

**West Point City  
Planning Commission  
3200 West 300 North  
August 11, 2016**

**Present:** Brad Lee, Brian Vincent, Jeremy Strong, Korey Kap, Curtis Seeds, Boyd Davis – City Engineer, Troy Moyes – City Planner, Kent Henderson – City Council Representative, Michelle Bailey - Planning Commission Secretary

**Excused:** John Detamore, Jeff Macfarlane

**Visitors:** Susan Kelley, Boyd Kelley, Justin Kelley, Rod Carter, Lola Carter, Rob Ortega, Jerry Preston, Bryan Cox

**WORK SESSION**

**1. Discussion regarding a rezone from A-40 zone to R-2 zone, located on the South West corner of 3000 West 800 North, Perga Development, applicant.**

Troy Moyes said the property is roughly six acres in size. They are requesting a rezone from A-40 and R-2 to R-3. Utilities can be served on the property. Storm water is a big concern. They have been discussing if they will be able to acquire an easement to the west to tie into the Wise Country Meadows Subdivision. An R-3 zone is appropriate for this property. There are rumors that the developer wants to put apartments on the property, but this zone is not conducive to having apartments. It is zoned for single-family residential with 9,000 square foot lots. They are looking to have about 14 lots in the subdivision. They would like to do a stub road into Glen Wade's property.

Troy Moyes stated that the City Council put a moratorium on all development for the next six months. The Mayor would like to look at some of the requirements for the zones. Staff and some elected officials will be meeting together to discuss the current requirements and possible changes to the Code.

**2. Discussion regarding a rezone from A-40 zone to R-1 zone, located at approximately 4300 West 300 North, David Dahl, applicant.**

Troy Moyes said that the conceptual plan for this property was approved at the last Planning Commission meeting. They are now applying to rezone the property from A-40 to R-1. There are no significant issues with utilities. Storm water is a concern but that will be discussed at the preliminary phase.

**3. Discussion regarding Preliminary & Final Plan approval for the Mendenhall's Eden Subdivision, located at 628 North 3000 West, RJ Mendenhall, applicant.**

This is located on .75 acre parcel. Staff has reviewed the plat and have no concerns other than some minor labeling issues on the plat. When the road improvements were made, utilities were stubbed to the property. Staff recommends preliminary and final approval.

**4. Discussion regarding Final Plan approval for the Torroweap Subdivision located at approximately 4250 West 1300 North, Stephen Fackrell, applicant.**

Staff recommends tabling this item tonight. There are a few issues to discuss tonight though. Staff went to the property and it is shaped like a bowl. There is a lot of work to do on the property. The submitted plans showed raising it up in the back almost five feet. Staff doesn't feel comfortable with that so they are looking over things and trying to make some changes. The detention basins are located in a different spot than previously specified. Troy Moyes said that instead of having regional detention basins, they are basically just swells in the ground; just a gradual slope, and the property owner would maintain it rather than the city. It is a new concept that hasn't been approved within the city in the past. The developer gave Troy some places this concept has been used so he can go look at them and get a feel for how effective they are. Staff is strongly encouraging the developer to do slab on grade homes here because of the water table. The developer will have to bring in a minimum of three feet of fill just to develop the property. Staff will continue working with the developer to work through the issues.

**5. General Plan discussion.**

Area #9 on the map is a difficult area to develop. Staff receives calls frequently about the area but it's tough to work with. Troy threw out ideas of rezoning it as R-1 or A-40, putting a park, storage sheds, or a rec facility there. It would need to be something that sits on a bigger piece of ground but doesn't require much infrastructure to maintain. Korey Kap suggested leaving it as it is until the corridor is built. The Commission suggested zoning it R-1.

Areas #10, 11 and 12 were zoned as R-2 but it was suggested to change them to R-1.

