

**West Point City
Planning Commission
3200 West 300 North
November 10, 2016**

Present: Brad Lee, Brian Vincent, Jeremy Strong, John Detamore, Curtis Seeds, Jeff Macfarlane, Boyd Davis – City Engineer, Kent Henderson – City Council Representative, Michelle Bailey - Planning Commission Secretary

Excused: Korey Kap

Visitors: Rob Ortega, Mark Thayne, Ed Fratus

WORK SESSION

1. Discussion regarding a Conditional Use Permit for an accessory building located at 1964 North 3675 West, Edmond Fratus, applicant.

Troy Moyes stated that the application is for a 1,200 square foot accessory building. The intended use of the building is for RV and general storage. It will be a general steel building with an awning that faces the home. The building is located in the sideyard, so it must meet the sideyard setbacks. The building must maintain the same setbacks as the primary structure; which it will. Brad Lee asked if he would be cutting the curb to make an entrance onto the property for that building. Troy Moyes said he would be. He has talked about pouring cement for that. Jeremy Strong asked if Mr. Fratus spoke with any of his neighbors. Troy Moyes said he doesn't think he has done that yet. Jeremy Strong said he has concerns with someone putting up a metal building that will be completely visible from the street in a nice subdivision. Discussion took place regarding looking at the Code regarding this matter and possibly making changes to it in the near future. The application meets all of the requirements. Staff recommends approval.

2. General Plan Update

Troy Moyes said in the last meeting there was discussion regarding the General Plan and apartments. They discussed taking a field trip to Pleasant Grove to see an apartment complex similar to the one Gary Wright is proposing to build here. The commission decided that November 29th, would be a good day for the field trip. Troy said he would try to schedule that and let them know.

3. Discussion regarding Temporary Land Use Regulations

Troy Moyes stated that he, Kyle and Boyd talked with Felshaw King, the City Attorney, to discuss the Code. Staff wanted to make sure, where this hasn't been done before, that there won't be any legal issues as far a liability that the City would have to incur. Whenever creating a new zone, there is always that fear. When this Code was created, there was some vague language leaving some things up for interpretation, but Staff didn't

want to be so specific that they would tie developers down. They have given a lot of flexibility to the developers to come to the table with a good product.

The proposed verbiage for the Code was reviewed. The moratorium is in place currently in the City to enhance development in the City; to make sure there is good quality development. It is an incentive type of program called the Planned Variety and Flexibility Development Overlay Zone (PVFD). This will replace the PUD ordinance in the Code. The process will be as follows: A developer will come to Staff stating they are ready to develop a piece of property and ask what density they can get on the property. Whether it is an R-1, R-2 or R-3, there is going to be a base (shown in chart). If they just want to develop the property, those are the sizes of lots that are required. The overlay zone allows developers to come in and increase their density by meeting certain requirements. The density can increase as shown in the chart. If they choose to develop with the overlay zone, there are requirements they will need to follow. Those are outlined in Section 17.120.050. The requirements are as follows: They must create a developer's agreement that contains an architectural theme, a landscape and amenities plan, and a maintenance plan to upkeep the open space or other landscaped amenities within the development. Along with the developer's agreement, the developer will also be required to present to the City Council the proposed CC&R's that will be placed on the future development. Felshaw King said the more detailed we become, the more liable we become as well. If the City controls CC&R's, they may become liable for some things. So instead of negotiating with the CC&R's, we will just have the developer bring them to the table and present them.

The Standards & Guidelines Architectural Theme and Continuity (17.120.050B) portion was discussed. It is proposed to change the minimum square footage on homes to 1,400 square feet. Also, the developer's agreement will outline specific ways to achieve a cohesive development. The developer's agreement is required before the rezone can even take place.

The Administration & Procedures (17.120.070) portion was discussed briefly. Basically this gives the City more control. They can look at a proposed plan, determine if it still meets the intent and purpose of the Code, and then have the flexibility to change the standard if it meets the requirements set forth in this section and they determine it would be beneficial to all involved.

The basic intent of this whole chapter is to give the flexibility to developers to approach the City with ideas that may not entirely meet the Code exactly but with the PVFD overlay zone, it may be feasible as long as the guidelines are followed. This will benefit both the developer and the City.

