

**West Point City
Planning Commission
3200 West 300 North
July 11, 2019**

Present: Brian Vincent, Rob Ortega, Jeremy Strong, Brad Lee, Kyle Laws – City Manager, Kent Henderson – City Council Representative, Troy Moyes – City Planner, Michelle Bailey - Planning Commission Secretary

Excused: Korey Kap, Jake Shepherd

Visitors: Sherese Seeds, DeAnn Noel, Wright Noel, Wen Durand, Pascal Meyer, Cameron Porter, Tami Matthews, Dave Matthews, Paul Nilson,

WORK SESSION

- 1. Discussion regarding a rezone of property from A-40 Agriculture & R-2 Residential to R-4 Residential, located at approximately 3600 West 300 North, M8 Properties, LLC, applicant.**

M8 Properties, LLC, who is the acting agent for EMCO, LLC and David Matthews Trustees, is proposing to rezone 7.2 acres of property located at approximately 3600 West 300 North from R-2 Residential and A-40 Agriculture to R-4 Residential. This rezone proposal consists of four individual parcels that are located along 300 North. West Point City's General Plan has this area identified as future R-4 Residential and this proposal fits within the recommendations identified on the General Plan. No development plan has been submitted so this is solely for a rezone. All required noticing, as per City and State Code were done. There were no questions from the Commission.

- 2. Discussion regarding Preliminary and Final Plat Approval for the Ogden Clinic Subdivision, located at 125 South 3000 West, Pascal Meyer, A.I.A., applicant.**

Carpenter Stringham Architects, LLC, is seeking Preliminary and Final Plat approval along with a Pad Approval for a proposed Ogden Clinic, located at 125 South 3000 West. The applicant is proposing to subdivide the property into two one-acre parcels. The proposed location of the building will be on Lot 1. The clinic is a 13,000 square foot building that will be used for medical offices and a drive-thru pharmacy. A complete set of plans and renderings have been provided for review. This property is currently zoned C-C Commercial and the proposed use is a permitted use within the zone.

They were required to submit a plat and also a site plan. There were some minor corrections on the plat that were suggested to the applicant. Staff is still waiting to receive outside entity approval letters. Mr. Meyer said they received an approval letter earlier in the day from the North Davis Fire District. Mr. Meyer stated that they have not received an approval letter yet from the Davis & Weber Canal Company because they still need to submit an irrigation plan to them. Staff also suggested the applicant have a traffic study done that addresses the access to the site and the impacts to the intersection at 3000 West

125 South. Staff recommends that a traffic study be required, however the applicant would like the Planning Commission to consider not requiring the traffic study “given that there is no new access off of an arterial road and relatively low parking/traffic demand for this use.” West Point City Code states: “The Planning Commission may require additional information, data or studies to be provided to the Planning Commission by the subdivider for the overall development before acceptance, rejection or referral is made by the Planning Commission regarding the proposed concept plan. (Section 16.05.035(A)).” The applicant doesn’t feel that the clinic will provide significant impact on the intersection and therefore doesn’t feel that a traffic study will be useful. The Code does not require a traffic study to be done, but the Planning Commission may ask for one.

Pascal Meyer was asked how many vehicles per day they expect. Mr. Meyer said he didn’t have accurate information to provide that number. They are required to provide 51 stalls for parking and they are providing 79 for potential growth. No research has been done on how many vehicles would be in and out of there in one day. Mr. Meyer said initially there will be three providers in the clinic but that could double to potentially six providers. At this time, they plan to have a dermatology practice, a general family practice and a pediatric practice. A physical therapist and a pharmacy will also be located in the building. Mr. Meyer said they raised the question of the need for the traffic study because this is their fifth clinic and they have never been required to do one anywhere else. This is similar to the clinic in Roy, which is located off an arterial road, and they didn’t require it. Doing this study, would delay the approval process by a month and they are confident the traffic study won’t provide enough information to change anything.

