

**West Point City
Planning Commission
3200 West 300 North
April 11, 2019**

Present: Brian Vincent, Rob Ortega, Korey Kap, Brad Lee, Jake Shepherd, Jeremy Strong, Boyd Davis – Community Development Director, Troy Moyes – City Planner, Kent Henderson – City Council Representative, Michelle Bailey - Planning Commission Secretary

Excused: Jeff Macfarlane

Visitors: John Diamond, Dennis Montgomery, Ralene Montgomery, Craig Jacobsen, Peter Matson, Santana Linke, Troy Linke, Kyle Hamblin, Brad Frost

WORK SESSION

1. Discussion regarding a Conditional Use Permit for an Accessory Building, located at 1513 North 4500 West, Brody Clements, applicant.

Brody Clements is seeking a Conditional Use Permit to construct a 1,700 square foot accessory building. This will be located at the rear of his property. He meets the requirements outlined in West Point City Code. Troy Moyes reviewed the setbacks Mr. Clements has submitted. Brian Vincent asked if he plans to put lights on the exterior of the building. That was not included on the plans so Staff does not know. There were no further questions.

2. Discussion regarding a landscape approval request according to West Point City Code 17.80.260, located at 3397 West 400 North, Santana (Tina) Linke, applicant.

Santina Linke is seeking, from the Planning Commission, an exception from landscaping requirements found in West Point City Code 17.80.260 regarding the maximum percentage of mineral ground cover. City Code states, "If more than 30% ground cover is desired (excluding driveways and lawn), approval must be given by the Planning Commission." The applicant is desiring more than the maximum requirement of mineral ground cover. Ms. Linke would like to xeriscape the front yard with various types and sizes of rock, turf and drought-resistant plants. The applicant has a wide variety of products she is proposing to use. She is planning to put small rocks in the RV pad area, she will extend a walkway constructed of rock and paver stone combination to the front door. There will be two areas of turf. She is also wanting to create a couple of rock beds and some flower beds. The trees along the sidewalk will be removed. There were no further questions.

3. Discussion regarding amendments to West Point City Code 17.80.090 regarding setbacks for swimming pools.

During the April 2, 2019, Work Session of the City Council meeting, the Council discussed a request made by a resident to address the City Code regarding pool setbacks

and consider changing the requirement from an 8' setback to a 5' setback. The Council is requesting a recommendation from the Planning Commission.

Staff looked at other cities within the State to see what their pool setbacks are. They ranged from 5' to about 10'. St. George actually doesn't have a setback requirement. A resident has requested that the City consider lowering our setback requirement. We will hold a Public Hearing during the next meeting if the Commission feels comfortable doing that. Jake Shepherd said he felt that it would be fine to have a smaller setback. One of the problems would be during construction of the pool unless the neighbor is willing to allow you to encroach on their property. The Commission all agreed that most pool owners would want/need a walkway between the pool and their property line. During the comment given by the resident in the Council meeting, he mentioned that the National Standard for pool setbacks is 5 feet, which is why he suggested that for our standard. Jake Shepherd asked about the International Building Code requirements. Staff said they would look into the building code requirements and let the Commission know at the next meeting. All of the Commissioners agreed that they are open to changing the setback.

4. Discussion regarding a rezone of property from R-1 to R-2 PRUD, located at approximately 300 North 4500 West, Capital Reef Management, applicant.

Capital Reef Management is seeking a rezone of 22 acres of land to an R-2 PRUD zone. This property is known as the Dahl property and was rezoned to an R-1 in September 2016. They were granted Preliminary Plan approval by the Planning Commission on November 8, 2018. The applicant is proposing a bonus density of 12% (this is less than the maximum 20% possible) that equates to 67 building lots under the provision of the PRUD overlay zone. In exchange for the increased density, the applicant is proposing the following: development CC&Rs, drought tolerant plants, street trees, landscaped front yards, entrance features, a tot lot and improved building materials.

Troy Moyes listed the amenities they are proposing and the percentage they are requesting for each one. They have not turned in specific plans for the landscaped front yards, the drought tolerant plants, or the entrance feature. Under the base Code that was approved on their preliminary plan, they were proposing 2.2 units per acre with 49 lots on the project. If they were to go to an R-2 zone with no PRUD, they could get up to 60 lots. Where they are requesting a 12% bonus on the property, that gives them 67 lots. Jake Shepherd asked if there would be any basements. Troy Moyes said they would just be patio-style homes. The General Plan calls for R-1 in that zone and that is what it is currently zoned. Corey Kap asked if a tot lot fits in a slab-on-grade community. Jake Shepherd said he didn't feel this was designed to be a senior community so a tot lot would be appropriate.

