

**West Point City  
Planning Commission  
3200 West 300 North  
September 28, 2016**

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

**Excused:** Curtis Seeds

**Visitors:** Brad Larsen, Danny Green, Stephen Fackrell

**WORK SESSION**

Brad Lee apologized to the agenda applicants for postponing the meeting that was scheduled for September 22, 2016. We didn't expect the storm that day and it impacted several of the Planning Commissioners so they were not able to attend the meeting.

**1. Discussion regarding a Conditional Use Permit for an accessory building located at 2097 West 750 North, Danny Green, applicant.**

Troy Moyes stated that Mr. Green is seeking a 2,000 square foot accessory building rather than 1,600 square foot as listed on the application. Mr. Green was approved for a home occupation business at his home. This building will be to facilitate his business. It will be a stick building and will complement the exterior of the residence. Jeremy Strong said the setbacks were listed at three feet and five feet; is that according to Code? Troy Moyes said that Code only requires the building to be one foot from the property line, so he is well within the setback requirements. Brian Vincent asked if there will still be room in the yard for vehicles to drive to the back of the lot and turn around. Mr. Green said that will still be possible. He said that has worked out well for customers to do that and there have been no complaints by neighbors.

Danny Green said they are still deciding between doing a metal building or a stick building. He asked if there are concerns that go along with metal buildings. Troy Moyes read the portion of the Code that states "The accessory building shall not create a significant nuisance due to design, construction, or placement to neighboring properties." So it is up to the commission to determine if a metal building would be a nuisance to the neighbors. Mr. Green said they are leaning toward a stick building, but they have considered a metal building. Mr. Green wanted to get approval for the building before paying for plans so he didn't waste his money if the building was not approved to be constructed. Korey Kap asked if that is something that is regulated when the building permit application is submitted. The look of the building is not addressed with the building permit application. Jeremy Strong asked how far away the building will be located from the closest neighboring home. Troy Moyes displayed a picture submitted by Mr. Green. It appears the neighbor's home will be approximately 30 feet from this structure. Mr. Green said they can dress up a metal building with wainscoting and fascia

that looks like brick or stone. He basically just wanted to know if either type of building would be allowed. Jeremy Strong said he feels that a metal building raises concern for him in a residential neighborhood. He said it would need to be a very nice looking building to be located in a residential neighborhood as compared to if it were located in a commercial area.

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

Troy Moyes said lots of different ideas have been bounced back and forth regarding the layout of things. The design has been evolving. Some of the changes to the plans that were presented are the land elevation, and the storm water drainage which will now be in the middle of the development. This was presented to the City Council at their last meeting to receive some input from them. They were ok with the proposed plan as long as they stubbed some land drain out for the affected properties. The developer was ok with that. Also, in the beginning it was proposed to use some detention basins along the front and side. They determined there is enough capacity in the current detention basin in Pheasant Creek to retain the water. There is an easement along the back for existing irrigation. There will be a 15 foot easement allowed for that irrigation pipe that is in place now. Staff has contacted the owner of that irrigation line and he is ok with a 15 foot easement and feels he can do what he needs to within that area. The developer is waiting on the geo-tech report and that should be completed by the end of the week. They will also need to add land drains in the Pheasant Creek development there for the two lots that they will be impacting with the line. They are still waiting on a couple of approval letters, but Staff feels comfortable granting approval contingent upon all of these items being finished before it is presented to the City Council.

**3. Heslop architectural discussion**

Troy Moyes said on the next meeting agenda, the Heslop development will be coming in for final approval. They have met with the City Council and worked through things to some extent. They have submitted new drawings. They show more relief in the façade of the building and have added dormer windows on the back. Korey Kap asked if the road discussed previously was going to connect with the other road, or if they are putting a cul-de-sac there. Troy responded that he will have to look at the plans. Jeremy Strong asked if it would be sufficient to have one outlet for all of those units. Boyd Davis responded that the Code says they may have 30 lots on a single access or more with special approval from the City Council.

## REGULAR MEETING

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Prayer:** given by Jeff Macfarlane
4. **Approval of Minutes from August 25, 2016**

Jeff Macfarlane made a motion to approve the minutes from August 25, 2016, as written. Jeremy Strong seconded the motion. All voted aye.

5. **Public Comments:** None given
6. **Conditional Use Permit for an accessory building located at 2097 West 750 North, Danny Green, applicant.**

Jeff Macfarlane made a motion to approve the Conditional Use Permit for an accessory building located at 2097 West 750 North, Danny Green, applicant. Jeremy Strong suggested amending the motion to require Mr. Green to build a stick building unless he provides adequate drawings of a metal building that will not be a nuisance to his neighbors. Jeff Macfarlane made a second motion to approve the Conditional Use Permit for an accessory building located at 2097 West 750 North, Danny Green, applicant, with the condition that it be a stick building rather than a metal building. Jeremy Strong seconded the motion. Brian Vincent asked if Mr. Green decides to build a metal building, will he be required to come back for another approval, or are they going to approve the Conditional Use Permit for a building? Jeff Macfarlane stated that his opinion is that the condition that was just placed on it is that it be a stick building. If he changes his mind and wants to build a metal building, he would need to come back for another approval. Korey Kap said he didn't feel like they should tell him what type of building to put there. Korey said his concern is that this is a 2,000 square foot building that the neighbor will have to look at. Korey is fine with it being a metal building but feels the neighbor should approve that. Brad Lee suggested that they could amend the motion to say that if Mr. Green decides to build a metal building based on cost, and his neighbor is in agreeance, then he would need to come back before the Commission for another approval. Brian Vincent said the neighborly thing to do would be to let his neighbor know what he is planning to do; obviously they don't have to agree with you, but it would be good to let them know. Brian asked if there was really a need to place a condition on the building. Jeff Macfarlane agreed with Brian. All voted nay to the current motion. Korey Kap made a motion to approve the Conditional Use Permit for an accessory building located at 2097 West 750 North, Danny Green, applicant. Brian Vincent seconded the motion. All voted aye.

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

John Detamore made a motion to approve the Torroweap Subdivision, located at approximately 4250 West 1300 North, Stephen Fackrell, applicant, contingent upon receiving all the approval letters from outside entities. Jeff Macfarlane seconded the motion. All voted aye.

**8. Planning Commission Comments**

Jeff Macfarlane thanked Staff for their hard work.

Korey Kap thanked Staff for their hard work.

John Detamore had no comment.

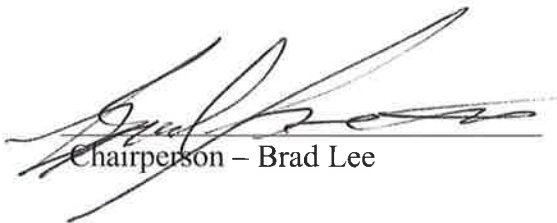
Jeremy Strong had no comment.

Brian Vincent thanked the applicants for their patience in having to postpone the meeting last week due to the weather.

Brad Lee thanked the Commission for arranging their schedules to hold a special meeting. He also thanked the applicants for their patience in postponing the meeting.

**9. Adjournment**

Jeff Macfarlane made a motion to adjourn at 6:41 p.m. Brad Lee seconded the motion. All voted aye.



Chairperson – Brad Lee



Secretary – Michelle Bailey