Rob Ortega asked what a traffic study would require if there were any findings. Troy Moyes responded that the study would just give some recommendations, like the soil reports do. It wouldn’t be possible to put a traffic light there. Possibly, a right turn only out of 125 South could be required. Mr. Meyer asked if any of it could be restriped? Troy Moyes stated that if a traffic study is not required at this time, and then eventually a traffic problem develops, it would then be the responsibility of the City to alleviate. Brian Vincent asked how much a traffic study costs. Mr. Meyer said he has seen them between \$3,000 - \$5,000. Brian Vincent asked Mr. Porter what their plan is for the property to the east of the clinic. Mr. Porter responded that is what they need from a parking perspective so they are just trying to maximize the use of the land. They may expand or eventually sell. Mr. Porter was asked if he has any information regarding the number of vehicles per day. He responded, “If you look at Grandview, which is one of our busiest sites, with one provider they will have 28-30 cars; that’s 30 patients that come in that day. In a facility with 10 providers, you might have 300 cars that come in and out in a day. That would be between 8:00 am – 6:00 pm.” Troy Moyes asked how many clinics they have next to arterial roads. Mr. Porter responded that all of their clinics are along arterial roads.

Brian Vincent asked the Commissioners how they feel about requiring a traffic study. Rob Ortega commented that he is nervous about not doing the study for the Yalecrest traffic; however, there are other accesses to the subdivision that could be used. If all they get from a traffic study is a suggestion to have traffic turn right only off from 125 South, that won’t be very useful. Brian Vincent said he feels the only thing they will get from a traffic study is a suggestion for a right turn lane. He suggested going with that now and if a problem arises, we will end up doing a traffic study later. Kyle Laws suggested they

make a left turn lane on southbound 3000 West to turn onto 125 South. There is no turn lane there at this time. Jeremy Strong commented that the road is already widened there, it just needs to be restriped. Doing that would be much less impact than having people stop in the traffic lane while they wait to turn left. Kyle Laws commented that where that striping is really needed and benefits the Ogden Clinic, he feels that should be part of their costs if the traffic study isn't done. Rob Ortega commented again that he isn't an expert on these things and would feel more comfortable getting a traffic study done. Kyle Laws stated that Staff recommended a traffic study but recognizes that it is the Planning Commission's call according to the Code. It is not required but it can be required if the Commission feels it is necessary. Brad Lee said he is fine with foregoing the traffic study if they would be willing to restripe the road. Jeremy Strong said he feels they can just take care of the problem upfront; he doesn't feel that the traffic study will tell them any different. Staff suggested they mirror the length of the left-hand turn lane onto Highway 193 for an appropriate turn lane into the clinic. Cameron Porter commented that the reality of creating those turn lanes is that it also creates more safety for their patients. They want their patients to be safe and they are willing to do that. Brian Vincent said he understands the recommendation for a traffic study but he doesn't feel it would change more than what they have discussed. The road can't be widened more and a light can't be installed. Therefore, he feels comfortable with restriping that area and creating those safety lanes.

Staff recommends tabling this item in the General Session until all letters from outside entities have been received. Troy Moyes asked Mr. Porter if he feels it would be possible for them to provide a proposal for how the turn lanes would look. Mr. Porter said they would do that and show it as an off-site improvement. It was also suggested that they stripe a right turn lane and a left turn lane on 125 South if there is adequate room for that.

3. Discussion regarding the Site Plan Approval for Ogden Clinic West Point, located at 125 South 3000 West, Pascal Meyer, A.I.A., applicant.

Troy Moyes commented that there were some changes made to the articulation on the sides of the building in response to some concerns Staff mentioned. Those were all addressed and it meets the requirements. The sign permits will come in at a separate time. They will have three monument signs. The Code requires them to submit a signage plan, and that has been submitted. They have also submitted landscape plans that meet all of the requirements in the Code. The plat must be approved first, so that and the site plan will be presented at the next meeting for approval.

4. Discussion regarding West Point City Code regarding Accessory Building Standards.

Troy Moyes commented that his has been discussed in the last several meetings. We are trying to finalize design standards for buildings located in side yards. There has been question of where the side yard is by definition, whether accessory buildings must be behind a fence, etc. Defining the front yard specifically would help in defining the side yard. The definitions in the Code aren't specific enough so that is part of what the Commission needs to tackle. The proposed definition in the Code would read: "'Yard, front'" means an open, unoccupied yard extending across the full width of the lot adjacent

to and measured perpendicularly from the front lot line and having, at no point, a depth of less than the minimum required horizontal distance between the front lot line and the closest permissible location of the principal building.” This will help define side yards, especially in cul-de-sacs.

