

**West Point City
Planning Commission
3200 West 300 North
May 25, 2017**

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

Excused: Jeremy Strong, Korey Kap

Visitors: Lynn & Diane Manning, Mike Bastian, Ed Miles, Garret Ritchie, Tanner Price, Cory Price, Bryan Cox, Josh Ferguson, Glen Wade

WORK SESSION

- 1. Discussion regarding an amendment to the Zoning Map from A-40 to R-2 with a PVFD overlay zone, located at approximately 3550 West 800 North, Ironwood Development, applicant.**

The application for this rezone has been pulled so this item will be tabled in the regular meeting.

- 2. Discussion regarding an amendment to the Zoning Map from A-40 to R-3 with a PVFD overlay zone, located at approximately 775 North 3000 West, Castle Creek Homes, applicant.**

The PVFD overlay gives developers the ability to have higher density in a particular zone in exchange for some amenities that the developer will then provide in that development. Castle Creek is requesting this property be rezoned from A-40 to an R-3 zone. The minimum for R-3 is 11,000 square feet per lot. Under the PVFD overlay, they would be allowed to drop to 9,000 square feet per lot as long as they provide amenities that are approved by the City. The City has entered into a Developer's Agreement with Castle Creek Homes. Now it is coming to the Planning Commission for the rezone of the property. The amenities they are proposing are 1. Variety of lot sizes. The average lot size for the development is 13,000 square feet and some of the lots go up to 20,000 square feet. Others are 9,000 square feet. This meets the General Plan. 2. Minimum square footage of the homes will be 1,500 square feet with a minimum of two car garages on each home. Anything less than 1,500 square feet must have a three car garage. They cannot be smaller than 1,400 square feet. 3. Owner installed park strip trees. There will be a list of certain trees that the developer may choose from.

3. Discussion regarding a Conditional Use Permit for an accessory building located at 994 South 4500 West, Lynn Manning, applicant.

Mr. Manning intends to build a 2,400 square foot building. The building meets all setback requirements. It will be a steel building. It cannot occupy more than 20% of the open space of the property, which it does not. Staff recommends approval.

4. Discussion regarding a Conditional Use Permit for a multi-tenant commercial building, located at 3024 West 300 North, Ed Miles, applicant.

Brian Vincent said that Ed Miles is planning to take the current tenants from our Medical Plaza and move them into this new building that is being proposed because a charter school has purchased the existing building. The new building will be 9,000 square feet. Mr. Miles is requesting that the front of the building will face the west and the rear of the building will face 3000 West. The proposed exterior materials of the building will be the same as what is on the existing buildings next to it. Brian Vincent said his preference would be to have the front of the building facing 300 North so the side of the building will be on 3000 West. There isn't enough room for the building on that pad if it faces 300 North. Also, the traffic flow won't work well if they turn the building that way. There was discussion regarding the doors and the windows on the rear of the building. Jeff Macfarlane expressed concern with windows in the back because it seems that usually ends up being a storage area so the windows just have boxes and debris stacked in front of them. All agreed it would be much more functional to have the building facing west. Rob Ortega suggested that there be signage on the back of the building so people know what businesses are located in the building. Troy Moyes mentioned the requirement in the Code for windows on all street-facing sides of buildings. Boyd Davis commented that the windows on the back of the building will be false windows. Brad Lee asked if there would be a monument sign on the corner. Troy Moyes responded saying that the developer hasn't proposed a sign package with this yet. They would be required to come back in for approval if they want to do a sign.

Jake Shepherd asked if a charter school is an allowed use in that area. Troy Moyes confirmed that it is allowed. Ed Miles said it will be a Kindergarten through 6th grade school. Ed also commented that the student capacity is 500. Jeff Macfarlane asked if the neighbors have been contacted. Ed Miles said he has met with the neighbors and they didn't have any real issues with the building being constructed. The family that owns the rental property next to it would like Ed to buy that, but he doesn't feel that the asking price is reasonable or feasible. Ed Miles said he understands the Commission's concern with the look of the back of the building on a main road. He said there will be signage and awnings on the back. Ed Miles said he will check with his architect on what the plan is for the windows on the back. He thought they would be real windows, but they may be false windows. Ed expressed concern with having a pharmacy and a medical plaza in there and the windows on the back. He doesn't want it to be easy for someone to break into those facilities.

REGULAR MEETING

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Prayer:** given by Jeff Macfarlane
4. **Approval of Minutes from May 11, 2017.**

Jeff Macfarlane made a motion to approve the minutes from the meeting held on May 11, 2017, as written. Jake Shepherd seconded the motion. All voted aye.

