



3200 W 300 N, West Point, UT 84015
801.776.0970

**West Point City
Planning Commission Agenda
November 9, 2023
WEST POINT CITY HALL**

****Starting January 2024 meetings will no longer be available live via Zoom****

THE PUBLIC MAY ATTEND THE MEETING ELECTRONICALLY VIA THE INFORMATION BELOW:

- **Online:** <https://us06web.zoom.us/j/82816288454> **Telephone:** 1(669) 900-6833 - **Meeting ID:** 828 1628 8454

IF UNABLE TO ATTEND IN-PERSON, CITIZEN COMMENT MAY BE EMAILED PRIOR TO khansen@westpointcity.org:

- **Subject Line:** Public Comment – November 9, 2023, Planning Commission Meeting

- **Email Body:** Must include First & Last Name, address, and a succinct statement of your comment.

WORK SESSION – 6:00 PM

Open to the public

1. Discussion of a proposed general plan amendment for property located at 500 S Cold Springs Road
2. Discussion of a proposed rezone for property located at 2048 W 300 N
3. Discussion of proposed 2024 Planning Commission meeting dates
4. Review of agenda items
5. Staff update

GENERAL SESSION – 7:00 PM

Open to the public

1. Call to Order
2. Pledge of Allegiance
3. Prayer/Thought *(Please contact the Clerk to request meeting participation by offering a prayer or inspirational thought)*
4. Disclosures from Planning Commissioners
5. Public Comments
6. Approval of minutes from the September 14, 2023, Planning Commission meeting

Legislative Items

Legislative items are recommendations to the City Council. Broad public input will be taken and considered on each item. All legislative items recommended at this meeting will be scheduled for review at the next available City Council meeting.

7. Discussion and consideration of a request to rezone property located at 3230 W 300 N from R-2 to R-3 (Residential 3.6 units per acre) PRUD overlay zone; Capital Reef Management LLC, applicant
(The public hearing was held on October 26, 2023)
8. Planning Commission Comments
9. Adjournment

Posted this 3rd day of November, 2023

Katie Hansen, Deputy City Recorder

If you plan to attend this meeting and, due to a disability, will need assistance in understanding or participating therein, please notify the City at least twenty-four (24) hours prior to the meeting and we will seek to provide assistance.

Certificate of Posting

The undersigned, duly appointed Deputy City Recorder, does hereby certify that the above notice and agenda was posted within the West Point City limits on this 3rd day of November, 2023, at the following locations: 1) West Point City Hall Noticing Board 2) the City website at <http://www.westpointcity.org/> 3) the Public Notice Website: <http://www.utah.gov/pmn/index.html>

Katie Hansen, West Point City Deputy Recorder



3200 WEST 300 NORTH
WEST POINT CITY, UT 84015

WEST POINT CITY PLANNING COMMISSION MEETING MINUTES

SEPTEMBER 14TH, 2023

WORK SESSION 6:00 PM

Planning Commission Present: Chairperson Jeremy Strong, Vice-Chairperson Scott Wolford, Commissioner PJ Roubinet, Commissioner Trent Yarbrough, Commissioner Jeff Turner, and Commissioner Rochelle Farnsworth

City Staff Present: Boyd Davis, City Engineer; Bryn MacDonald, Community Development Director; Troy Moyes, City Planner; Katie Hansen, Deputy City Recorder

City Council Representative Present: Michele Swenson (online)

Visitors: Joelle Caruso (online), Erik Craythorne (online)

1. Discussion of the General Plan

Bryn MacDonald stated there was a joint meeting held between the Planning Commission and City Council on August 29, 2023, to discuss the General Plan. The six visioning principles were presented at that meeting. She asked the Planning Commission for their thoughts on the presentation.

Jeremy Strong stated it was hard to hear from the public survey that residents want to preserve the heritage, but regulate times of when farmers can go out in their fields. He asked how does one preserve the heritage, but quiet what the heritage is. Mr. Davis stated with some of the survey comments there is nothing that can be done to fix the issues. Bryn MacDonald stated that was in the limitations somewhere, preserve one thing, but create buffers and rules for agriculture. The consultants will come back with suggestions of what to correct in the Code. It will then be decided if it needs to be corrected.

Scott Wolford stated it was surprising to hear that citizens were supported of townhomes and apartments. He has been visiting with residences and he has not heard one-person state they are supportive of townhomes and apartments. Bryn MacDonald stated the gentleman who did the presentation informed her that residents will say they do not want density and growth, but when discussing areas on a map, the residents would then state it is okay to allow apartments and townhomes in specific areas. The first statement is always no until certain areas are pointed out and then it is a yes.

Scott Wolford stated he feels the presenter was ill prepared in answering the question what the benefit is for the City to have low moderate-income housing, which is being pressed onto the City to have from the State. He feels that question needs to be answered. If there is not an answer then it needs to be sent back and looked at. Density for density sake is less affordable. He feels consultants pick where the City wants to go and then justify how to get there, which is frustrating. Bryn

MacDonald stated the intent is not to throw townhomes anywhere, it is for the want of commercial and it needs to have the benefit there.

Scott Wolford stated he is worried about putting light industrial off SR-193, but feels there needs to be a conversation of the implications of not having anything like that in the community which results in higher property taxes and higher home payments. Bryn MacDonald stated that is the tradeoff. If there is not the increase in sales tax because services remain the same, then there will be higher property tax.

Trent Yarbrough stated the harder truth is housing will not go down. Trying to plan for the future is hard as they are bound by the market and developers. It is a hard truth to swallow. The low-income housing, he feels, will turn into government subsidize housing, so it needs to be looked at where would be a good place for that. He does not agree with it, but as it cost more and more to live, there needs to be allowed other economic roots to grow.

Troy Moyes stated there was a lot of feedback from the survey about preserving the quality of life and agriculture areas. He asked the Planning Commission how does the City do that. Trent Yarbrough stated he spoke with Jeremy Strong and they both mentioned to have an amphitheater in one of the parks and hold monthly public performances by the community, whether it is by a dance studio or school. Bryn MacDonald stated community equality was a big item from the survey. Trent Yarbrough stated the best way to do that is seek donations or grants to fund something like that without using tax payer money.

Bryn MacDonald stated farmers will not farm all their lives and the farms will be sold off. Knowing that information, how does one preserve the agriculture feeling without the actual agriculture use. Scott Wolford asked how one would do that, if it would be with a conservatorship and Bryn MacDonald stated that is one way. That information is to be included in the General Plan. Basically, the development rights are bought off the property, the farmer still owns it and the farmer will be paid out but never develop on it and it will forever remain a farm. The money to do this comes from federal grants and conservation grants. There are a few non-profits that do it as well.

2. Discussion of proposed changes to the Subdivision Code

Mr. Davis stated he is following up with questions some of the Planning Commissioners had at the meeting on August 24, 2023, regarding Public Works Standards and some of the engineering and public work items in the Subdivision Code.

The Code had Private Street Standards written as:

“Private streets shall only be allowed in multi-family developments within the R-4 zone, R-5 zone, or the PRUD overlay zone.”

After the last meeting and the discussion, it was changed to state:

“Private streets shall only be allowed in multi-family developments within the R-4 zone or R-5 zone. Private streets shall also be allowed in the PRUD overlay zone.”

Mr. Davis stated that means it does not need to be a multi-family development. Scott Wolford clarified that it can be an R-3, R-2, R-1 PRUD with a private street and Mr. Davis stated yes. He was okay with the way it was first written and the intent originally was to limit private streets and to be used only in certain cases in multi-family projects, townhome or apartment projects; not in single-

family. After having the discussion with the Planning Commission and Staff, it was changed. He asked if the change is correct and to allow private roads in the PRUD zone for single-family or if it should be more limited.