REGULAR MEETING

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Prayer:** given by John Detamore
4. **Approval of Minutes from October 13, 2016 and October 27, 2016**

Jeff Macfarlane made a motion to approve the minutes from the meetings held on October 13, 2016, and October 27, 2016, as written. Jeremy Strong seconded the motion. All voted aye.

5. **Public Comments:** Rob Ortega – 3816 West 520 North, West Point – Rob said he has been talking to his neighbors about some of the things that go on here and he wanted to share some ideas he has learned from them. In talking to them about the new commercial development and the opportunity to have some apartment buildings coming in, he was surprised that everyone he talked to didn't know that was something that was being considered. Rob said he himself is open to the idea at this point after talking with some of City Staff. Rob said he thinks the idea of having 2000 West and Highway 193, which are major streets, aligned with some commercial property is a good tax base. And then to have a bedroom community west and north of there would be great for our city. Rob said he doesn't think that the plan in general is understood by most of the citizens. To most people they see this commercial development coming and they get scared wondering how they can stop this from entering their neighborhood. Or how can they stop apartments from coming into their neighborhood? That seems to be the general concern out there. If we have a plan that shows where the commercial development will be and apartment complexes within that area, then buffer that with parks or something and then have the bedroom community separate from that it would be more accepted by people. He feels the Planning Commission and Council are doing great work, but it isn't getting out to the residents in that way. People seem to be nervous about the way development is coming. Rob suggested that we lay down the plan first and decide what we want for the city and then go to the developer and tell them what we would like and see what they can do for us. He said it feels like it is happening the other way around. Where the developer came to us and said we need these apartments and this is where we should put them so now we are changing our plan. It feels like the tail wagging the dog. Rob would like to see us put a plan in place and be reassured that everything that is happening is according to plan and that it's a good plan.
6. **Conditional Use Permit for an accessory building located at 1964 North 3675 West, Edmond Fratus, applicant.**

Troy Moyes reviewed the application. Mr. Fratus would like to construct a 1,200 square foot accessory building. The intent of the building is for RV and general storage. It will be a steel building with a covered awning with the awning facing the home. It will be located in the sideyard of the property; thus it must follow the sideyard setbacks for an accessory building. It would be required to have the same setback as the primary

structure. The applicant has followed all the guidelines outlined in the Code and Staff recommends approval.

Jeff Macfarlane made a motion to approve the Conditional Use Permit for an accessory building located at 1964 North 3675 West, Edmond Fratus, applicant. Curtis Seeds seconded the motion. All voted aye.

7. Planning Commission Comments

Jeff Macfarlane commented that he appreciates the public's attendance and input. He also thanked Troy Moyes for his hard work on the General Plan.

John Detamore echoed the comment given.

Brian Vincent agreed with the comments given.

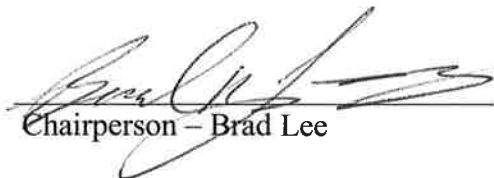
Curtis Seeds had no comment.

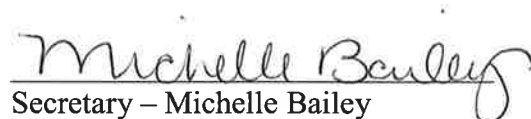
Jeremy Strong had no comment.

Brad Lee gave a shout out to any and all who have served our country or are currently serving. He extended a warm appreciation to those who are currently protecting our freedoms and who have served honorably in our Armed Forces. Brad also invited everyone to attend the dedication of the Veteran's Memorial at the Loy Blake Park on Veteran's Day. Senator Orrin Hatch and Congressman Rob Bishop will be participating in the dedication. Brad also mentioned that the Planning Commission will hold a special meeting on November 17, 2016, to discuss some items regarding the General Plan and hold a Public Hearing.

8. Adjournment

Brian Vincent made a motion to adjourn at 7:18 p.m. Brad Lee seconded the motion. All voted aye.


Chairperson – Brad Lee


Secretary – Michelle Bailey