

**West Point City
Planning Commission
3200 West 300 North
March 28, 2019**

Present: Brian Vincent, 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: Brad Lee, Korey Kap

Visitors: Terry Ellis, Donald Sandberg, Dennis Montgomery, Ralene Montgomery, Nathan Montgomery, Rod Carter, Randy Holmstead, JoAnn Holmstead, Nancy Nelson

WORK SESSION

1. Discussion regarding Final Plat Approval for Wildfire Estates, Phase 1, located at approximately 40 South 4500 West, Mark Sandberg, applicant.

Don Sandberg was present representing the developer. Wildfire Estates, LLC is seeking Final Plat approval for Phase 1 of the Wildfire Estates subdivision. On December 13, 2018, the Planning Commission approved the Preliminary Plan for this development following a Developer's Agreement with the City Council in November 2018. Wildfire Estates, Phase 1, will consist of 18 lots ranging from 12,000 to 18,000 square feet with a single access off 4500 West. The agreement with the Council allowed some variation of lot depths on lots 101-105 and 114-118. This was discussed in the Planning Commission meeting held on February 28, 2019. The item was tabled due to several items that needed completion. They were waiting for an agreement with the Bay View Duck Club to get an easement to drain that water. A letter has been received stating they will sign that agreement. All of the agency letters have been received now for final approval. The developer has addressed some of the engineer's comments that were given to them in January. There is a revised set of plans that show some drawing corrections.

Boyd Davis went over his Engineer's Report and discussed any items that had not yet been completed at the time the report was written. Several of the items have now been completed. There is an irrigation ditch that flows between a couple of lots. It is supplying irrigation water to their other property to the south. It also provides a location for the tail water from certain properties to run. They have added to the plans a pipe to take the tail water from those properties. They are still trying to decide if they want to flow irrigation water down to a property. If they do, they will extend that pipe all the way to the south. For now, the pipe is taking the tail water off of those properties, into a pipe, and it flows down into their storm drain and then out to the lake. The open ditch will stay in place and will flow into the pipe that is on the plans.

Dennis Montgomery asked if the developer would be putting a berm on the south side next to the hay field so their irrigation water won't go into those houses. Boyd Davis agreed that could be added to the motion. Don Sandberg said they wouldn't have a problem putting a berm there. The monument sign and landscaping plans were briefly

discussed. Jeff Macfarlane said his main concern is making sure the land drains are in place. Their basements will be limited by the depth of the sewer there.

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

Brian Vincent commented that the Planning Commission has held two Public Hearings regarding amendments to the General Plan. They heard comments and feedback from those. They have also received a couple of letters from citizens, as well as comments on the website. Many items need no further discussion, other items need further discussion tonight before voting on this. Brian Vincent asked Troy to go through each item individually and if it needs discussion, they will set it aside for discussion, if it is something they are all comfortable with, they will move to the next item.

Troy Moyes went through each of the suggested changes individually. Item 1 is by the proposed school complex. It is suggested to change the zone from R-1 to R-3 to put more density around the schools. There were comments in one of the Public Hearings about putting density around the schools. Brian Vincent commented that Items 1, 2 and 3 would all need further discussion so they moved past those for a minute.

Item 4 was a suggestion to change from R-1 to R-2. This was for continuity purposes. There were no comments.

Item 5 was a suggestion to change from R-3 to R-4. This was a request by the property owner. There was a comment on the website stating they didn't feel like that fits in that area. The Commission feels that shows continuity through that area and they are all fine with that change.

Item 6 was a change from R-2 to a future park along the side of the West Davis Corridor due to the high water table in that area. There were no comments on that.

Item 7 was a change from R-1 to Public/Institutional for a future church.

Item 8 was to remove the park that had been planned at the end of the Bannock Subdivision. That agreement has been changed and that subdivision is being developed all the way down. This is just to remove it from the map.

Item 9 was a suggestion to change from R-C to R-4 to allow higher density around the school and create a buffer with the Regional Commercial zone to the east.

Item 10 was a suggestion to change from R-1 to R-3 to allow some higher density around the schools.

Items 11 and 12 are suggested changes from R-1 to R-2 to create a buffer between the higher density in the Syracuse development to the east and the R-1 zones to the west.

Item 13 has been discussed at great lengths. They will come back to this item for discussion.

Item 14 was a suggestion to change from R-1 to R/I-P. This area has a natural buffer with the canal to the west and the Corridor to the East. There was a comment on the website regarding this. It seems when people hear "Industrial" they think it would be like the Freeport Center. That is considered heavy industrial. This wouldn't be that type. This would be more like office type/manufacturing area. It would be light industrial.

Item 15 came as a request from the property owners to trim the C-C area to 15' along 300 North to accommodate frontage commercial rather than deep commercial.

Item 16 was recommended by Staff to show the future annexation area and identify this future use as R-1.