Troy Moyes stated the discussion Staff had was if there would be a subdivision similar to the Still Water Lake subdivision in Syracuse which is a gated community with a private street. There would be amenity trade-offs because it is a private street. With a PRUD rezone, it can be denied because it has a private street, but opens up that option. Mr. Davis stated some comments from the last meeting were to maybe allow them in the gated communities or similar areas were as other comments were a developer is wanting to place a private road between two houses so allow them to have the PRUD with the private road.

Jeremy Strong stated in his opinion the private streets only belong in the high-density projects or gated communities. He asked if this should be allowed in the PRUD overlay zone or only in a gated community where certain requirements need to be met to be a gated community. Mr. Davis stated with a gated community, there will be a development agreement and the private road can be allowed. Jeremy Strong stated he does not feel a regular subdivision should have the private streets as it places a burden on certain things.

Scott Wolford stated with a private street, they need to do all the maintenance until the HOA fails. Then the City is responsible for maintenance on a small street.

PJ Roubinet stated his concern with private streets within not high-density areas is the future connectivity later on and the inability to connect streets and with gated, it would be in a corner. If the HOA fails, there would be residents upset.

Mr. Davis stated he would offer two options: To allow private streets in the PRUD zone and control it through the rezone process where it can be approved or denied, or add in language stating private streets shall be allowed in multi-family projects in the PRUD zone.

Jeremy Strong stated if you do add the language “multi-family” it removes the possibility for a development like the Still Water Lake subdivision. PJ Roubinet asked if this can be done with a development agreement, does it need to be changed from the first option or does a development agreement still allow you to do a private road in a subdivision like the Still Water Lake subdivision. Mr. Davis stated with a private, gated community there would be a development agreement as it would be a master plan change and more involved.

Scott Wolford stated he would support multi-family for the second option. There is still the flexibility to do a gated community/concept community. Mr. Davis asked Staff if they are okay with gated community development agreement. Bryn MacDonald stated she would assume so and asked if the second sentence is needed in the second option. Jeremy Strong had the same question if they are only allowed in R-4 or R-5, because they are not wanted in a PRUD R-1. Mr. Davis asked if they could be allowed in an R-3 PRUD with townhouses. Troy Moyes stated that was his thought process because there may be a development that has mixed developments where there are units that are attached and detached. Half the streets could be private while the others would not be. Mr. Davis agreed. Troy Moyes stated R-2 allows single level attached, R-3 is two level attached. Mr. Davis stated with that in mind, the second sentence would need to stay and change the “period” to the word “and”.

Trent Yarbrough asked who is responsible for all utilities and Mr. Davis stated the HOA is responsible for all the utilities except for water. Trent Yarbrough asked if that included storm drain and Mr. Davis stated yes. PJ Roubinet asked if they are allowed to pass water through there from one trunk line to another and Mr. Davis stated only by agreement. PJ Roubinet stated that is the advantage with a public street. If another development is built, there is extra capacity in the public street storm drain not requiring a separate agreement and it can be attached. Bryn MacDonald stated there is a public utility easement over a private street and Mr. Davis stated only if it is designated as it is not a requirement.

Troy Moyes stated another option is to strike the sentence about the PRUD. This will be coming back to the Planning Commission as that particular Code needs to be looked at and it can be addressed when that Code is written and this can be changed. Jeremy Strong stated he does not want to have any loop holes.

Rochelle Farnsworth stated if there is a mixed community, there will be an issue with the private roads for the multi-family and trying to connect to non-private roads. She stated to leave it completely in multi-family. If there is a mixed development, there may be leeway's for the other parcel setbacks that would be compensated for putting in a street.

Mr. Davis asked if any of the Planning Commissioners were opposed to striking the sentence and it reading, "Private roads are only allowed in R-4 or R-5." None of the Planning Commissioners had any objections.

Mr. Davis moved onto the second section where there were questions by Staff relating to Access Management. The Code currently states, "Residential driveways shall not connect to collector streets or arterial streets. "

There was a lot of discussion and thought on how to incorporate the exceptions into it, but there was difficulty with each solution. The Staff came up with: "Residential driveways shall not connect to collector or arterial streets. Exceptions may be granted by the Planning Commission." He recognized the second sentence is not something that is normally placed in Code, but there were too many exceptions to be able to write a clear Code.

Scott Wolford stated he does like that as it allows the neighborhood to be protected and it would only be locals going in. Mr. Davis stated he would like that to be his vision.

Jeff Turner asked if there was a definition for an arterial and collector street. Mr. Davis stated yes and the only arterial streets are the state highways such as 4500 W, 2000 W, and 1800 N. Collector streets are the city streets such as 800 N, 300 N, and 1300 N. PJ Roubinet asked how that was define and Mr. Davis stated it was analyzed that way, but it is just by map. PJ Roubinet stated in his experience not having those conflict points makes it for an easier commute and then there is an access point within a subdivision with lower speeds. Scott Wolford stated there will be fewer complaints of traffic with people trying to exit their driveway onto an arterial or collector streets. Trent Yarbrough asked if this is to help eliminate newer subdivision onto those roads, but asked about flag lots. Mr. Davis stated if there is a larger subdivision, they would like all the houses to be turned inward with no driveways facing the main roads. There are tons of exceptions that can go with it. Jeremy Strong stated there will be times when there will need to be access granted onto an arterial road.

PJ Roubinet asked if it is defensible if an exception is not granted and Bryn MacDonald stated it possibly could be. Rochelle Farnsworth stated it would need to have reasoning. It would make the developers have to think harder on how to do the development.

PJ Roubinet asked if there needed to be spacing standards for these roads and Mr. Davis stated yes. The Code currently states, "All access roads and driveways must comply with the spacing standards found in the Public Works Standard Specification and Drawings." Staff only changed that by adding, "Exceptions may be granted by the Planning Commission." The Planning Commission was comfortable with that statement.

In the last meeting, there was a question regarding spacing for cul-de-sacs. Mr. Davis stated the following statement was added, "Driveway spacing shall not apply in the turn-around portion of a cul-de-sac."

There was a question about combined driveways and spacing. The following statement was added for that, "Combined driveways on a collector or arterial street that serve two properties shall be counted as one driveway." UDOT has done the same in the past and encouraged two properties to combine into one driveway. PJ Roubinet asked if this is only for collector and arterial or what about subdivisions and Mr. Davis stated in subdivisions it is 10 feet between driveways on subdivision street. This would also apply for commercial properties. Rochelle Farnsworth asked about duplexes and Mr. Davis state yes if on collector or arterial and 10 ft in subdivision. If they combined a duplex driveway they do not have to meet that 10 ft spacing in subdivision.

There was a question on where is spacing measured from. The following statement was added, "Spacing shall be measured from the right-of-way line for streets and from the edge of pavement for driveways." Jeff Turner asked what is the right-of-way line and Mr. Davis stated it is the back of the sidewalk. PJ Roubinet asked about gravel driveway and Mr. Davis stated it can be changed to state the edge of the driveway.

The Planning Commission had no more comments or questions for Mr. Davis.

Bryn MacDonald discussed the proposed changes made in the Subdivision Code and stated there would be a public hearing held in the General Session. Some of the changes made were to be in compliance with the changes of the State Code and others are ones the City needed to make. A few of the changes are clarifying who is the land use authority for subdivisions, checklist requirements for each application, and a timeline created for reviews.

