

**West Point City
Planning Commission
3200 West 300 North
August 25, 2016**

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

Visitors: Susan Kelley, Boyd Kelley, David Dahl, Jerry Chatterton

WORK SESSION

1. 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 this was tabled at the last meeting because the sister of the applicant came to oppose the rezone because a portion of her property was part of that rezone and there was some confusion regarding that. Staff met with the applicant and reviewed the updated property description. The family is on board with the changes made. The public hearing has already been held so it is now up to the Commission to vote on this proposal. There were a couple of minor questions about the drawing.

2. Discussion regarding Final Plan approval for the KenneVic Place Subdivision, located at approximately 3500 West 550 North, Mountain View Construction, applicant.

Jerry Chatterton is applying for Final Plat approval at this time. There will be five lots that face 550 North. Each lot is approximately 14,000 square feet. It is currently zoned R-3. Staff has reviewed the plans and submitted comments back to the engineer and the developer. The comments were mostly regarding minor drawing issues. There is a holding strip that is not shown on the plat that they need to dedicate to the City. The remaining letters from utility companies came in today. They will also need to make the sidewalk five feet wide instead of four feet. Staff feels comfortable in asking for approval on this and forwarding it to City Council. Jerry Chatterton commented that years ago when they changed the requirements on sidewalks to be five feet, the Council left it open that if there were four foot sidewalks that are going to the end of the street and terminating, then they would have the option of voting and keeping it a four foot sidewalk. Everything in the area of this subdivision, to the East and to the South, has four foot wide sidewalks. It wouldn't make sense to have one section that connects with those to be five feet wide. Discussion took place regarding sidewalk widths. The commission felt that might make sense to allow it to be four feet wide so it would conform with the existing sidewalks that it would connect with.

3. Torroweap Subdivision

Troy Moyes wanted to get some feedback from the commission regarding this development that was tabled at the last meeting. On the north end, it was going to be raised up about four feet. The developer is considering exploring a couple of options. There is a storm drain line in the area. He has talked to a couple of property owners to see if he could, through the easement, bring the storm drain through the yards. That way he could lay the ground more on the natural soil and then it can all flow out there. He could even entertain running some land drain with a couple of lots that would be affected. Troy wanted to know if the Commission would consider letting him cross the easement of homes with a 15" or 18" concrete pipe. Curtis Seeds was opposed to that. He explained that in the future that would be a storm drain accepted by the City. Every time you have a side lot pipeline that the City has to maintain, if an issue arises with that pipeline, even though there is an easement, it turns into a bad situation. Anytime you go into someone's yard it gets hard. There is always going to be a driveway, a shed, a tree or something that is put on that easement and it turns into a nightmare. Boyd Davis said the alternative is for him to raise the property five feet and have a big slope down into the neighbors. Neither of those are good options, but one is going to be necessary. The project engineer has actually talked to two of the neighbors and they seem to like the idea; they feel like it might be a benefit to them. Boyd Davis said the bottom line tonight is if they are comfortable with a pipeline going down the side of a house versus the alternative of raising the property. Curtis Seeds said he may retract what he said earlier. If it will benefit the existing homes, then maybe it's something to look at. There are issues over there and always have been. If this is done right and would benefit others, it may be worth looking at.

4. General Plan discussion.

Brad Lee stated that he, Troy Moyes, Boyd Davis, Mayor Craythorne, Gary Petersen, and Kyle Laws met to discuss the moratorium placed on subdivisions. Area #16 on the proposed General Plan, which is the area around the Smith's development, is still very up in the air. Brad stated that we don't currently have an ordinance that will allow apartments within the city. There has been some interest shown in a six acre piece of property, near the Smith's, that is currently owned by Gary Wright and he would like to put some apartments there. They would be higher end apartments and Gary would remain the owner of them; he has no intention of turning them over to a management company. He plans to own and operate them. The current plans show these apartments without attached garages. The Mayor would like to discuss that more and see if doing attached garages would be an option rather than detached garages. In previous discussions, the Commission has been against apartments being built in the City. Brad Lee expressed a concern about who would rent those apartments since they would be very expensive. Having seen what the apartments would look like, and knowing that Gary Wright would own and operate them, Brad said he feels it may be a good idea to look at an ordinance that would be a benefit to the City and to the citizens in the future. Obviously, they would need to take into consideration what the development will look like 20 or 30 years down the road. Gary Wright has said that there is a need for more roof tops in the commercial corridor to help stabilize the commercial businesses. Mr. Wright did a rough draft of a master plan for that whole area. His reasoning is that putting in more rooftops near the