Brad Frost, representing Capital Reef Management, stated they have purchased a portion of the Dahl property. They own Ovation Homes and Aspire Homes. They first wanted to do an adult community on this piece of property because it is an ideal situation, due to the water table, to do slab-on-grade homes. The Commission didn't feel that was the right place for an active adult senior project so this is what they are proposing. Basements add an extra \$30,000 - \$40,000 to the cost of the home. They feel they are experts on the slab-on-grade homes since they have been building them for 16 years. They feel they can

create nice floor plans with spacious square footage. They feel it is a sustainable product that the City can be proud of and will sell quickly.

Kyle Hamblin, representing the Dahl family, explained that David Dahl contacted him about two years ago to begin discussions regarding developing the property. Ovation Homes put the ground under contract. The Dahls wanted the active adult community on their property, but that didn't work out. In talking with David, they want a neighborhood where families can come and raise their kids. There are a few things driving this request tonight. One is the density in the area. Another is affordable housing costs. Also, lot sizes affect the cost so much; you add about \$50,000 to go with the bigger lots. Requiring less density on the west side of the City means people have to have a certain income level to be able to afford to live there. They are looking for a product that the Dahl family can be proud of, the community can be proud of and that is affordable. Brad Frost commented that when you're dealing with the Corridor so close, its difficult to sell houses that are \$370,000 - \$450,000. He feels this product will sell along the Corridor line.

Jake Shepherd said he agrees with the sentiment on the financial end of it; its tough to find affordable areas to build. The rub that he has is that a comment that came in while they were working on the General Plan was that they should make every subdivision stand on its own. Here is a subdivision that has some ground water issues so they've gone to patio homes and will be a product that will sell. There is a need in the market. His sentiment is that they need to preserve some R-1 space over the bluff but he doesn't feel that all of it needs to be R-1. A discussion took place regarding Cold Springs Road and access to this property. Kyle Hamblin said UDOT will not grant access from this property to 4500 West. Boyd Davis said they would expect that Cold Springs Road will be built as part of the project just like the south end of Cold Springs Road was built by Craythorn Homestead project. Jeremy Strong asked if the road will only be built to the entrance or will they need to connect two subdivisions so that it actually goes through; who will provide that? Boyd Davis said he isn't sure, but he can speculate. The roads are either built by the developers when they develop the property, or the City could step up and complete the gap between the two sections because it is shown on our Street Master Plan. He wasn't sure if that is a priority to the Council to do that. Jeremy Strong said his biggest concern is that they are adding an extra 27 homes from what it already is zoned. We are dumping those cars out onto 4500 West or 300 North and that is a lot of traffic to add to those roads. He feels it is necessary to complete Cold Springs Road. Jake Shepherd asked about the minimum lot size. They said the minimum lot size is 8,000 square feet. The largest lot, in the cul-de-sac is 14,000 square feet. The lowest lot width is 75 feet.

Brian Vincent asked the developer to talk about the amenities they are proposing. Brad Frost commented that they have the entrance feature, a tot lot, open space, etc. Brian Vincent said the list was included in their packets, but not the specifics. Brad Frost responded that there are a lot of different directions they could take it so they are looking for guidance from the City. They don't have a set way of doing it; they are open to the City's ideas and thoughts. The have done PRUDs for the past 18 years. They have a design center, an interior designer and people that can help customers coordinate colors, design, and discuss landscaping. They said they would be happy to provide examples of front yard landscaping, entrance features etc. before it is discussed again. They don't

want to pay a lot of money if the Commission is going to shut down the project. Discussion took place regarding traffic on the existing roads. Troy Moyes pointed out that with the R-1 PRUD overlay option, they would get 58 lots versus 67 lots with the R-2 PRUD. Brad Frost commented that the challenge with that is that with an R-1 PRUD, you aren't getting enough units to make all of those amenity improvements cost effective. He said an R-1 PRUD becomes financially tough to do. Brad Lee asked what their projections for the costs of these homes are. Brad Frost responded that their target market is \$300,000 to \$360,000. The Commission didn't feel like they were ready to make a decision yet and decided to reconvene discussions on this after the Closed Session meeting.