The City can no longer require a pre-application meeting; however, if one is wanted by the developer, it needs to be done within 15 days. Scott Wolford asked if that is Staff or Planning Commission and Bryn MacDonald stated Staff. Once a preliminary plat is received, Staff has 15 days to review the application. PJ Roubinet asked if it is working or calendar days and Bryn MacDonald stated working days. Once plans are reviewed and comply with the code, it will be placed on the Planning Commission agenda. Planning Commission can place conditions to be reviewed during final plat which Staff approves and will check to make sure the conditions are met. The preliminary plat is the only time the Planning Commission will see the subdivision application.

A checklist has been created of what will be submitted with the preliminary plat including will serve letters and a traffic study if necessary. Final plat will be reviewed by Staff to ensure compliance with Codes and Standards and any conditions the Planning Commission has placed. State Code 10-9a-604 states final plan, "may not require Planning Commission or City Council approval."

Troy Moyes clarified the review process is only for single-family residential developments. Multi-family developments have a different process. They will still go through the plat process, but there is a site plan process that will go to City Council.

Bryn MacDonald stated a chart was made showing how the land use authority is designated.

Type of Plat	Preliminary Land Use Authority	Final Land Use Authority	Appeal Authority
Subdivision Plat	Planning Commission	Community Development Director	Hearing Officer
Vacating public easements/right-of-way	N/A	City Council (Public Hearing)	District Court
Recorded Plat Amendment	N/A	Community Development Director	Hearing Officer
Recorded Plat Amendment (creating additional lots)	Planning Commission	Community Development Director	Hearing Officer
Single Lot Plat	Planning Commission	Community Development Director	Hearing Officer
Flag Lot	Planning Commission	Community Development Director	Hearing Officer

On a regular subdivision plat, the Planning Commission approves the preliminary while the final land use authority, which is currently designated as the Community Development Director, has the final approval. The Planning Commission needs to determine if there is something or someone else to be determined as the final authority and it needs to be defined in the Code. Jeremy Strong stated having a committee takes the pressure off one person so they are not easily swayed. Bryn MacDonald stated Code still states multiple departments will review the plans and it has to meet the Code. It really is the person signing the letter stating the approval is granted. PJ Roubinet stated this sounds more like one person is collecting all the approvals from the various departments and verifying it has met all requirements. Bryn MacDonald stated if it is more than one person, do not make it a committee because they would have to have agendas and minutes. It could be called Subdivision Review Staff. There were no complaints with the way it has been written. Scott Wolford stated he only has issues with the way the State has mandated it, but appreciates the way Staff has tried to handle the situation.

The City Council will approve vacating public easements/rights-of-way. If a plat is being amended such as combining two lots or moving a lot line, Staff will approve. If a plat is being amended to create more lots or single-lot plat or flag lot it will be approved by the Planning Commission.

Bryn MacDonald stated there is a new requirement by State Code that a City may not require more than 4 review cycles. There is a definition of what a review cycle is such as when the review process takes place, there will be red line marks and the developer needs to respond to each red line. Staff will do one review, send it back to the developer and the Planning Commission will get the next 3 reviews. If it still is not ready for approval after 4 reviews, there can be an independent review made up of engineers and others to look it over.

Staff did add the following wording to the Subdivision Code: “If there are any significant changes to the plat during the final plat approval process, then the preliminary plat must be amended by the Planning Commission prior to the final plat approval.”

Title 17.130.070, Single Lot Subdivisions, the text needs to be corrected to match the table above.

There were no more comments or discussion from the Planning Commission.

3. Review of agenda items

This item was not discussed as time had expired.



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WEST POINT CITY, UT 84015

**WEST POINT CITY
PLANNING COMMISSION
MEETING MINUTES**

SEPTEMBER 14TH, 2023

**GENERAL SESSION
7:00 PM**

Planning Commission Present: Chairperson Jeremy Strong, Vice-Chairperson Scott Wolford, Commissioner PJ Roubinet, Commissioner Trent Yarbrough, Commissioner Jeff Turner, and Commissioner Rochelle Farnsworth

City Staff Present: Bryn MacDonald, Community Development Director; Troy Moyes, City Planner; Katie Hansen, Deputy City Recorder

City Council Representative Present: Michele Swenson (online)

Visitors: Brad Phillips, Jim Spangler, Carl Stanford, Ayden Martin, and Austin Moyes

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Prayer – Scott Wolford**
- 4. Disclosures from Planning Commissioners**

Jeremy Strong stated he does have children who take from the dance studio that is on the agenda for items number 8, 9, and 10.

5. Public Comments

There were no public comments.

6. Approval of minutes from the May 25, 2023, Planning Commission meeting

Scott Wolford motioned to approve the minutes from the Planning Commission meeting dated May 25, 2023, as written. Trent Yarbrough seconded the motion. All voted aye.

7. Discussion and consideration of a preliminary plat for Bennett Century Farms Subdivision located at approximately 1200 North 4000 West, Craythorn Development, applicant

Troy Moyes stated Craythorn Construction is requesting a Preliminary Plat Amendment to the Bennett Century Farms Subdivision, located at approximately 1200 North and 4000 West. The first preliminary amendment to the plat was approved by the Planning Commission on September 10, 2020.

The changes from the previous set of approved plans are mostly minor, but there are a few notable exceptions.

- The minimum lot size has been reduced from 12,000 sq ft to 10,000 sq ft. This is because the new zoning R-2 zone allows for the average lot size to be narrower. As a result, some of the lot configurations have been moved around slightly.
- Parcels B and C have been eliminated. The size of the detention basin on parcel A has been increased.
- The previous plans showed 42 building lots, while this set shows 44 building lots.

Overall, the changes from the previous set of approved plans are minor, but they do reflect the new zoning regulations for the property. The new zoning allows for more density and residential use.

PJ Roubinet clarified the developer conformed with the new standards and received two more lots. Bryn MacDonald stated correct. With the new zone it could have had 57 lots, but they only added a couple more.

Trent Yarbrough asked about the lot on 4000 West that is in between both phases, who is in charge of the improvements there with the curb, gutter, and sidewalk. Mr. Davis stated there may be a postponement agreement and if there is, they can ask the resident to pay for it to connect the two. There needs to be a discussion with the developer and the resident about that. He will look into it.

Trent Yarbrough asked if there will be a vinyl fence on 1300 North behind the lots and it was stated yes and the same with 4000 West. Mr. Davis stated the 8 ft buffer strip is shown on both those roads.

Scott Wolford motioned to approve the request for a preliminary plat amendment for the Bennett Century Farms Subdivision, located approximately 1200 North 4000 West, Erik Craythorne, applicant. Jeff Turner seconded the motion. All voted aye.

8. Discussion and consideration of a preliminary plat for the Movement Dance Center Subdivision located at 3567 West 1800 North, Ricci Phillips Galvan, applicant

Troy Moyes stated Ricci Phillips Galvan, owner of The Movement Dance Studio, is seeking preliminary plan approval and revised site plan approval to construct a new commercial building on her property located at 2653 West 1800 North. The Movement has been operating at that location since 2009.

On February 10, 2022, the Planning Commission approved the site plan for the new building. However, it was later discovered that no recorded plat is associated with the property, which is required for commercial developments. As a result, the applicant is now seeking a revised site plan approval and a preliminary plan to come into compliance with the existing code. A public hearing for a development agreement is also scheduled.

The property is zoned N-C commercial and is located on 0.5 acres of land just off 1800 North. There is currently a building on the property. The applicant would like to keep the existing building and construct a new building directly in front of it.