In regards to accessory building exterior materials and design, there were three options listed:

- a. Accessory buildings that are less than 200 square feet and are located 10 feet behind the defined front yard are exempt from design standards as outlined in subsection “c” as long as the building is located behind a six-foot privacy fence.
- b. Accessory buildings that are less than 200 square feet and are located closer than 10 feet to the defined front yard must follow the design standards as listed in subsection “c”.
- c. All accessory buildings that are greater than 200 square feet and located in any portion of the side yard must adhere to building material standards as it pertains to the front facade outlined in 15.15.130(C) of the West Point City Code.

Jeremy Strong asked if there is anything in there that pertains to older subdivisions that don't have CC&R's. Troy Moyes said a person can come in and appeal that by saying their house is older and has wood siding etc. In a future meeting, they will discuss standards that will apply to that scenario.

Troy showed the Commission four illustrations that could be included in the Code to help define the side yard in different scenarios such as a corner lot or in a cul-de-sac. Discussion took place looking at these illustrations and the situations that could possibly come up. All of the Commissioners were in favor of the things Staff proposed at this time.

GENERAL SESSION

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Prayer:** given by Jeremy Strong
- 4. Approval of Minutes from June 27, 2019.**

Brad Lee made a motion to approve the minutes from the meeting held on June 27, 2019, as written. Rob Ortega seconded the motion. All voted aye.

5. Public Comments:

Sherese Seeds – 330 North 3650 West, West Point – Sherese asked if it would be possible for West Point City to get a dump station somewhere within the City limits. There are so many residents that camp and have trailers and having local dump station would be very convenient.

6. Public Hearing regarding a rezone of property from A-40 Agriculture & R-2 Residential to R-4 Residential, located at approximately 3600 West 300 North, M8 Properties, LLC, applicant.

M8 Properties, LLC, who is the acting agent for EMCO, LLC, and David Matthews Trustees is proposing to rezone 7.2 acres of property located at approximately 3600 West 300 North from R-2 Residential and A-40 Agriculture to R-4 Residential. This rezone proposal consists of four individual parcels (12-037-0099, 12-037-0066, 12-037-0075 and 12-037-0072) that are located along 300 North. West Point City's General Plan has this area identified as future R-4 Residential so this proposal fits within that plan. The R-4 Residential Zone allows for up to eight units per acre. The application meets what is proposed on the General Plan. The applicant has these parcels under contract at this time. Brian Vincent stated that this Public Hearing is strictly to rezone the property. The Commission does not have information regarding what the developer plans to construct on this property.

a. Public Hearing

Sherese Seeds – 330 North 3650 West, West Point – Sherese commented that once this is changed from agricultural property it will never go back to agriculture. She is wondering if the City has green space planned for the future. There are a lot of deer that live on this property right now; at least a dozen. She expressed concern for them as well as the other wildlife that live there. The new school being constructed up the street will add so much traffic to already busy roads. Eight units per acre is a lot more housing right there. Sherese also asked what was discussed during the Work Session meeting that was held at 6:00. Brian Vincent told her this item was introduced to the Commission in the same way it was just introduced in this meeting.

Tami Matthews – 3635 West 300 North, West Point – Tami expressed concern regarding what studies have been done when this property was changed on the Master Plan as far as how that will affect the traffic along 300 North. She is wondering if it will require 300 North to be widened which would take away property. Kyle Laws responded saying that he isn't aware of any studies that were done, but the existing right-of-way width would allow for a center turn lane and one lane in each direction without taking any property. Mr. Laws also stated that the City has a grant for next year and we will be doing construction with Clearfield City from 1000 West to 2000 West to add a center turn lane and completing that section with curb, gutter and sidewalk on both sides of the road. Eventually that will happen all the way down to 4500 West. There is not a timeline set for anything beyond 2000 West at this time.

Sherese Seeds – 330 North 3650 West, West Point – Sherese asked if they would be putting a light there. In the past, there were signs on the north side of the road stating you could not park in front of those signs for safety reasons at the intersection. Those signs are no longer there. That is an issue currently because cars park right up to the intersection. Adding more homes along there would bring so much traffic so a stoplight would be necessary. Brian Vincent commented that

the Commission does not know what they are proposing to put on this property. Once they submit plans, then traffic studies will be done to determine what kind of traffic control needs to be done.