Area #16 was discussed in length. Troy Moyes stated that there was a proposal to build apartments on the lot south of the Smith's Marketplace. The City doesn't have a zone to allow that at this time. The Commission has discussed numerous times whether they would like to create a zone for apartments within the City. A developer is proposing 100 units south of Smith's. There are pros and cons to allowing apartments in that area. Those were briefly discussed. Since we don't have a zone in the City Code that allows apartments, Troy asked if the commission would want to consider making a new zone on that pad only. Jeremy Strong said his opinion is that if it will be in that area, then it needs to have shops below. If not, he feels like it can't work there. He is ok with allowing apartments there but feels like it needs to be high quality housing. Korey Kap commented that new apartments appear to be high end in the beginning, but more often than not 20 years down the road they end up looking trashy. Brian Vincent commented that he feels West Point is not a city of apartments; it's got more of a bedroom, small town feel to it. Troy Moyes responded that the problem with retail is that if you don't have the rooftops to support it, it will die. If you have the rooftops in the hub of it, you'll get more businesses through there with little impact to the city.

## REGULAR MEETING

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Prayer:** given by Brian Vincent
4. **Approval of Minutes from July 28, 2016**

Curtis Seeds made a motion to approve the minutes from July 28, 2016, as written. Brian Vincent seconded the motion. All voted aye.

5. **Public Comments: Rod Carter 358 North 4500 West, West Point** – Mr. Carter stated there are some things he doesn't understand. He said received a phone call and participated on a conference call with the Planning Commission and would like to know if minutes were kept for that meeting and if so where are they and how can he get a copy of them? Mr. Carter also mentioned the things stated on that conference call and wondered who in the City will ensure that those things happen. Mr. Carter said that although he doesn't want the subdivision going in by his house, that as long as the developer met the requirements, he can do what he wants on his ground. There were things stated on that phone call that the developer would do so as not to disrupt Mr. Carter's operation and those things haven't happened. He would like to know who will enforce that and who has a copy of those minutes. Mr. Carter said the developer was supposed to create an earthen berm so he may continue irrigating and that wasn't built. Mr. Carter has missed two irrigations. Also, there is a drain there and due to circumstances now, Mr. Carter feels like he can't irrigate his property nor drain it. Korey Kap stated that he was confused because he has been on the Planning Commission for three years and they have never conducted any Commission business over phone calls. All of the commissioners commented that they have not participated in a conference call to conduct business. Mr. Carter demanded to know who he spoke with. Brad Lee invited Mr. Carter to stay after the meeting to figure out what the misunderstanding has been.
6. **Public Hearing regarding a rezone of property from A-40 zone to R-3 zone, located on the South West corner of 3000 West 800 North, Perga Development, applicant.**

Troy Moyes stated that Perga Development is acting for the land owner. They are seeking a rezone from A-40 and R-2 zones to an R-3 zone. It is approximately 6.13 acres of land. This fits the General Plan. They are proposing a single family development. Korey Kap made a motion to open the public hearing. Brian Vincent seconded the motion.

**Brian Cox 3161 West 800 North, West Point** – Mr. Cox wondered what the difference is between R-2 and R-3 residential zones. After looking at City Code, he determined that the R-3 zone has smaller lots and smaller homes. Brad Lee said zoning regulates how many units per acre are allowed. Troy Moyes said R-2 zone allows for 2.7 units per acre and R-3 allows for 3.7 units per acre. The subdivision to the south is an R-3 zone. Mr. Cox said that alleviates his concerns because he didn't want it to allow duplexes or anything like that. Mr. Cox said that he prefers that it remain an R-2 zone to maintain the

value of the homes around it. Troy Moyes clarified that there are currently two zones on this property; an A-40 zone and an R-2 zone. The R-2 zone is 200 feet from 800 North and from 3000 West. The agricultural zone requires one-acre lots and the R-2 is 2.7 units per acre. They are just trying to combine it to the R-3 zone with 3.7 units per acre.

**7. Rezone of property from A-40 zone to R-3 zone, located on the South West corner of 3000 West 800 North, Perga Development, applicant.**

Brian Vincent made a motion to approve the rezone of property from A-40 zone to R-3 zone, located on the South West corner of 3000 West 800 North, Perga Development, applicant. Curtis Seeds seconded the motion. All voted aye.