5. **Public Comments:** None given
6. **Public Hearing regarding an amendment to the Zoning Map from A-40 to R-2 with a PVFD overlay zone, located at approximately 3550 West 800 North, Ironwood Development, applicant.**

Brian Vincent stated that the applicant has withdrawn their application at this time. Brad Lee made a motion to table the Public Hearing regarding an amendment to the Zoning Map from A-40 to R-2 with a PVFD overlay zone, located at approximately 3550 West 800 North, Ironwood Development, applicant. Rob Ortega seconded the motion. All voted aye.

7. **Rezone of property from A-40 to R-2 with a PVFD overlay zone, located at approximately 3550 West 800 North, Ironwood Development, applicant.**

This item was tabled due to the developer withdrawing their application.

8. **Public Hearing regarding an amendment to the Zoning Map from A-40 to R-3 with a PVFD overlay zone, located at approximately 775 North 3000 West, Castle Creek Homes, applicant.**

Troy Moyes reviewed the application. Castle Creek Homes is seeking to amend the zoning map of West Point City by reclassifying 14 acres of property from A-40 (Agricultural) to R-3 (Residential) with a PVFD (Planned Variety and Flexibility Development) overlay zone as requested under the application dated May 4, 2017, as it pertains to the property located at approximately 775 North 3000 West. Castle Creek Homes has met several times with Staff and also in a work session with the City Council to work out the details of the required "Developer's Agreement" as required in the PVFD overlay zone. They are seeking the overlay zone in conjunction with the R-3 designation to reduce the lot sizes from 11,000 square foot to 9,000 square foot lots. Some of the items discussed in the development agreement include: Variation of lot sizes, and owner-installed designed landscaped park strips, and minimum house size requiring a third car garage.

Jeff Macfarlane made a motion to open the Public Hearing. Brad Lee seconded the motion. All voted aye.

Bryan Cox – 3161 West 800 North – Mr. Cox had a couple of questions that he wanted clarification on. Mr. Cox said, “It seems to me that R-3 are very small lots and like 1,400 square foot and below homes, is that correct? My concern is, I’ve been a West Point resident for almost 40 years now, and I just remember how great it was to have all the open land, all the open space. People had big yards. I get that it can’t always be that way but any change we make is permanent. Not everybody can always continue to be a farmer. Not everybody always wants their land. People get to sell their land. I totally get that. But I am concerned with little homes, little lots and kinda becoming a Layton. People are leaving Layton trying to get the open space by coming out here. And now I hear my neighbor saying, ‘Well if that’s coming in, I want to move to Farr West.’ And people are wondering how they escape little lots little homes. That’s my biggest concern. I don’t know why we have to go from agricultural all the way to R-3. Why not R-2? I myself don’t want to live in an HOA but the more I think about it, I don’t necessarily mind an HOA near me because I feel like at least it keeps the junky yards away. Personally, I want a little freedom in how people landscape as long as it’s done well and beautifully. I do have a concern with some of the junky homes and some of the hoarders nearby. I much prefer a little bit larger lots and a little bit larger homes. When I drive around the town, I notice more in the 3,000 square foot average; some homes are bigger and some are smaller. It just concerns me to have a bunch of little homes right up next to my property and I’m looking for bigger lots.”

Josh Ferguson – 622 North 3075 West – Mr. Ferguson said he lives in the existing Castle Creek neighborhood. Mr. Ferguson said, “With R-3 being higher density, my concern is the elementary school and the junior high. Lots of kids walk up and down the street, to and from school. There will be increased traffic from the homes. My second concern is that the street right adjacent to mine to the west is a through street to that area. That is a nice residential street but there will be a lot of increased traffic along there which a lot of those homeowners are concerned about the increased traffic. It wasn’t really what they had in mind when they built in that little section. And then regarding the schools as well. The schools are already at capacity so are there going to be new elementary schools and junior highs that they are planning to build? Those are my concerns. Thank you.”

Bryan Cox – 3161 West 800 North – Mr. Cox asked what the density is of the Wise Country Meadows subdivision. Brian Vincent said it is zoned R-3. Troy Moyes commented that it is the same lot size as this proposed development but will actually have several lots that are bigger than what is in Wise Country Meadows. Mr. Cox said in terms of land value, smaller lots next to his will hurt his property value.

Jake Shepherd made a motion to close the Public Hearing. Jeff Macfarlane seconded the motion. All voted aye.

9. Rezone of property from A-40 to R-3 with a PVFD overlay zone, located at approximately 775 North 3000 West, Castle Creek Homes, applicant.