The West Point City Code 17.60.140 outlines the standards for commercial buildings. These standards include the following categories:

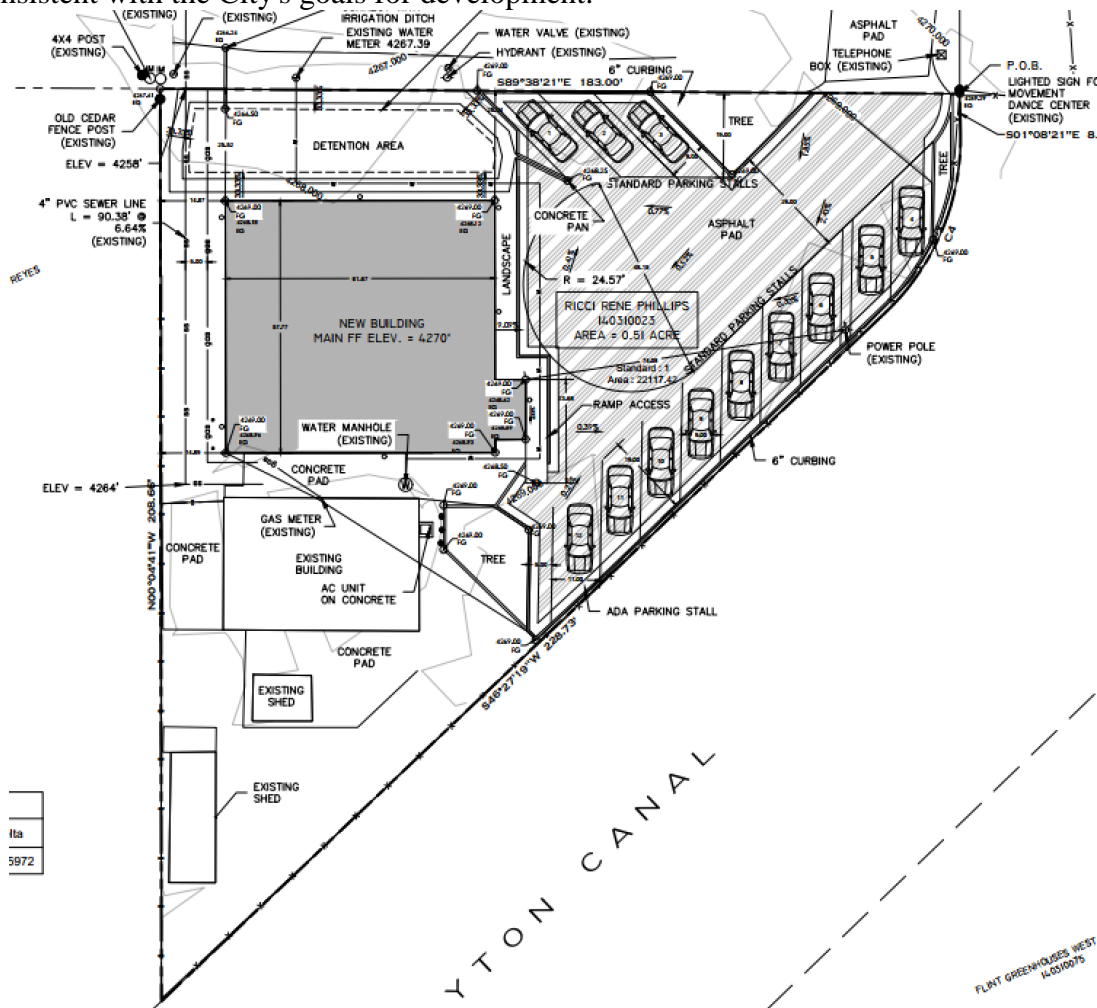
- Front and side setbacks, including distance from other structures
- Landscaping & Fencing
- Architectural drawings and elevations, exterior materials, and colors

- Windows
- Parking

This does require a development agreement. The applicant is requesting the following exceptions to the West Point City Code:

- Architectural materials: The N-C zone requires that buildings have a minimum of 50% brick or stone. The Code does indicate that "alternative materials may be approved by the Community Development Director if it can be shown that the finished product shall result in a highly durable surface that enhances the building." However, Staff believes that the Planning Commission should be the one to approve the alternative materials. The applicant is requesting to have a metal outside with a pitched roof.
- Parking areas: WPCC 17.100.020 states that "Public parking areas shall be separated from the property lines abutting streets by landscaped buffers of not less than 10 ft." The location of the three parking stalls on the north side of the parking lot is adjacent to the right-of-way line for 1800 North. The Code requires a 10-ft landscape strip in front of those stalls.

The applicant is requesting an exception to that standard due to the distance from the road and the minimal number of stalls required. The applicant believes that these exceptions are necessary to allow them to construct a building that is both functional and aesthetically pleasing. The applicant is willing to work with the Planning Commission to ensure that the exceptions are granted in a way that is consistent with the City's goals for development.



The proposed structure meets all the other standards set forth in the West Point City Code.

Scott Wolford asked with the landscape exception in the front along 1800 North if there is a buffer at all. Bryn MacDonald stated there is a 2-ft curb and then the right-of-way. The property sits back significantly from the right-of-way. Jeremy Strong stated it is 15 ft and Bryn MacDonald stated correct.

Trent Yarbrough asked if it is setback far enough from 1800 North that when the road is widened it will not to be an issue and Bryn MacDonald stated yes as in the front of the building, there is a detention pond between the building and the road right-of-way. Jeremy Strong asked if the fire hydrant is in the easement and Bryn MacDonald stated that is at the edge of the right-of-way with the parking lot to the south of the hydrant. Scott Wolford asked if the road in this area is two lanes and it was stated it is two lanes with a shoulder.

Jeremy Strong asked about lighting at the back of the building that will face the house to the west. Bryn MacDonald stated to ask the applicant as Staff has not seen a lighting plan.

Brad Phillips, 3690 N Willow Brook Lane, Eden, Utah: Mr. Phillips stated he was in attendance for his daughter who was out of town. In regards to the building lighting, there is none. There are a few exit doors that may need some low-level lighting. At the current studio there are lights that come on and face more towards the parking lot. No one has had an issue with it and what they are going to try to do is also put enough lighting on the east side to light the parking lot.

Jeff Turner asked how does that comply with the dark sky. Jeremy Strong stated if there is none on the west side of the building except for one that shoots down, it would still be contained. Jeff Turner asked about the east side. Mr. Davis stated all lights are to be shielded and downward guided. Jeff Turner asked if there is a Code for parking lot lighting and Mr. Davis stated it is not required in parking lots, only if they are placed in there, they need to be shielded and downward guided.

Jeremy Strong stated with the development agreement, they are asking for the building façade changed and the easement changed. Other than getting a great asset to the community, what is the City getting back. Bryn MacDonald stated there is nothing extra they are giving back to the City. Jeremy Strong stated he would be okay with that given the amount of time the applicant has spent on this. Scott Wolford stated he does feel like this is a community asset and feels like there should be a return when exceptions are made. However, the business is what is giving back as it is a service residents want and is a great location for it.

There was a question asked if the applicant had any idea of the color of the building and Mr. Phillips stated he did not know. Troy Moyes stated the original application submitted in 2022 was for a dark gray building. Jeff Turner stated he would like to see the building color. Bryn MacDonald stated the site plan does still need to go to City Council and a condition can be made in a motion with the Planning Commission.

PJ Roubinet asked about the three parking stalls to the north. Bryn MacDonald stated a certain number of parking stalls needed to be achieved. Troy Moyes stated 12 parking stalls are required.

Jeff Turner asked what the existing building is going to stay as and Jeremy Strong stated it will still be a dance studio.