**8. Public Hearing regarding a rezone of property from A-40 zone to R-1 zone, located at approximately 4300 West 300 North, David Dahl, applicant.**

Troy Moyes stated that the applicant is seeking a rezone from an A-40 zone to an R-1 zone on this property. The R-1 zone is 2.2 units per acre. The utilities can be run to this property. This is in line with the General Plan. Korey Kap made a motion to open the public hearing for the rezone.

**Susan Kelley 4437 West 300 North, West Point** – Mrs. Kelley said this is her family property that will be developed. There are six siblings involved but she would like her share of the property to remain agricultural. It will hook onto the property she has now so she doesn't want it rezoned because they would like to keep their greenbelt status so they can continue to raise horses and other animals there. She has no plans to develop her portion of the property being discussed. She needs her five acres to stay in the greenbelt so she doesn't have to pay larger taxes. Mrs. Kelley stated that the Blair Dahl Trust owns the property right now and she is part of that trust. Mrs. Kelley wants her siblings to be able to develop their land; she doesn't want to disrupt what they intend to do. She just doesn't want her five acres rezoned as residential. Troy Moyes checked on the rezone application and said that David Dahl signed for and in behalf of the Blair & Eileen Dahl Trust. The appropriate thing to do would be to have everyone involved in the trust sign the application. Brad Lee recommended that this item be tabled until things can be worked out with the County so Mrs. Kelley's property isn't part of the rezone process. Mrs. Kelley said she is in agreeance with her siblings developing their portion of the property, and they are in agreeance with her keeping her portion zoned agricultural. Brad Lee encouraged Mrs. Kelley to work through this with her siblings and the County. It should be a simple process. Brad Lee made a motion to close the public hearing. Brian Vincent seconded the motion.

**9. Rezone of property from A-40 zone to R-1 zone, located at approximately 4300 West 300 North, David Dahl, applicant.**

Jeremy Strong made a motion to table the rezone of property from A-40 zone to R-1 zone, located at approximately 4300 West 300 North, David Dahl, applicant, until underlying issues can be addressed. Brian Vincent seconded the motion. All voted aye.

**10. Preliminary & Final Plan approval for the Mendenhall's Eden Subdivision, located at 628 North 3000 West, RJ Mendenhall, applicant.**

No one was in attendance representing the applicant. Troy Moyes stated that RJ Mendenhall is seeking preliminary and final plan approval for a single lot subdivision, located at 628 North 3000 West. It is .75 acre. All of the utility work was completed previously with the new construction done on the road. He has met the setback and easement requirements. Staff recommends approval.

Brian Vincent made a motion to approve the Preliminary and Final Plan for the Mendenhall's Eden Subdivision, located at 628 North 3000 West, RJ Mendenhall, applicant. Curtis Seeds seconded the motion. All voted aye.

**11. Final Plan approval for the Torroweap Subdivision located at approximately 4250 West 1300 North, Stephen Fackrell, applicant.**

Troy Moyes stated that Staff recommends that this item be tabled. They have not received completed plans for this subdivision.

Korey Kap made a motion to table the Final Plan approval for the Torroweap Subdivision located at approximately 4250 West 1300 North, Stephen Fackrell, applicant. Brian Vincent seconded the motion. All voted aye.

**12. Planning Commission Comments**

Brian Vincent had no comment.

Curtis Seeds had no comment.

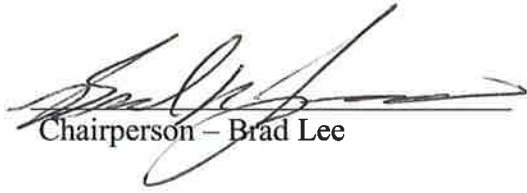
Jeremy Strong had no comment.

Korey Kap thanked Staff for their hard work.

Brad Lee thanked Staff. He expressed appreciation to the public that came to the meeting.

### 13. Adjournment

Brian Vincent made a motion to adjourn at 7:41 p.m. Brad Lee seconded the motion. All voted aye.



Chairperson – Brad Lee



Secretary – Michelle Bailey