

**West Point City  
Planning Commission  
3200 West 300 North  
January 24, 2019**

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

**Excused:** Korey Kap

**Visitors:** Mark Fotou, Tim Gooch, Larry Barker, Dennis & Raylene Montgomery

**WORK SESSION**

**1. Discussion regarding a Conditional Use Permit for an accessory building located at 1262 North 4500 West, Mark Fotou, applicant.**

Mark Fotou is seeking a Conditional Use Permit to construct a 450 square foot metal carport within the side yard of his property. West Point City Code requires all accessory buildings located in the side yard to obtain a Conditional Use Permit. Mr. Fotou has submitted all the required documentation for review. Mr. Fotou is building an accessory building as well as the carport, but the accessory building will be located in the rear yard. Because of the size of his lot, the accessory building doesn't require a Conditional Use Permit; only the carport because it is in the side yard. He intends to build a carport that is 450 square feet. The requirements in West Point City Code (15.15.120(f)) states: It must maintain the same side yard setback as the residential dwelling. It shall not create a significant nuisance due to design, construction or placement to neighboring properties. It must not be closer than 15' from a residential dwelling on an adjacent lot. The combination of all accessory buildings not to occupy more than 20% of the lot area less the footprint of the main building. It may not be closer than 10' from the main building. The opening of the carport will be to the side and not facing the street. Brian Vincent suggested they ask Mr. Fotou if he could swap the buildings so the carport would be behind the accessory building. The accessory building will be used for storage for the horses on his property. Jake Shepherd commented that he isn't a fan of carports being located in the side yard, but it's a little different since it isn't in a neighborhood or subdivision. The neighbors signed stating they have been notified he has intent to build the carport. Discussion took place regarding the need to revise the building standards for accessory buildings.

**2. Discussion regarding amendments to the West Point City's General Plan**

In April 2017, the City Council, with a recommendation from the Planning Commission, adopted the most current version of the West Point City's General Plan. That adopted plan made some significant changes to the East side of the City by adding a variety of zones, creating a new R-5 multi-family zone, eliminating the Town Center Overlay Zone, extending park space and master planning the previously mixed-use zone on the northwest corner of 2000 West and Hwy 193. Since that time, many changes have been

discussed and recommended to the Council regarding density, overlay options and the desire to meet the current and future needs of West Point City. Although minor changes were made to the west side of the City, the City Council and Planning Commission agreed during a joint work session held on April 17, 2018, that the west side of the City needs to be looked at more closely. Troy Moyes quickly reviewed the suggested changes being proposed. Items 1 and 2 are around the property the School District has purchased for a future high school, junior high school and elementary school. The proposal is to change the zoning around that from R-1 to R-2 and R-3 to create a buffer around the schools. Item 3 was Industrial and it is proposed to change that to R-4 to create a buffer between the Industrial use and the school property. Item 4 changing that from R-1 to R-2. Item 5, which is next door to City Hall, changing that from R-3 to R-4 as per the request from the property owner. Item 6 would be changing that from an R-2 to a park/recreational area, knowing that is difficult land to develop due to the water table. Item 7 is adding the property owned by the Church of Jesus Christ of Latter-Day Saints and zoning it Public/Institutional for a future church. Item 8 is removing the park that was master planned at the end of the Bannock Subdivision. Item 9 is changing the area next to the junior high property from Commercial to R-4 to create a buffer. Item 10 is changing that from R-1 to R-2 to allow some higher density around the schools. Syracuse City has a higher density subdivision right there. Items 11 and 12 would be the same; changing it from R-1 to R-2. Jake Shepherd felt that it would be appropriate to change Item 10 to an R-3 zone to be able to develop that long narrow property. He also feels there is a need for smaller lots on the west side of the City. Brian Vincent suggested that they change Item 10 to R-3 and leave Items 11 and 12 as R-2. The Commissioners agreed with that. Jake Shepherd said he doesn't feel Item 10 is developable unless it is R-3. Item 13 change from R-1 to R-3 on the east side of the canal to create a buffer between that and the Corridor. Item 14 change from R-1 to R/I-P and extend the industrial part down. Item 15 is regarding the Paice Farms Subdivision and how that should be shown on the map. The Commissioners want that shown on the map as whatever zone it actually is, not just what the feel of it is. Item 16 just shows future areas for annexation. Item 17 is the Dahl property that has been discussed. Ovation Homes is petitioning the Planning Commission and City Council to consider changing the General Plan on this property. They would like to change it from R-1 to R-3 and R-4 split zoning to accommodate a new senior community on this property. They would like the R-4 for a senior community and the R-3 for some attached and detached units. The Commissioners felt that an R-4 zone would be out of place there. They aren't against the concept of a senior community, but don't feel that is in an appropriate area. The Commission suggested leaving it R-1. Jake Shepherd commented that he would rather see higher density closer to the accesses to the Corridor so they don't create traffic problems.

Troy Moyes said a realtor for The Kings has contacted him several times. The realtor was told he could come and make a statement during the public comment portion of the meeting. The Kings are wanting to change the zoning of their property from commercial to some sort of residential zoning. It used to be master planned residential and was changed to commercial when the General Plan was last revised.

