

**West Point City
Planning Commission
3200 West 300 North
October 27, 2016**

Present: Brad Lee, Brian Vincent, Curtis Seeds, Jeff Macfarlane, Troy Moyes – City Planner, Kent Henderson – City Council Representative, Michelle Bailey - Planning Commission Secretary

Excused: John Detamore, Jeremy Strong, Korey Kap

Visitors: Rob Ortega

WORK SESSION

1. Discussion regarding Temporary Land Use Regulations (moratorium)

Brad Lee said this discussion is to bring everyone up to speed on a new zone that has been created and discussed and is now being proposed to the Planning Commission for their input. Troy Moyes stated that this would be an overlay zone. The document being discussed has been created to address the issues with development at this time. One reason the moratorium was put into place was to slow down development enough to make sure we have good, quality development in West Point. There has been rumors of developers wanting to come to the City and do just the bare minimum on their developments. City Council put a stop to new developments for a time to determine what our bare minimum is; what do we want the City to look like? The intent of this overlay zone is to raise the minimum density on all lots. The current ordinance for an R-1 zone is 12,000 square feet. This would increase the lots size to 18,000 square feet. R-2 would go from 10,000 square feet up to 14,000 square feet. And the R-3 zone would go from 9,000 square feet up to 11,000 square feet. This PVFD (Planned Variety and Flexibility Development) would allow developers to rezone an overlay on the project to get an increased density on their project. If they proposed an R-1 zone, they could do 18,000 square foot lots, or they can get 12,000 square foot density if they follow the guidelines listed in this newly proposed Code. This gives the developer and the City some incentive to produce a quality development. The moratorium expires in February. Creating this PVFD would be a new zone in the Land Use Ordinance and would require a public hearing to be held. Staff is seeking legal feedback from the City Attorney. The commissioners took turns reading the newly proposed code regarding the PVFD. This would replace the PUD zone that gives increased density based off from a point system. They took that language and created a new zone because the committee felt that the PUD zone could be improved. The underlay zone holds all of the restrictions. The overlay zone gives you flexibility in that zone.

Staff felt the only way to get what they really wanted was through a Development Agreement. Several cities are requiring a developer's agreement be proposed at the rezone stage. Staff doesn't want to require that for everything, but for the overlay zone it

would be advantageous. We want the development to address an architectural theme, landscape amenities, and a maintenance agreement.

Discussion took place regarding what an architectural theme means. Troy Moyes went into more details describing what the term “theme” means in relation to architectural standards. They have set a requirement that all homes be a minimum of 1,400 square feet. The current requirement is 1,200 square feet. They are trying to get away from having a subdivision with smaller homes and then have a massive home in the middle of it. It doesn't fit with the rest of the neighborhood plus its resale value would be lower than it should be due to it having all smaller homes around it. And it works the other way around as well. Different examples were discussed regarding ways they can establish a theme for the subdivision. These are things that may be negotiated at the time the developer's agreement is made. Basically the developer is crafting the CC&Rs up front. This isn't a matter of making every home in the subdivision look the same. It's more to alleviate mass chaos with a subdivision that has no standards. They want a cohesive subdivision. It has been talked about in the developer's agreement that the developer would need to have a review committee so when buildings are submitted to the City, Staff knows it has met their requirements already.

Troy Moyes said that the last proposed paragraph was taken from Layton City's Code. An attorney wrote this. We aren't sure if it will legally hold water, but we like what it says. This gives the Council and Commission a bit of leeway to vary from the Code when deemed necessary as long as it is reasonable and doesn't adversely affect the health, safety or adjacent property owners. Jeff Macfarlane commented, “It's always tricky when you're setting regulations and policies like that. You say ‘It's always going to be this way, except if we don't want it to be.’ because that can get into problems. But I like having the latitude to say, ‘In this situation, we will approve it.’ When you set a regulation or policy or procedure that you absolutely can't change, it's not always going to fit every possible scenario and you end up sticking yourself with something you don't like. I think we ought to have a little bit of latitude to allow that.”

Troy Moyes asked the commissioners to give their thoughts on the PVFD. Brad Lee said he feels like it gives the City and developers an opportunity to really make something unique and nice. That will be beneficial to both parties. Brian Vincent stated he feels it is designed as a win-win for both parties. He feels that developers will enjoy feeling like they are working with the City more than just trying to fit inside a box they have developed for them. Jeff Macfarlane said he likes that you surrender a little bit of square footage on the lots but they will make it look extra nice. Jeff also commented that there are more and more people that want a big, nice home but don't want a giant yard to take care of. Curtis Seeds agreed with that and said he feels this is a step toward that type of community. Brian Vincent said he really likes the open space that can be used as a field, a playground or a park. The commissioners all liked requiring the developer's agreement at the time of the rezone so the developer is more invested in the project and agrees to make it a nice, quality subdivision.

Troy Moyes said the Planning Commission will need to hold a public hearing. It was discussed and determined that they would be a need to hold an extra meeting in

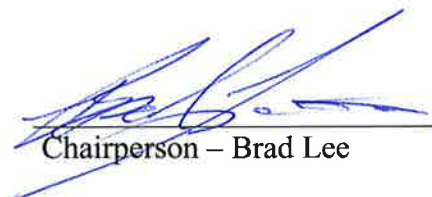
November in order to meet the necessary time line. The regular meeting scheduled on November 10, 2016, will be held, and a meeting will also be held on November 17, 2016.

2. Discussion regarding the General Plan

Troy Moyes suggested that if they want to do a multi-family zone, they should make that the new R-5 zone. The R-4 zone would then be 10.5 units per acre and the R-5 zone would be 20 units per acre. The R-4 zone would be for townhomes; still single family development. Jeff Macfarlane commented that he has spoken with several residents and almost every one of them expressed that they are not happy about high density apartment buildings being built in West Point. Brian Vincent stated that he has had similar conversations with residents. Jeff continued saying that he has spoken with older and younger residents alike and they all felt the same way. Gary Wright has suggested that the commission take a field trip to Pleasant Grove and he would give them a tour of the apartments there. Kent Henderson stated that he went down to see those apartments a week ago. He encouraged the commissioners to look at apartments here if they get a chance before going to look at those in Pleasant Grove so they would have something to compare them to. Kent expressed a concern that townhomes probably wouldn't be enough to grow that commercial corner here. Businesses aren't willing to come to West Point if we don't have enough housetops. Curtis Seeds commented that West Point needs growth because we can't live off of residential property taxes alone. Brad Lee encouraged the commissioners to do some research and look into what they like and what they don't like about apartments so they will be able to let Mr. Wright know what they expect in apartments being built in West Point. Discussion took place regarding what growth would mean in West Point, infrastructure needs, and property taxes. Troy Moyes pointed out that West Point is unique in the fact that we can have the bedroom community yet have one small area where we have all the needed infrastructure with a four lane highway one way and a four way highway eventually going the other way. The impact that five acres of apartments would be on roads will not be significant versus what we would get off of retail. The minute the apartments go up, the retail pads will fill up with quality businesses we want to have here.

3. Staff Update

There was no update given.



Chairperson – Brad Lee



Secretary – Michelle Bailey