Item 17 was a change recommended by Staff to modify the first proposal of R-3 and change it to R-2 to allow for a smoother transition between the R-1 to the west and future West Davis Corridor.

Going back to the items that needed more discussion, Items 1, 2 and 3 were addressed first. Regarding Item 3, the current General Plan lists that as R/I-P Industrial. This is suggesting to change that to R-4. Rob Ortega commented that he really likes that. He feels that is a good place to have some townhomes or something similar where there are jobs with the Industrial & Commercial areas, schools and freeway access all so close. That won't add a lot of traffic into the City. Jeff Macfarlane felt that is a good idea. Jeremy Strong said he feels houses around schools are better than businesses. A comment from the website was that having too many homes around schools is too much of a distraction for kids to leave school and go home. Brian Vincent commented that with the School District's rules, the kids have to live so far away from the school in order to have the opportunity to be bussed. Brian feels that if there are homes close to the school, it provides a safer opportunity for them to walk to school. There were no other comments made regarding Items 1, 2 and 3.

In regards to the school property around Item 7, Terri Ellis submitted a letter requesting that her property be looked at and consider increasing the density on it. Boyd Davis commented that Ms. Ellis also mentioned that she used to have the R-2 zone on the frontage along 4500 West. If the Commission wants to entertain her request, they could possibly show the portion from the elementary school and the church out to 4500 West as an R-2. Rob Ortega asked if there is a timeline on when that elementary school would be built. Staff did not know when that would be built. Boyd Davis also suggested that they could do from the school to the east if they wanted to. That would be sandwiched between the future junior high and elementary school. Rob Ortega said he feels that R-2 makes a lot of sense there. Jeff Macfarlane feels that it would be appropriate to make some of the property R-2 but would prefer to keep some of it R-1 around the outer edges if that's possible. Jeremy Strong agreed that it would be fine to bump it up to R-2 around the school. Jake Shepherd agreed that R-2 would be fine there; it makes sense. Discussion took place regarding different ways they could divide it between the two zones. It was proposed to make it all R-2 in that area between Cold Springs Road and 4500 West. All agreed that was a good idea and made a lot of sense for that area.

Item 13 was discussed next. Rob Ortega said he was undecided about this because he wasn't sure we wanted to add more traffic to 800 North. Jake Shepherd suggested leaving it as R-1 and address it later. Rob Ortega agreed with that. Jeremy Strong felt the same way. He suggested they could just leave it as open space.

The next item for discussion was regarding a letter submitted to the Commission from Matt Leavitt, a property owner in West Point. Mr. Leavitt is proposing that the Commission change his property from R-2 to R-3. It is located close to a school and a park. There is a proposed R-4 development across the street and Mr. Leavitt feels this would be a good change. A brief discussion took place regarding this parcel. The Commissioners felt it would be best to leave it R-2 for now and address this change in the future. The developer could do creative things with that property remaining an R-2 and using the PRUD overlay.

Item 10 was discussed next. Jeremy Strong commented that they zoned it R-3 because it was too narrow to develop as R-2. Also, Syracuse has 7,000 square foot lots on their property just to the south of that. The Commission suggested leaving that R-3 as discussed previously.

REGULAR MEETING

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Prayer:** given by Jeff Macfarlane
4. **Approval of Minutes from March 14, 2019.**

Jeff Macfarlane made a motion to approve the minutes from the meeting held on March 14, 2019, as written. Jake Shepherd seconded the motion. All voted aye.

5. **Public Comments: Rod Carter – 358 North 4500 West –** Mr. Carter commented that there were some things he doesn't understand. He knows we have to have a plan, but we have a plan. Why can't we leave it the way it is? He commented that he doesn't understand why we need to go into an area that no one has shown interest in developing and zone it high density. Why can't we leave it the way it is until someone wants to do something different and then see what they have to offer? Mr. Carter brought up flooding problems on 650 North that he is aware of. He also commented on several areas around his property that have flooding problems or a high water table. He is against building homes in these areas. Mr. Carter also mentioned the pollution problem on the west side of the city that will be exacerbated by putting higher density around the schools. Jake Shepherd commented that what he is hearing is that Mr. Carter wants them to leave everything zoned R-1 on the west side. Mr. Carter said, "Until someone proves they can do what they want to do, yes!" Jake asked what criteria he would like them to measure that by. Mr. Carter responded by the water table and how it will be drained. Mr. Carter spoke again about the pollution that would be in the area from adding higher density.

Jake responded that no one will be able to lift the pollution out of the west side. There was some conversation between Jake Shepherd and Mr. Carter as Jake tried to determine what questions Mr. Carter had that they could answer for him to ease his concerns. Mr. Carter didn't have any specific questions, he was just very frustrated and concerned about pollution and water issues. Jeremy Strong explained why the City is planning for the future. They plan for the future and to ensure quality of life the best they can. Mr. Carter commented that the City does not hold contractors accountable. He disagrees with pre-planning.