PJ Roubinet asked if the change in parking will require a fence around the canal. Mr. Davis stated there is already fencing there. Jeremy Strong stated he believes it is a field fence.

Scott Wolford motioned to approve the preliminary plat for the Movement Dance Center Subdivision located at 3567 West 1800 North, Ricci Phillips Galvan, applicant. PJ Roubinet seconded the motion. All voted aye.

9. Discussion and consideration of a site plan for the Movement Dance Center Subdivision located at 3567 West 1800 North, Ricci Phillips Galvan, applicant

Scott Wolford motioned to recommend approval of the site plan for the Movement Dance Center Subdivision located at 3567 West 1800 North with the condition that the applicant brings the color of the building for review by the City Council when they give final approval. Rochelle Farnsworth seconded the motion. All voted aye.

10. Discussion and consideration of a development agreement for the Movement Dance Center Subdivision located at 3567 West 1800 North, Ricci Phillips Galvan, applicant

Bryn MacDonald stated the development agreement states the elevations are approved as submitted and that the requirement for the 10-ft landscape buffer between the parking lot and the street will be waived.

Jeremy Strong opened the public hearing.

a. Public Hearing

There were no comments.

Scott Wolford closed the public hearing.

b. Action

Jeremy Strong stated with a development agreement there is usually a give and take on both sides. However, with the 2 years of building setback and the community asset, he would be okay.

Rochelle Farnsworth stated improving the lot is giving the City something as there will be the detention pond and nicer aesthetic, as long as the City Council approves the color.

Jeff Turner asked about detention ponds and what determines the size. Mr. Davis stated there is a long calculation that goes into it, but it is based on the lot size, the amount of impervious area and the duration of storm. Jeff Turner stated depth does matter and how is that determined. Mr. Davis stated the depth is controlled by how much space there is to build the pond. With the calculations, there is a volume amount given and depending on the size is how deep the pond needs to be. The storm drain outlet also plays a factor as it cannot go deeper than the outlet. It would be best if the pond can be as shallow as possible, but is governed by space.

PJ Roubinet asked about the 6-inch storm drain culvert to connect with the existing ditch and if it would continue on and no orifice controlling the flow out. Mr. Davis stated he believes there is an

orifice controlling that. PJ Roubinet asked who owns that 6-inch storm drain culvert going from the detention pond. Mr. Davis stated it is theirs. There are portions on 1800 North where it is piped under driveways. The short pipe is the applicant's though. Mr. Davis stated when it is that small and that short, it will be easy to clean out and noticeable when it is plugged. He stated a good recommendation would be to go a little bigger size pipe, maybe 10-inches.

Jeff Turner asked if 1800 North will be improved and Mr. Davis stated no. Staff is recommending a postponement agreement on the other improvements, the curb and gutter, which will go to the City Council. There is no curb and gutter on either side and it is difficult to do a short curb and gutter and it may not match up in the future.

Scott Wolford motioned to recommend approval of the development agreement for the Movement Dance Center Subdivision located at 3567 West 1800 North with no conditions, Ricci Phillips Galvan, applicant. Trent Yarbrough seconded the motion. All voted aye.

11. Discussion and consideration to amend the Subdivision chapter of Title 17.130. The proposed text changes will revise the process and standards for development.

Bryn MacDonald stated this has been discussed multiple meetings. This is updating the entire subdivision chapter. This will be repealing and replacing. The process is being done to comply with State Code. There are now timelines for the review process and only a maximum of 4 reviews. A checklist that list all the details has been added for everything that needs to be submitted for preliminary plat and final plat. There is a table that specifies who will approve the different types of plats. For regular subdivisions, the preliminary plat will be approved by the Planning Commission with Staff reviewing the final plat. Vacating easements will be done by City Council. Simple plat amendments will be approved by Staff. Anything adding lots will be approved by the Planning Commission. The Code states if there are changes to the final plat, it will need to come back through the approval process of the Planning Commission. Other information included is improvement infrastructure plans such as driveway spacing, road spacing, water lines, storm drain requirements, et cetera. All of those are in the Code with details in the new Public Works Standards. If a recommendation is made, it will be to repeal the whole chapter and replace with the new text.

Scott Wolford stated he does like this as it is clean. He does not appreciate the State pushing in this direction but it is a clean City Code.

Jeremy Strong asked if the Code discusses traffic studies and Bryn MacDonald stated in the master plan it lists recommendations for what needs to be included and Mr. Davis stated there are standards for exactly what the traffic study needs to include. There are different levels of traffic studies depending on the size of the project, level 1-4.

Bryn MacDonald stated when making a motion, there are changes that needed to be corrected. Scott Wolford stated the wording on the private roads and the spacing on the driveways needs to be mention. Rochelle Farnsworth stated the single-lot subdivisions needed to have the explanation for those. Mr. Davis clarified private streets in the R-4 and R-5 only. Jeremy Strong stated yes, striking the PRUD sentence.

Jeremy Strong opened the public hearing.

a. Public hearing

There were no comments.

Scott Wolford closed the public hearing.

b. Action

Jeff Turner asked the reasoning behind adding the Planning Commission to approve a single-family lot. Mr. Davis stated it seemed inconsistent where amended plats that create one-lot or a flag lot has to go to Planning Commission. It seemed a single lot should as well. Jeff Turner stated Staff is approving it only if it meets the Code and asked what would the Planning Commission do different. Mr. Davis stated that is a valid point as it can only be approved if it meets the Code. He does have a fear that Staff will approve a lot and someone will come back asking questions. Jeremy Strong stated he always has thought preliminary should come to the planning body. He does like the change. Mr. Davis stated the Planning Commission is bound by the Code. Jeremy Strong stated this helps with more eyes seeing it and making sure the Code is being followed and Mr. Davis agreed.

Scott Wolford motioned to recommend to repeal and replace West Point City Code Title 17.130 with the proposed text with the following changes:

1. Title 17.130.090 strike the PRUD sentence.
2. Title 17.130.070 make the text match the table.

PJ Roubinet seconded the motion. All voted aye.

12. Staff Update

Bryn MacDonald stated Staff is working with Big-O on the commercial.

The City Council discussed the Limited Commercial Zone and will hold a public hearing.

There are 15 more days for General Plan Application Amendments. None have been received, but there are rumors for a few.

The Hall property located next to city hall has been bought and the Planning Commission will be seeing essentially the same plan again.

There will be a major home occupation application for karate lessons in the home.

There is plans to hold a joint meeting with the City Council on October 17, 2023.

West Fields Subdivision has applied for an extension on their building timeline. It was set to expire in October. Building will take place in the spring.

13. Planning Commission

Rochelle Farnsworth stated with the General Plan coming up, it would be good to address the Code for commercial and what is actually in the commercial zones. The dance studio is great for neighborhood commercial, but would like to see everything we have in the zones on a table or map so it can be more targeted. She thanked the staff for their hard work.

Trent Yarbrough stated no comment.

PJ Roubinet stated thanks to the Staff for the work. He does know text change amendments is a lot of work thinking of all the different hypotheticals.

Scott Wolford stated no comment.

Jeff Turner stated no comment.

Jeremy Strong thanked Staff and congratulated those who made it through the primary election.

14. Adjournment

Scott Wolford motioned to adjourn the meeting at 8:03 p.m.

Chairperson – Jeremy Strong

Deputy City Recorder– Katie Hansen

Planning Commission Staff Report



Subject: Discussion – General Plan Amendment J.
Fisher Companies
Author: Troy Moyes
Department: Community Development
Date: November 9, 2023

Background

J. Fisher Companies is petitioning the city to consider amending West Point City’s General Plan Map for 24.42 acres of land located at approximately 500 South Cold Springs Road. The request is to change the general plan from R-3 Residential (3.6 units per acre) to a mixed-use development.