Brad Lee made a motion to close the Public Hearing. Jeremy Strong seconded the motion. All voted aye.

Kyle Laws addressed the comment about keeping agricultural ground in West Point. He commented that most of the people, including Staff, agree with this. We love seeing the agriculture properties and don't want to see them go away. As the City, we have to consider the rights of property owners. If they don't want to farm their land anymore, they have options of what to do with their property. If someone wants to keep property agriculture, they can purchase the property and keep it agriculture. The City can't restrict people's rights to their property and force them to keep farming it, even though most of us would like to see that. The City has to provide, what we feel going through the General Plan, is the best future for the City; it can't just be agriculture because that restricts the owner's right to do what they want with their property. In this case, primarily because of its location in proximity to the golf course, the R-4 designation was put on the General Plan to allow townhomes. Those townhome zones don't exist in many places in West Point because we like bigger lots. By State Law, however, we are required to have variety and to provide affordable housing and different housing options. There is a variety of zoning on the General Plan to meet these requirements and needs. Kyle explained what the different zones allow. Troy Moyes commented that with the R-4 zone, the developer would be required to provide open space for a park or some type of amenities.

b. Action

Jeremy Strong made a motion to approve the rezone of property from A-40 Agriculture & R-2 Residential to R-4 Residential, located at approximately 3600 West 300 North, M8 Properties, LLC, applicant. Rob Ortega seconded the motion. All voted aye.

7. Preliminary and Final Plat Approval for the Ogden Clinic Subdivision, located at 125 South 3000 West, Pascal Meyer, A.I.A., applicant.

Carpenter Stringham Architects, LLC, is seeking Preliminary and Final Plat approval along with a pad approval for a proposed Ogden Clinic. The applicant is proposing to subdivide the property into two one-acre parcels. The proposed location of the building would be located on Lot 1. The clinic is a 13,000 square foot building that will be used for medical offices and a drive-thru pharmacy. The property is currently zoned C-C Commercial and the proposed use is a permitted use within the zone. Staff received the approval letter from the North Davis Fire District. They have not received an approval letter from the Davis Weber Canal Company yet. Staff recommends tabling this item until that approval letter has been received.

Brian Vincent made a motion to table the Preliminary and Final Plat Approval for the Ogden Clinic Subdivision, located at 125 South 3000 West, Pascal Meyer, A.I.A., applicant. Brad Lee seconded the motion. All voted aye.

8. Site Plan Approval for Ogden Clinic West Point, located at 125 South 3000 West, Pascal Meyer, A.I.A., applicant.

Brian Vincent made a motion to table the Site Plan Approval for Ogden Clinic West Point, located at 125 South 3000 West, Pascal Meyer, A.I.A., applicant. Brad Lee seconded the motion. All voted aye.

9. Planning Commission Comments

Rob Ortega had no comments.

Jeremy Strong thanked the City Staff for the wonderful celebration on the 4th of July that they hosted. It was a rough go for awhile with the wind and rain, but it turned out really well and was a lot of fun.

Brad Lee echoed Jeremy's comments. Brad mentioned many of the events held that day and what an incredible celebration it was.

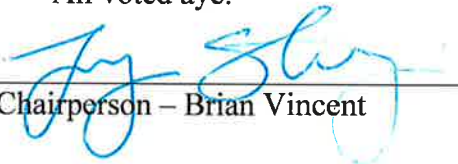
Brian Vincent echoed the same comments. Many people had comments about the firework show.

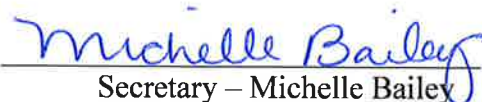
10. Staff Update

Kyle Laws echoed the comments of the Commission regarding the weather and the celebration. Even with the wind and rain, all of the scheduled events took place for a wonderful celebration.

11. Adjournment

Rob Ortega made a motion to adjourn at 7:32 p.m. Jeremy Strong seconded the motion. All voted aye.


Chairperson – Brian Vincent


Secretary – Michelle Bailey