Jake Shepherd asked how long the property close to Item 5 has been zoned commercial. It is located in what used to be called the Central Business District. Jake commented that he would like to discuss that area in more detail. He doesn't feel that is an ideal place for

commercial businesses; it would probably be more suitable for professional offices and such. Jake suggested possibly a mixed-use area there with professional offices out front and residential behind those.

**3. Discussion regarding the election of Chair and Vice Chair**

There were no questions regarding the election that would take place in the Regular Meeting.

**REGULAR MEETING**

**1. Call to Order**

**2. Pledge of Allegiance**

**3. Prayer:** given by Jeremy Strong

**4. Election of 2019 Planning Commission Chair and Vice Chair**

Brian Vincent opened the floor for nominations for Planning Commission Chair. Jeremy Strong nominated Brian Vincent. Jake Shepherd seconded the nomination. Brian called for other nominations three times. There were none. All voted aye.

Brian Vincent opened the floor for nominations for Planning Commission Vice Chair. Brad Lee nominated Jeremy Strong. Jeff Macfarlane seconded the nomination. Brian called for other nominations three times. There were none. All voted aye.

**5. Approval of Minutes from December 13, 2018.**

Jeff Macfarlane made a motion to approve the minutes from the meeting held on December 13, 2018, as written. Rob Ortega seconded the motion. All voted aye.

**6. Public Comments:** None given

**7. Public Hearing regarding amendments to West Point City's General Plan**

Troy Moyes reviewed the proposed changes to West Point City's General Plan. In April 2017, the City Council, with a recommendation from the Planning Commission, adopted the most current version of the West Point City's General Plan. That adopted plan made some significant changes to the East side of the City by adding a variety of zones, creating a new R-5 multi-family zone, eliminating the Town Center Overlay Zone, extending park space and master planning the previously mixed-use zone on the northwest corner of 2000 West and Hwy 193. Since that time, many changes have been discussed and recommended to the Council regarding density, overlay options and the desire to meet the current and future needs of West Point City. Although minor changes were made to the west side of the City, the City Council and Planning Commission

agreed during a joint work session held on April 17, 2018, that the west side of the City needs to be looked at more closely. Troy Moyes quickly reviewed the suggested changes being proposed. Items 1 and 2 are around the property the School District has purchased for a future high school, junior high school and elementary school. The proposal is to change the zoning around that from R-1 to R-2 and R-3 to create a buffer around the schools. Item 3 was Industrial and it is proposed to change that to R-4 to create a buffer between the Industrial use and the school property. Item 4 changing that from R-1 to R-2. Item 5, which is next door to City Hall, changing that from R-3 to R-4 as per the request from the property owner. Item 6 would be changing that from an R-2 to a park/recreational area, knowing that is difficult land to develop due to the water table. Item 7 is adding the property owned by the Church of Jesus Christ of Latter-Day Saints and zoning it Public/Institutional for a future church. Item 8 is removing the park that was master planned at the end of the Bannock Subdivision. Item 9 is changing the area next to the junior high property from Commercial to R-4 to create a buffer. Item 10 is changing that from R-1 to R-3 to allow some higher density around the schools. Syracuse City has a higher density subdivision right there. Items 11 and 12 would be the same; changing it from R-1 to R-2. Item 13 change from R-1 to R-3 on the east side of the canal to create a buffer between that and the Corridor. Item 14 change from R-1 to R/I-P and extend the industrial part down. Item 15 will be left as it is currently shown on the map. Item 16 shows future areas for annexation. Item 17 is the Dahl property. The Commission suggests leaving it R-1. Brian Vincent opened the Public Hearing.

**a. Public Hearing**

**Tim Gooch – 1176 North 4500 West, West Point** – “Just looking at the General Plan, and looking at the number of different R-5 zones, you only have one place in the City? Or how many places do we have? Reason being why we only have one with the growing population and more affordable housing for people to have to live in apartments or things like that. Grouping things together and having more open space and common areas to go with it. I look at the General Plan and think we have only put it in one location, next to a commercial piece, and that’s it. I didn’t know if you’ve had discussions about maybe more possibilities. Or will that just be addressed as someone has the need for it. Is that how you will address it? Thank you”

Jake Shepherd read a text message that he had received from **Rod Carter** today. Rod mentioned that he knew there was a meeting tonight and he was unable to attend. He said regarding the zoning below the hill that he is concerned about the fact that there was a meeting tonight to discuss the changes for zoning below the hill, the object being to allow higher density housing. He feels there needs to be a public announcement to all the people for discussion in a place large enough to do it. He said he is opposed to high density below the hill.

There were no further comments given. Jeff Macfarlane made a motion to close the Public Hearing. Jake Shepherd seconded the motion. All voted aye.