Brian Vincent addressed some of the concerns expressed in the public hearing. First, the increased traffic around the schools. There will definitely be increased traffic, but as for the enrollment numbers, it will be the School District's decision as to whether they need to build more schools in the area. Second, is the increased traffic patterns in the area. The average lot size in this proposed subdivision is actually larger than the neighboring subdivision. They are allowed to have smaller lot sizes, but they are not proposing to do that. Troy Moyes stated that the lot sizes will range from 9,000 square feet up to 20,000 square feet; with the average lot size being 13,000 square feet. Troy Moyes explained what the PVFD overlay is.

Glen Wade - 776 North 3500 West – Mr. Wade asked what amenities we are getting from the developer as a trade off? Troy Moyes said that with this negotiation, there are three main elements. 1. Varied lot sizes 2. Under the CC&Rs for the development, they will have a landscaped park strip which will be installed by the developer. 3. A minimum square footage for the home that would require a third car garage. City wide, we have an ordinance that will allow 1,400 square foot homes as a minimum size. This negotiation says that if the home is under 1,500 square feet, they would be required to have a third car garage to increase the footprint of the home. Boyd Davis commented that the Home Owners Association in this particular subdivision is very limited. Its only purpose is to take care of the landscaping strip that will be along 3000 West and 800 North. The developer has put in the CC&R's a requirement that the homeowner of each lot must install the required trees and maintain them themselves. That will not be done by the Home Owners Association. Jake Shepherd asked who will enforce the CC&Rs? Boyd Davis responded that the developer will enforce them. The Developer's Agreement states the information about the trees as discussed earlier.

Jake Shepherd made a motion to approve the rezone of property from A-40 to R-3 with a PVFD overlay zone, located at approximately 775 North 3000 West, Castle Creek Homes, applicant. Jeff Macfarlane seconded the motion. All voted aye.

10. Conditional Use Permit for an Accessory Building located at 994 South 4500 West, Lynn Manning, applicant.

Troy Moyes stated that Lynn Manning is seeking conditional use approval to construct a metal accessory building on his property with the purpose of storage. West Point City Code requires all accessory buildings that are more than 1,500 square feet, no matter the size of the lot, shall require a conditional use permit. Mr. Manning has proposed this accessory building to be 2,400 square feet. All of the proper applications and plans have been submitted and provided for review.

Jeff Macfarlane made a motion to approve the Conditional Use Permit for an Accessory Building located at 994 South 4500 West, Lynn Manning, applicant. Rob Ortega seconded the motion. All voted aye.

11. Conditional Use Permit for a Multi-Tenant Commercial Building located at 3024 West 300 North, Ed Miles, applicant.

Troy Moyes said Ed Miles is seeking approval to construct a 9,000 square foot retail building on the Northwest corner of 3000 West 300 North. In meetings with the applicant's representative, the intent is to move several tenants from the major medical building over to this new building in preparation for a new owner to take over that building. The majority of tenants are medical use. The plans indicate that the building will be facing west with the back of the structure facing 3000 West. The material proposed on the building is to match the material used on the major medical building to keep continuity within the development. The elevations submitted have a flat roof and by Code, would require a Conditional Use approval as described in 17-20-160(b). The plans have been provided for review. Staff has reviewed the submitted plans and have provided the comments back to the applicant to make some minor changes as it pertains to the West Point City Code. Some of these minor changes include: connection to existing sidewalk and installation of sidewalk on the west side of the entrance; clarification of storm water; approvals from North Davis Sewer District and North Davis Fire District. Rob Ortega asked Mr. Miles about the windows on the back of the building as discussed in the work session. Mr. Miles said he would talk to his architect about the windows and see what he wants to do. He said he would also talk to the tenants to get their input on the windows.

Brad Lee made a motion to approve the Conditional Use Permit for a Multi-Tenant Commercial Building located at 3024 West 300 North, Ed Miles, applicant. Jake Shepherd seconded the motion. All voted aye.

12. Planning Commission Comments

Rob Ortega thanked Staff for their work.

Jeff Macfarlane commented that he is looking forward to the parade on the 4th of July.

Brad Lee thanked Staff for their work in putting the materials together for the meeting.

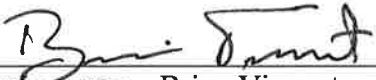
Jake Shepherd thanked the residents who came to make a public comment and give input.

Jeff Macfarlane wanted to explain that many citizens don't realize that a lot of the decisions the commission makes are done when they adopt the General Plan. That plan guides their decisions when doing zoning changes etc. It would be great for the citizens to make comments and give input when the General Plan is open and being revised.

Brian Vincent thanked the public for their comments and thanked Staff. Brian also commented that the density and the zoning is guided by the General Plan. That guides the direction they are going so they don't have to make decisions off the cuff.

13. Adjournment

Brad Lee made a motion to adjourn at 7:34 p.m. Rob Ortega seconded the motion. All voted aye.



Chairperson – Brian Vincent



Secretary – Michelle Bailey