GENERAL SESSION

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Prayer:** given by Jake Shepherd
4. **Approval of Minutes from March 28, 2019.**

Jeremy Strong made a motion to approve the minutes from the meeting held on March 28, 2019, as written. Rob Ortega seconded the motion. All voted aye.

5. **Public Comments: Dennis Montgomery – 4600 West 200 South** – Mr. Montgomery commented that he wasn't sure they could open up the General Session again after holding a closed session because some people won't want to stay that long. He also commented that it says: "The object of the City will be to accommodate development consistent with the goals of the community. Most residents would prefer to maintain the semi-rural atmosphere." He commented that the Commission has rezoned the City and they keep changing the General Plan and it seems that it is all going higher density. He feels that millennials would like as much land as they can get but they can't afford it. The City is putting so much down there on 4500 West and 300 North and the traffic is getting complicated. He feels the Commission should keep lower density on the West side. With these smaller lots, there is no place for kids to play. The Commission seems to be worried about putting landscaping in the front yards for appearance to sell the lots, but they aren't allowing enough access on the side yards for people to get into the back yards to landscape it well. He would rather see the developer landscape the back yards; they can get to the front yards later. We have inspectors and City Engineers and he hopes they are doing their jobs. With so many homes going in, they don't have time to inspect all of the homes. Hire more employees if needed. Stay with the General Plan.

6. Conditional Use Permit for an Accessory Building, located at 1513 North 4500 West, Brody Clements, applicant.

Troy Moyes reviewed the application. Mr. Clements is seeking a Conditional Use Permit to construct a 1,700 square foot accessory building. He has submitted all of the required documentation for review. He meets all of the requirements. Staff recommends approval.

Mr. Clements was not present for the Commission to ask questions. There were questions regarding outside lighting. Brian Vincent made a motion to table the application until the applicant could be present. Korey Kap seconded the motion. All voted aye.

7. Consideration regarding a landscape approval request according to West Point City Code 17.80.260, located at 3397 West 400 North, Santina (Tina) Linke, applicant.

Santina (Tina) Linke is seeking, from the Planning Commission, an exception from the landscaping requirement found in 17.80.260 of the West Point City Code regarding the maximum percentage of mineral ground cover. Ms. Linke has submitted all of the required documentation for the Planning Commission's review and consideration. West Point City Code states: "If more than 30% ground cover is desired (excluding driveways and lawn), approval must be given by the Planning Commission." The applicant is desiring more than the maximum requirement of mineral ground cover. Ms. Linke would like to xeriscape the front yard with various types and sizes of rock, turf and drought resistant plants as shown in the submitted plans. This was discussed in the Work Session.

Ms. Linke was present to answer questions. She stated that she is asking to xeriscape her front yard. She works for a gravel company and said that is a big thing they promote since they live in a desert. Brian Vincent asked if they would be keeping the trees in the park strip. Ms. Linke said those trees have already been removed. The yard was not well cared for before they bought the home. Brian Vincent asked about the turf shown on their plan. Ms. Linke said that will be artificial turf; there won't be any watering system in the front yard. They plan to put sod in the back yard and will have a watering system there. The front yard will be rock and desert-type plants that are drought resistant. Ms. Linke showed samples of the rock products she is planning to use. The product they are using for the walk way should only need to be replaced every 5-6 years depending on how much foot traffic it gets. They plan to level the ground and slope it out so the water drains away from the home. There will be a weed barrier below the rock so the water can seep into the ground through the rocks. Ms. Linke has spoken with all of the neighbors except the ones on the back who are moving. They are all very excited that they will be doing so much with the yard to make it look nice. Rob Ortega asked about the RV pad. Ms. Linke said it will be 1 ½" rock for now and eventually it will be all concrete.

Brad Lee made a motion to approve the landscape request according to West Point City Code 1780.260, located at 3397 West 400 North, Santina (Tina) Linke, applicant. Rob Ortega seconded the motion. All voted aye.

8. Planning Commission Comments

Korey Kap thanked Staff for all of their hard work, and he thanked the residents for coming.

Rob Ortega said he appreciated the comments given.

Jeremy Strong had no comments.

Brad Lee had no comments.