Process

General Plan amendment requests are legislative decisions. In legislative matters, the Planning Commission and City Council have broad discretion, provided that it can be demonstrated that their action will promote or protect the community's overall welfare. Changes to the General Plan require a public hearing and recommendation from the Planning Commission before a final decision can be made by the City Council.

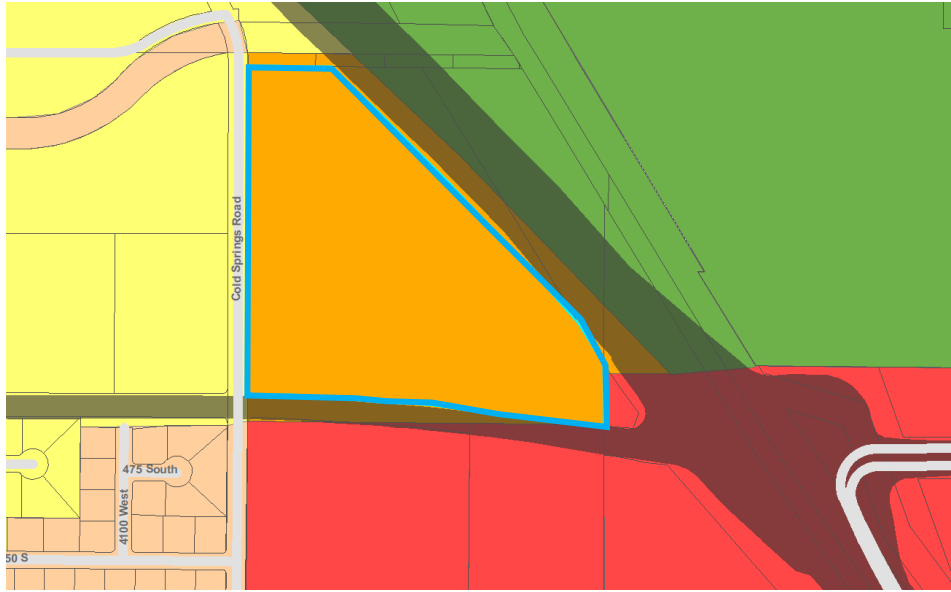
General plan amendments are the first of many steps required by the West Point City code before a project is approved. The other approvals required include legislative action to rezone property (public hearing required and development agreement), and administrative action for subdivision plat, site plan (which requires elevations, landscaping, amenities, parking, lighting, fencing, and other requirements found in city code), and conditional use (if required).

Analysis

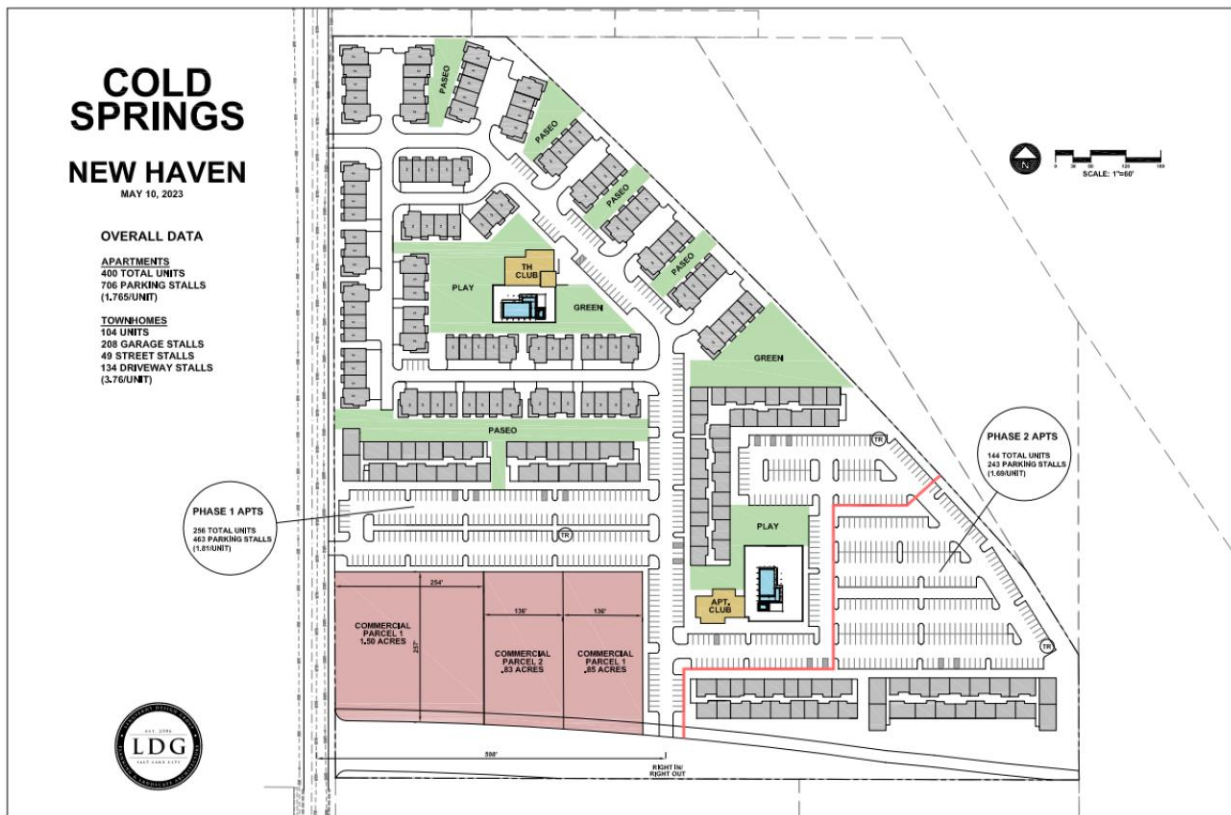
The property being considered contains parcel number 12-039-0057 (24.42 acres). The current designation on the general plan has this area as a future R-3 Residential. The applicant's proposal has a mixed use of townhouses, apartments, and commercial products as shown in the site plan below.

This property was part of a small area market study plan that started in the first part of 2022 and was adopted by the City Council on February 21, 2023. The purpose of the West Point small area plan as outlined in the document was to “undertake a scenario planning process with facts and figures rooted in realistic projections of traffic counts and housing or population growth.”

General Plan



Applicants Proposal



The applicant is proposing a total of 104 townhomes and 400 apartments along with some commercial pads on the corner of SR-193 and Cold Springs Road. The proposal would total up to the following density as shown in the table below. This would allow the remaining commercial area to be 5.12 acres including the required parking.

	Area	Total Units	Units/Acre
Townhomes	9 acres	104 units	11.5
Apartments	10.3 acres	400 units	38
Total	19.3 acres	504 units	26.11

There is currently no designation in the general plan that allows for this type of density. The R-5 designation allows up to 20 units per acre. The City is in the process of updating the general plan and could add a new category that would allow this type of density. The density could also be achieved through a development agreement.

Small Area Market Analysis Plan



The applicant has been asked to present their proposal to the Planning Commission during the upcoming Planning Commission meeting.

Recommendation

No action for discussion only. General plan amendments are legislative decisions that are subject to broad discretion by the Planning Commission to promote or protect the community's overall well-being.

Significant Impacts

None

Attachments

Application and Plans



General Plan Amendment Application

3200 West 300 North
 West Point, UT 84015
 PH: 801.776.0970
 FAX: 801.525.9150
www.westpointcity.org

This type of application is considered legislative. The City Council shall only accept applications to amend the General Plan twice a year, during the months of March and September. All applications submitted must be made in accordance with Title 17 of the West Point City Code.