commercial development will revitalize the commercial area and it will have minimal impact on the city because it is near a major corridor. When big box retailers look at the area, they can see the rooftops there and feel like it could sustain their businesses. Mr. Wright feels like the demand for higher end apartments is high and he would want to start building them as soon as possible. Currently there are no other apartments of this caliber in northern Davis County so that is why he wants to build them. The commission is concerned with what the apartments will look like in 20-30 years down the road. They want to avoid a future eyesore in the core of the city. Discussion took place regarding different opinions regarding apartments being allowed in the city. Troy Moyes asked for an opinion from each commissioner. Jeremy Strong asked what amenities would be added. Troy responded that they are planning to have a clubhouse and a pool. Korey Kap said he would be ok with apartments in the city as long as the standard is set high. Jeff Macfarlane said he would be for it, as long as we have someone to protect it from becoming run down. Troy Moyes asked the commissioners to list a few things they would like to prevent so it can be added to the Code. Jeff Macfarlane expressed a desire to have the owner ensure that the exterior looks nice. Jeremy Strong feels that detached garages are a buzz kill; they look like an offsite shed. He feels they can build the apartments with a garage underneath them or attached to them. Jerry Chatterton commented on the townhouses that are across the street from his houses. They have an HOA and look very nice; they look almost as good now as when they were built. The tenants change, but that isn't something that can be controlled. Maybe a good place to start would be to get a developers agreement and adapt it into the requirements for an apartment. John Detamore asked how security would be addressed in the Code as well as vandalism prevention. He is wondering if they would have a security person on site at all times or at least on call so we don't put a burden on the Davis County Sheriffs. Brian Vincent said he sees a lot more cons to having apartments in the city than he sees pros to having them. He feels we are trying to push something through a hole that doesn't fit yet. There are a lot of concerns with having apartments in the city. It is definitely a pro to having Gary Wright be the developer and owner of the apartments, but he may not still own them 20 years down the road and the next owner may not have as high of standards as Mr. Wright has. Korey Kap commented that his neighborhood has been impacted immensely from the Smith's coming into the area. Jeremy Strong asked if it could be a mix of condos and apartments in that area. Brad Lee asked if creating a developer's agreement would help in addressing future problems such as degradation of property and building exterior etc. Could that be a way of protecting the investor as well as the City's interest? Boyd Davis commented that in conversing with Gary Wright they discussed that very thing; having a good HOA or property manager of that apartment complex. He compared it to townhouses. They are all individually owned and over time they often become individually rented with individual landlords. Over time, you could end up with 100 different landlords in one townhouse project. Whereas in an apartment complex, you only have one landlord. The commission feels that this topic warrants more discussion before making any final decisions.

REGULAR MEETING

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Prayer:** given by John Detamore
4. **Approval of Minutes from August 11, 2016**

Korey Kap made a motion to approve the minutes from August 11, 2016, as written. Jeff Macfarlane seconded the motion. All voted aye.

5. **Public Comments:** None given
6. **Rezone of property from A-40 zone to R-1 zone, located at approximately 4300 West 300 North, David Dahl, applicant.**

Brad Lee commented that this agenda item was tabled at the last meeting. Troy Moyes said that at the last meeting there was some confusion with the exact location of the rezone. Staff met with the applicant and engineer and received the updated description of this property. They are seeking a rezone from A-40 to R-1. There is a notch on one side of the property that Staff feels needs to be adjusted to clean up the lines. The applicant agreed to make that change.

David Dahl said his understanding at this time is that no one knows exactly where the corridor will go. He is wondering if they can rezone the sliver of property that could be in the corridor to R-1 so they wouldn't have to apply for another rezone if the anticipated corridor lines move. Boyd Davis said they may rezone that property if they would like to, they would just need to change the legal description. Mr. Dahl would like that sliver of property included in the rezone this evening so he won't be required to come back in the future for another rezone.

Susan Kelley asked about the section on the top; does that mean they cannot build houses up on that section where the corridor is being proposed? Boyd Davis said they can't build houses there. It would be zoned correctly for homes, but the City has to notify UDOT if anyone is proposing to build homes in the corridor. UDOT has the right to purchase the property.

Boyd Kelley asked how long the State can hold them up on their property? Korey Kap said he feels that would actually help them. If Staff turns this into the State, and UDOT has to come buy the property, that will force their hand a little bit. It would help them because they would have to purchase the property right away and not wait for several years.

John Detamore made a motion to rezone the property from A-40 zone to R-1 zone, located at approximately 4300 West 300 North, David Dahl, applicant, and an

amendment to the legal description to include the property where the corridor is proposed. Korey Kap seconded the motion. All voted aye.

7. Final Plan approval for the KenneVic Place Subdivision, located at approximately 3500 West 550 North, Mountain View Construction, applicant.

Troy Moyes stated that Jerry Chatterton is seeking final plat approval for a five lot subdivision. The lots will be approximately 14,000 square feet. The property is currently zoned R-3. Staff has reviewed the submitted application. The sidewalk size was discussed in the work session. Also discussed were some minor drawing corrections that need to be made.

Jeff Macfarlane made a motion to approve the Final Plan approval for the KenneVic Subdivision, located at approximately 3500 West 550 North, Mountain View Construction, applicant, with the provision that the sidewalk be four feet wide instead of the required five feet so it will match the existing sidewalk. Brian Vincent seconded the motion. All voted aye.

8. Planning Commission Comments

Jeff Macfarlane had no comments.

Korey Kap had no comments.

John Detamore had no comments.

Jeremy Strong thanked Staff for the work they have done to help the residents resolve the issues they were faced with at the last meeting.

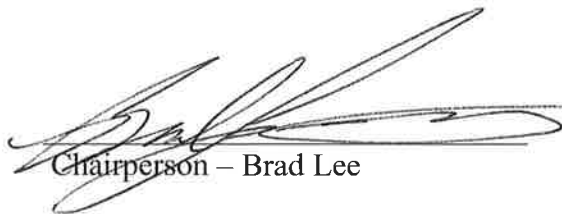
Curtis Seeds also thanked Staff for the work they do.

Brian Vincent echoed the other comments made.

Brad Lee thanked Staff for their work and thanked his fellow commissioners for their hard work and dedication.

9. Adjournment

Jeff Macfarlane made a motion to adjourn at 7:21 p.m. Brad Lee seconded the motion. All voted aye.



Chairperson – Brad Lee



Secretary – Michelle Bailey