Jake Shepherd agreed with Dennis Montgomery's comment about them emphasizing the front yard landscaping. Jake said he agreed that, especially on the small lots, there is no way to get to the back of the building to landscape the yard. When a developer wants to come in and skip a zone and do a PRUD overlay, maybe there is a possibility of having them landscape the whole thing. That would ensure good grading on the lots.

9. Staff Update

Boyd Davis gave an update on the last City Council meeting. Wildfire Estates, Phase 1, received final approval. They had a discussion regarding some speed limits on 300 North; there have been some complaints about that. They discussed pool setbacks. Also, they discussed the Murray PRUD. They also discussed the Utopia fiber network that they are considering installing in the City. They will have further discussions about that. They granted final approval to the apartments. Lastly, they held a Public Hearing and granted approval for the Carlisi property rezone.

10. Motion to move into a Closed Session

Brian Vincent made a motion to move into a Closed Session. Brad Lee seconded the motion. All voted aye.

CLOSED SESSION

Immediately following the General Session (Board Room)

1. Motion to Open Closed Session/Call to Order/Roll Call

Brian Vincent made a motion to open the Closed Session. Brad Lee seconded the motion. All voted aye.

Brian Vincent called the April 11, 2019, Closed Session to Order

Roll Call –

Commission Chairman Brian Vincent	City Manager Kyle Laws
Commission Vice Chairman Jeremy Strong	Assistant City Manager Boyd Davis
Commissioner Rob Ortega	City Planner Troy Moyes
Commissioner Korey Kap	Commission Secretary Michelle Bailey
Commissioner Jake Shepherd	Land Use Attorney Jody Burnett
Commissioner Brad Lee	

2. The Commission discussed pending or reasonably imminent litigation, pursuant to UCA 52-4-205(1)(a)

3. Motion to Adjourn the Closed Session and enter the General Session

Brian Vincent made a motion to adjourn the Closed Session and enter into the General Session. Jake Shepherd seconded the motion. All voted aye.

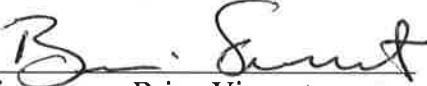
11. Continuation of Work Session Discussion Item #4 – Discussion regarding a rezone of property from R-1 to R-2 PRUD, located at approximately 300 North 4500 West, Capital Reef Management, applicant.

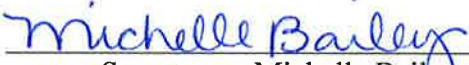
Brian Vincent stated that they needed to decide if they want to allow them to pursue looking at the R-2 PRUD or not pursue that. Korey Kap asked if they made a mistake by allowing the PRUD option in the R-1 zone. Should they remove that option? Troy Moyes commented that the developer could get 58 lots if they do an R-1 PRUD overlay. Boyd Davis commented that the arguments that were used in favor of the project could be used on any property in the City. There is nothing unique about this property that says this is the place this project should be done. Jake Shepherd said he felt this type of development would do better next to the Corridor because the buyer would be more open to having that in the back yard than if they were trying to sell larger lots with larger homes on them. Boyd Davis said another thing to think about is if they do the R-1 PRUD they could still cluster them down to smaller lots. Korey Kap asked what they are going to do about affordable housing; do they stick to their guns on the density or do they try to get affordable housing. Jeremy Strong said traffic is a concern of his. If Cold Springs Road was in, it would be a whole different ballgame, but it's not. All of this traffic has to go up 300 North or down to 4500 West; that's a bad place to be at 3:30 in the afternoon.

Brian Vincent asked for a straw poll. His vote is to keep it at an R-1 and allow them to do a PRUD with it. Rob Ortega said he would be open to considering it when they revisit the General Plan again down the road, but right now he would like to keep it R-1. Brad Lee would like it to stay R-1 with the possibility of a PRUD overlay. Jake Shepherd said his vote is, in sticking with the General Plan, R-1 with an overlay if they choose that. Jeremy Strong feels it's important to stick with the General Plan and keep it an R-1 with the possibility of a PRUD overlay. Korey Kap said he could go either way but he likes the idea of sticking with the General Plan and keeping it an R-1.

12. Motion to Adjourn the General Session

Brian Vincent made a motion to adjourn at 8:45 pm. Jake Shepherd seconded the motion. All voted aye.


Chairperson – Brian Vincent


Secretary – Michelle Bailey

