2 zone so he must maintain a 10 foot setback from the side yard. *2. The accessory building cannot be closer than 15 feet to a residential dwelling on an adjacent lot.* He meets this requirement. *3. The accessory building shall not create any significant nuisance due to design, construction or placement on the neighboring property.* This is

basically a detached garage. The applicant did not submit a detailed site plan so the commission needs to determine if he is actually 10 feet from the side yard and 10 feet from the main residence. There was no further discussion.

**3. Discussion regarding final plat approval for the Craythorne Homestead Subdivision, located at approximately 4500 West 400 South, Craythorne Development, applicant.**

Troy Moyes displayed a map of the proposed subdivision. Staff has reviewed the final plans. There are some issues that have come up that need to be addressed before being forwarded to City Council. One significant item to be addressed deals with the subdivision being on an arterial road. They are required to do an eight foot landscape buffer. That should be its own separate parcel on the plat and a homeowners association should be in charge of that area. There is nothing on the plat indicating that. Also, they have not submitted approval from UDOT. There is also an off-site easement that is required for their land drain and they are working with the property owners to the west to get an easement across there. Staff asked for opinions from the commission. Brad Lee stated, "If there are some legitimate concerns that the City has, we need to honor those concerns and make sure that is addressed. We went to great lengths on the arterial road for the Castle Creek development to make sure that was in there. If that's not a part of that plat, I think it needs to be addressed." Brian Vincent asked if we don't usually have UDOT's consideration before we pass a subdivision on to City Council. Boyd Davis responded that we've generally had a rule of thumb in the past where at final approval they would be required to have all the approvals from outside agencies before moving it forward. In this situation, they still need approval from UDOT, North Davis Sewer District, Hooper Water, and Davis/Weber Canal Company. Brad Lee said we need to expect the same things from every developer, regardless of who it is. Troy Moyes commented that Staff didn't feel that the plat was cleaned up enough to approve yet. They need to submit a drainage plan, show the eight foot buffer along the road and receive approval from outside agencies before receiving final approval.

**4. Discussion regarding a rezone located at 1300 North 4000 West, Craythorne Development, applicant.**

State guidelines were followed for notification regarding the public hearing. Staff received one phone call regarding this rezone. The resident that called was not opposed to the rezone, he just had some questions regarding the traffic it could bring. The focus of the public hearing is the rezone, not the development that could be built there. The proposed zoning meets the General Plan. Staff does not see any significant problems. The rezone will cover slightly less than 38 acres. This affects four parcels, and the developer has received affidavits from each of those parcel owners.

**5. General discussion items.**

Troy Moyes asked the commissioners if they would be interested in holding a planning commission retreat. He explained they would hold a work session meeting to do some planning and to set some goals. Following the work session, they would have dinner. The commissioners agreed they would be interested in having a retreat. It is normally held at

the beginning of the year following City Council's retreat. Staff will choose a date and let the commissioners know.

Brad Lee commented that Matt Leavitt had contacted him asking if the Planning Commission would be revisiting the General Plan. Brad talked with Staff and suggested holding a joint meeting with the City Council in the near future and discussing the vision for the General Plan going forward. Brian Vincent asked if Matt Leavitt had a concern with the General Plan. Brad responded that Mr. Leavitt has his eye on a development and he was hoping to find out if the City knew where the North Davis Corridor would go so he could determine if he wanted to move forward with the development. He is not concerned about the current General Plan, he is just wondering where that road will be built.

## **REGULAR MEETING**

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Prayer:** given by Brian Vincent
- 4. Approval of Minutes from September 10, 2015.**

John Detamore made a motion to approve the minutes for September 10, 2015, as written. Brian Vincent seconded the motion. All voted aye.

- 5. Public Comments:** None given
- 6. Consideration of a Conditional Use Permit for an accessory building located at 2024 North 4500 West, Jeramie Humphries, applicant.**

Troy Moyes reviewed the application. Jeramie Humphries is seeking approval for an accessory building because the Code requires it due to the size of the structure. He wants to construct two adjoining greenhouses. They will be a total of approximately 8,000 square feet. He meets all of the requirements for setbacks.

Mr. Humphries was in attendance to answer questions. John Detamore asked Mr. Humphries if he plans to sell produce in the future. Mr. Humphries said he will be offering memberships to the community to buy fresh, organic produce year round. Lynda Shendow, a member of the public in attendance, asked if Mr. Humphries would have plenty of parking for a business. Brad Lee explained that at this point it is not a business so those items will be addressed when he applies for a business license. Mr. Humphries stated that the greenhouses are all the way to the back of the lot so there will be plenty of places to park on the side.

Korey Kap made a motion to approve the Conditional Use Permit for an accessory building located at 2024 North 4500 West, Jeramie Humphries, applicant. Jeremy Strong seconded the motion. All voted aye.