**b. Action**

Brian Vincent said that it is on the agenda to vote on this item, but it can be tabled if the Commission has concerns they would like to discuss further in an upcoming meeting. Jake Shepherd said he would like to get more information as per the discussion in the Work Session regarding the commercial area on 300 North. Jake said he also didn't feel like there were many residents in attendance and possibly it would be better to advertise it more extensively so more people would attend and comment. Boyd Davis said it was advertised in all of the required areas such as the newspaper, Public Notice Website, City website as well as being posted on City Hall. Boyd suggested that we could advertise it on Facebook if they would like. Boyd also commented that there will be a Public Hearing held by the City Council, but the Commission may hold another one if they choose to. Jake responded that he would like to hold another Public Hearing. Discussion took place regarding more effective ways to get the word out to the public. They discussed advertising on the City's Facebook page and the monthly newsletter. It's difficult to get the word to everyone, but Staff was directed to advertise again in the usual ways and then also on the newsletter and the Facebook page. The commissioners felt that they would like to get more comments from the residents so they would like to table this item and hold another Public Hearing.

**Larry Barker – 181 North 4500 West** – Larry commented that he found out about the meeting from a friend; he didn't know anything about it. A lot of the citizens don't personally look at the newsletters. Maybe it would be a good idea to announce it on the monthly bill since everyone looks at their bill. He thinks they're doing a great job trying to inform the people, it's just that people don't take the time to read things.

Tim Gooch asked how the City forms committees to discuss the General Plan. Do they bring in City Planners from other cities or outside people, or is this just input from the City Council and Planning Commission? Boyd Davis responded that it has been done several different ways in the past. This time Staff recommended to the Commission that they do this on their own without forming committees. Staff felt that this was a fairly small update to the Plan. When the Plan was originally created, there were citizen committees created and a private consultant was brought in to guide the discussion. Since this is a minor update, Staff felt the Commission and Council, with comments and suggestions from residents, could do it on their own. Troy Moyes commented that when we made changes in 2017, he created a website regarding the process and it allowed people to make comments on the website. The website is something we can do right now if the Commission would like. They received a few comments on the website last time, but not many. Brian Vincent said he feels that it's a double-edged sword. Change is hard for everyone. Allowing the public to have a voice, and giving them a forum to share their thoughts and feelings, is necessary. He proposed they hold another Public Hearing to give the citizens one more chance to participate.

Brad Lee made a motion to table this item until the February 28, 2019, meeting. Jake Shepherd seconded the motion. All voted aye.

**8. Conditional Use Permit for an accessory building located at 1262 North 4500 West, Mark Fotou, applicant.**

Mark Fotou was present to answer questions regarding his application. Troy Moyes reviewed the application. Mark Fotou is seeking a Conditional Use Permit to construct a 450 square foot metal carport within the side yard of his property. West Point City Code requires all accessory buildings located in the side yard to obtain a Conditional Use Permit. Mr. Fotou has submitted all the required documentation for review. The requirements in West Point City Code (15.15.120(f)) states: It must maintain the same side yard setback as the residential dwelling. It shall not create a significant nuisance due to design, construction or placement to neighboring properties. It must not be closer than 15' from a residential dwelling on an adjacent lot. The combination of all accessory buildings not to occupy more than 20% of the lot area less the footprint of the main building. It may not be closer than 10' from the main building.

Mr. Fotou said the other building will be a horse barn. It matches the other accessory building on his property. Brian Vincent asked if he is planning to do anything to hide the carport for security reasons or anything like that. Mr. Fotou said he was planning to put trees back there. The reason he is putting it where he's proposing is because the neighbor to the south doesn't have horses and prefers not to have that around. The other neighbor has horses and they like the animals there. So, the way the lot is configured, he put everything over there to make the neighbors happy. He wants to be a good neighbor. His lot is wide enough that it's not a problem. He will be securing the carport to a concrete slab.

Jeff Macfarlane made a motion to approve the Conditional Use Permit for an accessory building located at 1262 North 4500 West, Mark Fotou, applicant. Jeremy Strong seconded the motion. All voted aye.

**9. Planning Commission Comments**

Jake Shepherd expressed gratitude for the City and being able to live in West Point. His desire to have more public comment is to make it better for everyone who lives here. He also thanked Staff.

Brad Lee echoed what Jake Shepherd said. Its fulfilling to see a process like this from beginning to end. They represent the public so it is nice to have their backing as well

Jeremy Strong echoed the previous comments.

Jeff Macfarlane echoed the previous comments.

Rob Ortega had no comments.


Brian Vincent agreed with the previous comments made and said what an honor it is to serve with the Commissioners.

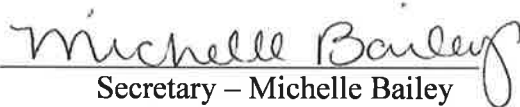
## 10. Staff Update

The City Council approved the Littlefield Subdivision. In January, the Council held their annual retreat. They talked about future projects in the City, the finances of the City, the recreation programs, economic development in the City, broadband internet options and possibly redesigning the City website. In their last meeting, they discussed helping Jon Schneider get an easement for the sewer to run from his property that is just west of the golf course. He has interest in developing that but needs a way to get the sewer to drain out of there.

## 11. Adjournment

Brad Lee made a motion to adjourn at 7:55 p.m. Brian Vincent seconded the motion. All voted aye.

  
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Chairperson – Brian Vincent

  
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Secretary – Michelle Bailey