Dennis Montgomery – 4600 West 200 South – Mr. Montgomery commented that Pheasant Creek flooded, 50 South floods and is still flooding and more homes are going in that area. Whomever is doing the inspections and the engineering needs to be held responsible. Zoning is another thing that needs to be looked at. Some of the areas that are being pre-zoned are wetlands. There is no sense in putting homes in there if they are wetlands. Other than that, you are doing a fantastic job. Thank you for listening to us.

6. Final Plat Approval for Wildfire Estates, Phase 1, located at approximately 40 South 4500 West, Mark Sandberg, applicant.

Mark Sandberg, who is representing Wildfire Estates, LLC, is seeking Phase 1 Final Plat Approval for the Wildfire Estates subdivision. On December 13, 2018, the Planning Commission approved the Preliminary Plan for this development following a Developer's Agreement with the City Council in November 2018. Wildfire Estates, Phase 1, will consist of 18 lots ranging from 12,000 to 18,000 square feet with a single access on 4500 West. The agreement with the Council allowed some variation of lot depths on Lots 101-105 and 114-118. This item was discussed during the meeting held on February 28, 2018, but was tabled until the applicant could obtain the approval letters listed. They have since obtained those letters. It was discussed in the work session that the developer will need to create a berm on the south side against the Montgomery property. Staff recommends approval of this application.

Brian Vincent commented that this was discussed in the work session and all of the items that were listed as not complete on the Engineer's Report have now been completed. The only thing left in question was a pipe that was going to capture the tailwaters off the three properties to the north of Phase 1, and carry them down to the south side of Phase 1. That will be figured out before proceeding. Jake Shepherd commented that the berm must be in place before the subdivision is built. The berm was discussed briefly.

Jeremy Strong made a motion to approve the Final Plat for Wildfire Estates, Phase 1, located at approximately 40 South 4500 West, Mark Sandberg, applicant, contingent upon them meeting all of the requirements listed by Staff on their reports and the construction of a two-foot berm along the Montgomery property where they are currently flood irrigating. The irrigation water goes onto the Wildfire property. Don Sandberg asked for clarity on the berm. He would like a simple requirement on the berm. Jake Shepherd said they are responsible for their water. Don agreed to that. He said they will ensure that the berm is a sufficient size to keep the water off. Jake Shepherd seconded the motion. All voted aye.

7. Consideration regarding amendments to West Point City's General Plan.

Troy Moyes recapped the discussion that took place in the Work Session for this meeting. They went over each item on the General Plan that they have been discussing for several months. Those items have been addressed and changes made to the items as needed. Item 13 was taken off the map. Also, they added some R-2 Residential to an area around Item 7. This has been discussed at length and Staff feels it is a good plan to recommend to City Council. Jake Shepherd had a couple of questions regarding what was discussed in the Work Session since he wasn't able to be there until towards the end of the meeting.

Jake Shepherd made a motion to approve the amendments made to West Point City's General Plan and forward the recommended changes to City Council. Jeremy Strong seconded the motion. All voted aye.

8. Planning Commission Comments

Jeff Macfarlane commented that the City is required to have a General Plan. They plan by zoning, as does most every other city in the country. We do that by looking at where school, churches, main roads etc are located. There are situations where property appears to be unbuildable. For example, the ski lake in Syracuse was considered unbuildable due to the water levels. There are now big houses all around there because those problems were mitigated. With proper engineering and planning, a lot of these problems can be taken care of. The zoning is just a general idea of where they think will be a good place for houses, schools, etc. The rest of that is engineering. Jeff assured the residents that the commissioners are trying to do the best they can to plan the City in a sensible way.

Jeremy Strong had no comments.

Jake Shepherd commented that he appreciates the comments that are made and the input that is brought to this meeting. Planning and growth are difficult things. They are just trying to find a balance and handle the growth that is coming.

Brian Vincent echoed the comments given by his fellow commissioners. As a Planning Commission, they grow, learn and become better. They appreciate when information is brought forward to help them as they do the planning.

9. Staff Update

Boyd Davis gave an update on the City Council meeting held on March 19, 2019. The Council discussed the PRUD project being proposed on the Murray property. They had a lot of questions and decided to have another discussion before scheduling a public hearing for that. They discussed the apartment project and feel comfortable with that. It is on the agenda for their next meeting. They discussed the rezone of the Carlisi property on 700 South 4600 West. They will hold a public hearing at their next meeting. Also, they talked about the Utopia fiber project that they are considering. Three subdivision were put on warranty. Finally, they held a public hearing and the rezone of Tim Gooch's property located on 1800 North. That was approved.

10. Adjournment

Jeff Macfarlane made a motion to adjourn at 8:04 p.m. Brian Vincent seconded the motion. All voted aye.

Chairperson – Brian Vincent

Secretary – Michelle Bailey