**7. Consideration of a Conditional Use Permit for an accessory building located at 3838 West 300 North, Kyle Kanno, applicant.**

Troy Moyes reviewed the application information. Mr. Kanno has applied for a Conditional Use Permit for an accessory building not due to the size of the building but the location of the building. He is wanting to locate it in the side yard and is required to follow the regulations outlined in the City Code to have an accessory building in the side yard. He must maintain the side yard setback of the residential dwelling based off of zoning, which is 10 feet in the R-2 zone. The accessory building cannot be located closer than 15 feet to a residential dwelling on an adjacent lot, which it is not. The accessory building shall not create a significant nuisance to the design, construction or placement to the neighboring properties.

Mr. Kanno was present to answer questions. Mr. Kanno brought pictures to illustrate what the building will look like. Mr. Kanno stated that it will be a one-story structure with minimal storage above. It will be 14 feet in height and approximately 40 feet long. Brad Lee asked about the exterior materials that will be used. Mr. Kanno stated that the front of the garage will have a similar look to the residence. It will either have four or six foot of brick and then the sides will have white vinyl that will match the house. There are 15 feet between the main dwelling and the accessory building. There are 10 feet between the accessory building and the property line. Mr. Kanno said they will have a survey done to determine where the exact property line is and any necessary adjustments will be made at that time. Lynda Shendow asked if the accessory building will have power and how will it be run to the building. Mr. Kanno said it will have power and will be run underground.

John Detamore made a motion to approve the Conditional Use Permit for an accessory building located at 3838 West 300 North, Kyle Kanno, applicant. Korey Kap seconded the motion. All voted aye.

**8. Final plat approval for the Craythorne Homestead Subdivision, located at approximately 4500 West 400 South, Craythorne Development, applicant.**

Brad Lee stated that this item was discussed at length in the work session. Troy Moyes reviewed the application. The applicants submitted their final plans to the City. Staff has reviewed those plans and have found some significant changes that need to take place on the plans. Staff recommends tabling the item until the applicant can get those fixed.

Brian Vincent made a motion to table this item as discussed until the items have been completed. Jeremy Strong seconded the motion. All voted aye.

**9. Public Hearing regarding a rezone from A-40 to R-2, located at 1300 North 4000 West, Craythorne Development, applicant.**

Troy Moyes reviewed the information regarding the rezone application. The property owner is applying to rezone the property from A-40 to R-2. The application is solely for a rezone and would fall under the requirements of a subdivision at the time they apply for that. The front portion of the property along 4000 West and 1300 North is already zoned residential. The back portion of that property is zoned agricultural. The General Plan shows this property as being in a residential area. Jeremy Strong made a motion to open the Public Hearing.

**Lynda Shendow, 3872 West Canal Drive** – Lynda said, “So if this is converted, that means the farming is done and that it stays as a bare field until they decide to do it, or are they going to farm on it and break Code? I mean, if it’s residential then you can’t farm on it. You can’t contradict your thing is what I’m saying.” Troy Moyes responded that you are still allowed to farm on a residential zone, all it talks about is density; how many homes you can place on that property. Lynda asked what the lot sizes will be on the homes there. Troy said that zone allows for lots that are a minimum of 10,000 square feet. The homes across the road are in an R-3 zone so it is a higher density development. Lynda asked if the adjoining property owners are keeping their property zoned the same and Troy stated in the affirmative. Lynda asked how wide the road will be when they decide to finish out and do Legacy Highway. Will the first row of homes have to go away because they have to widen it there? Troy said UDOT has not made a final decision yet on where the highway is going. Lynda said she is looking at the bigger picture. She realizes 1300 North will be busier when Legacy Highway goes in. Boyd Davis stated that we don’t have any information about that at this time. This is just a hearing in regards to rezoning this property. Lynda asked if we are planning to put any commercial in this area because all of these homes will eventually need a gas station. Boyd said the General Plan calls for all residential zones in this area.

**10. Consideration of a rezone from A-40 to R-2, located at 1300 North 4000 West, Craythorne Development, applicant.**

John Detamore made a motion to approve the rezone from A-40 to R-2, located at 1300 North 4000 West, Craythorne Development, applicant. Brian Vincent seconded the motion. All voted aye.

**11. Planning Commission Comments**

Korey Kap thanked Staff for their hard work and thanked the public for coming to the meeting.

John Detamore thanked Staff.

Jeremy Strong had no comments.

Brian Vincent had no comments.

Brad Lee thanked Staff for their hard work.

**12. Adjournment**

Korey Kap made a motion to adjourn at 7:26 p.m. Brad Lee seconded the motion. All voted aye.

  
Chairperson – Brad Lee

  
Secretary – Michelle Bailey