Note: If the application for a change of General Plan amendment is denied by the City Council a new application for the same request affecting the same property shall not be eligible for reconsideration for one year subsequent to such denial.

For Office Use Only Received Payment		
\$		
AMOUNT PAID	DATE RECEIVED	INITIAL
\$550.00		General Plan Amendment

Subject Property Information			
Approximate Address: 500 S and Cold Springs Rd	Total Acreage: 24.42	Parcel ID Number: 120390057	Current Zoning: R-1
Owner/Agent Information			
Applicant Name: Mitch Vance - J Fisher Companies	Phone Number: 801-636-2544	Owner of Property? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
Mailing Address: 1216 Legacy Crossing Blvd. Ste. #300	City: Centerville	State: UT	Zip: 84014
Email Address: mvance@jfisherco.com			
General Plan Amendment Information / Checklist			

Owner's Agent

Below is a list of information that is required to be submitted with the application in order for West Point City to process the request. If any of the required information is not submitted, the application will be considered incomplete and will not be accepted.

Written Proposal

- Description of the proposed amendment request.
- Written statement specifying the potential use of property within the area of the proposed amendment.
- Written statement explaining why the existing General Plan Designation for the area is no longer appropriate or feasible.
- Analysis of the potential impacts of the proposed amendment on existing infrastructure and public services (traffic, streets, intersections, water, sewer, storm drains, electrical power, fire and police protection, garbage collections, etc.)

Text Amendments *(if applicable)*

- Written statement showing the desired language change.
- Map showing affected areas if the text change will affect specific geographic areas.

Map Amendments *(if applicable)*

- A complete and accurate legal description of the area to be changed.
- Map showing the area of the proposed amendment.
- Current copies of the Davis County parcel Map showing the area of the proposed amendment.
- Mapped inventory of existing land uses within the area of the proposed amendment and extending 1/2 mile beyond such area.
- Correct property addresses of parcels included within the area of the proposed amendment
- Signatures of the majority of the property owners within the area proposed for a General Plan Map or Policy amendments.

I have read the West Point City Land Use Ordinances and understand that submitting this Application does not guarantee approval and is subject to the discretion of the City Land Use Authority and compliance with all requirements of West Point City's Municipal Code.

Mitchell Vance
Owner/Agent Signature

Sept. 25, 2023
Date

If the agent listed above is not the property owner, he/she must be authorized as the assigned "AGENT" by completing the **STATEMENT OF OWNERSHIP/DESIGNATION OF AGENT** section below.

Statement of Ownership/Designation of Agent (provide a small plat map showing ownership)

As the undersigned legal owners of the property described on a short plat map, we designate Mitch Vance to act as the agent with respect to this application.

[Signature]
Property Owner Signature

Chad Bessinger
Print Name

9/25/23
Date

Cold Springs General Plan Amendment Application

Sept 25, 2023

J Fisher Companies is proposing an amendment to the West Point General Plan as it relates to property located at approximately 500 South and Cold Springs Rd. The 24.42 acre property is zoned R-1 and is located at the future intersection of Highway 193 and the West Davis Corridor. The future improvements to transportation infrastructure in the area warrant a change to the intended land use of the property and provide West Point City with an opportunity to construct a denser mixed-use center at a location with the infrastructure to support it. We are proposing a horizontally mixed-use project that includes 400 4-story apartment units, 104 townhomes, and three commercial pads. All uses will be served with surface parking and green space.

Such a development will bring a new tax base to West Point City and will serve as a buffer to lower intensity land uses from proposed larger roads. The current General Plan has identified the subject property as R-3, which allows 3.6 units/acre. We propose that the General Plan be amended to allow a more mixed-use development project at this location that will function as a new gateway into West Point City.

COLD SPRINGS

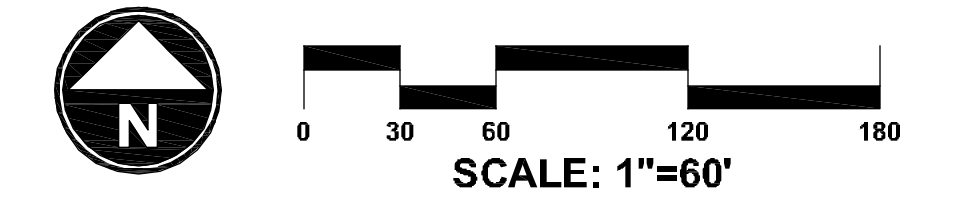
NEW HAVEN

MAY 10, 2023

OVERALL DATA

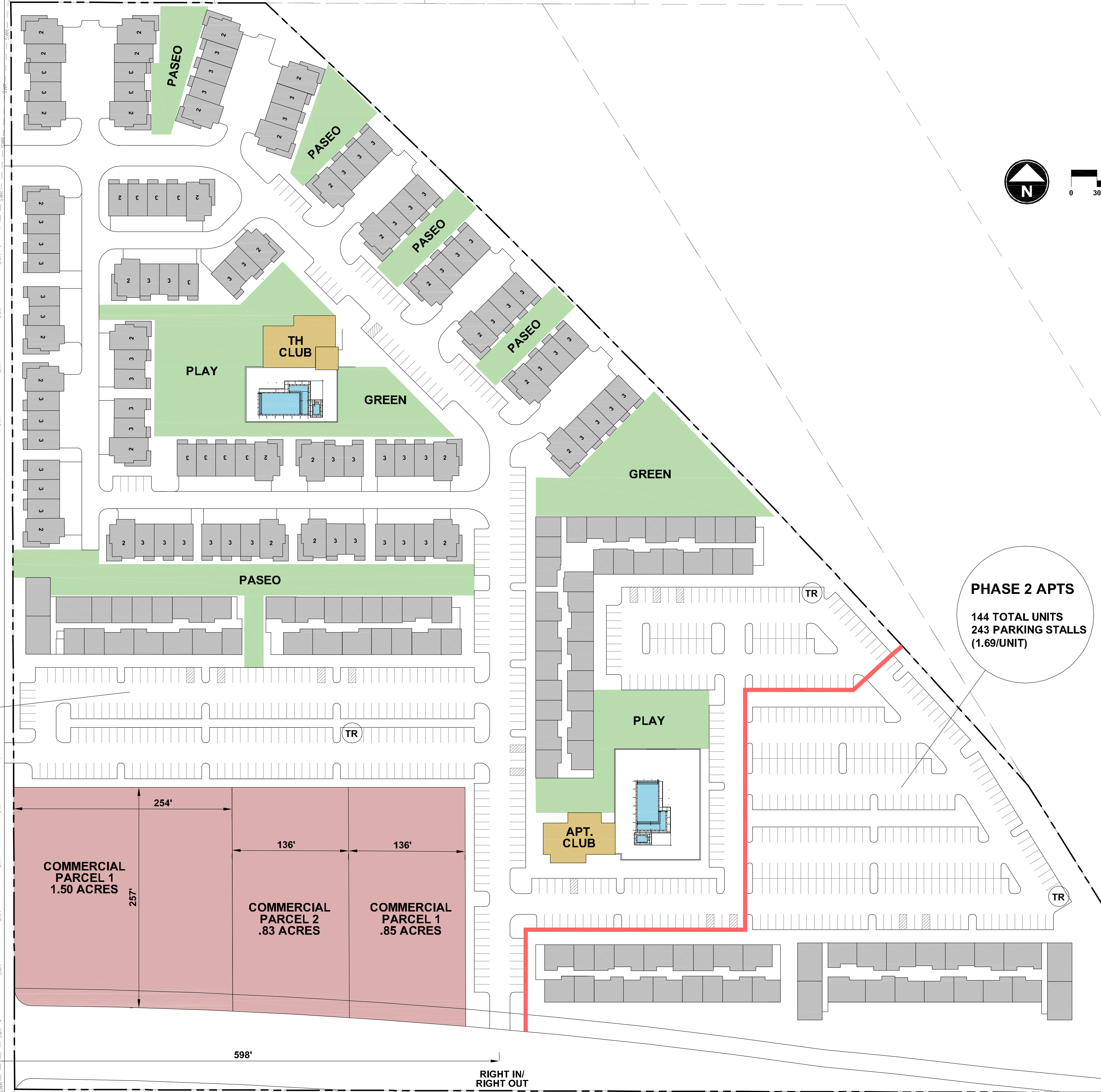
APARTMENTS
400 TOTAL UNITS
706 PARKING STALLS
(1.765/UNIT)

TOWNHOMES
104 UNITS
208 GARAGE STALLS
49 STREET STALLS
134 DRIVEWAY STALLS
(3.76/UNIT)



PHASE 1 APTS
256 TOTAL UNITS
463 PARKING STALLS
(1.81/UNIT)

PHASE 2 APTS
144 TOTAL UNITS
243 PARKING STALLS
(1.69/UNIT)



Planning Commission Staff Report



Subject: Discussion – Rezone 2048 W. 300 N
Author: Troy Moyes
Department: Community Development
Date: November 9, 2023

Background

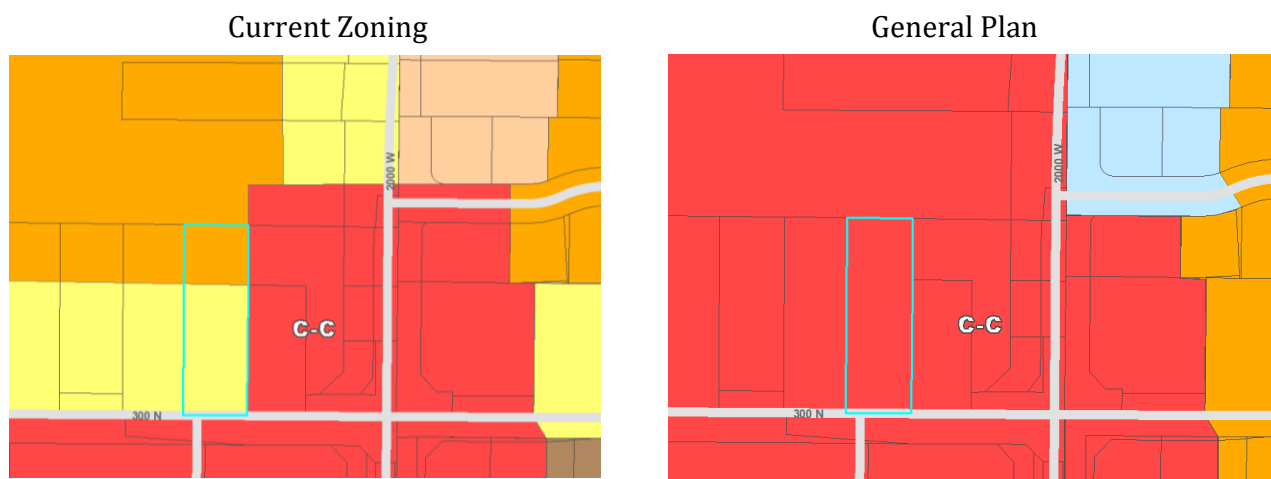
Ian Cahoon, representing CW Urban, is seeking a recommendation from the Planning Commission to rezone their property located at 2048 West 300 North from R-2 and R-3 Residential to C-C Commercial. This property is part of a future project that consists of three separate parcels. Two existing parcels have already been designated as C-C Commercial. It is desired that the remaining parcel be rezoned to match the others for a future commercial project.

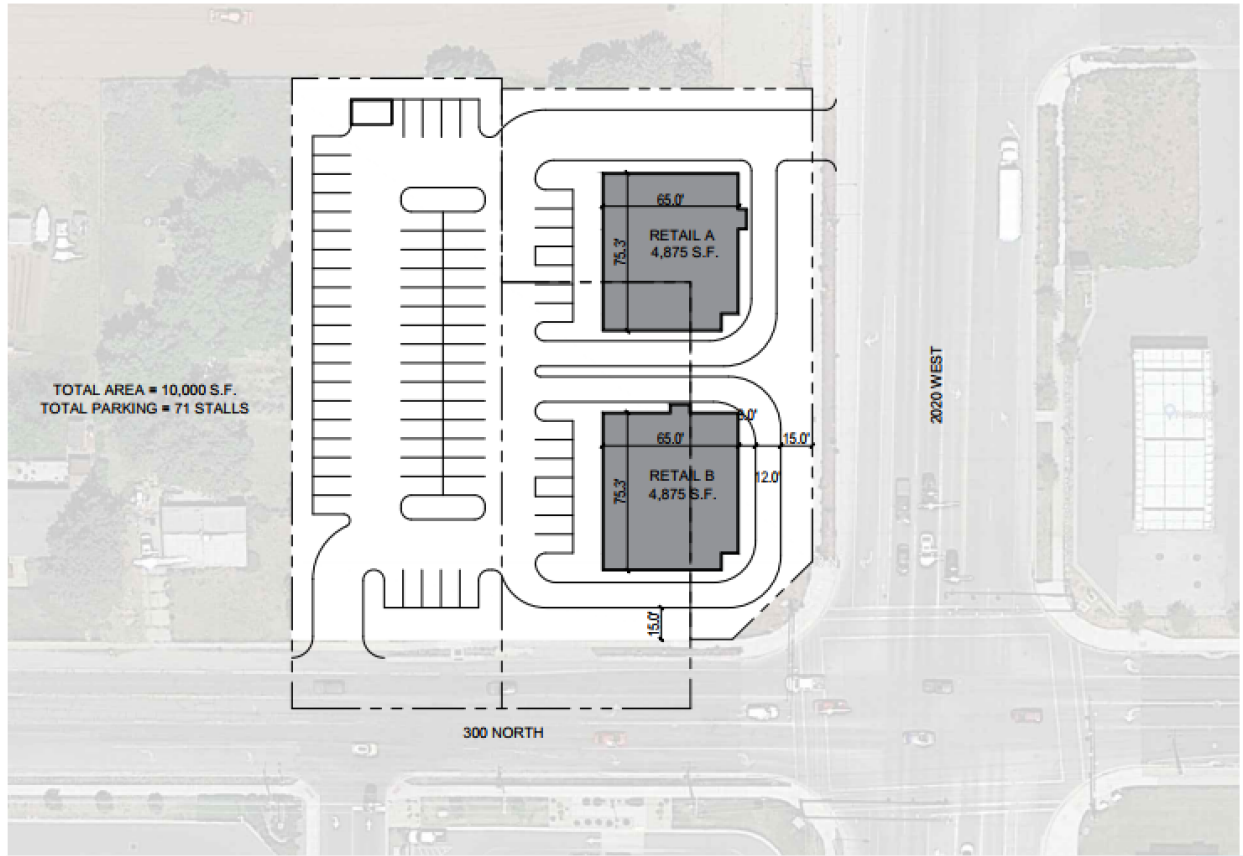
Process

Rezone requests are legislative decisions. In legislative matters, the Planning Commission and City Council have broad discretion, if it can be demonstrated that their action will promote or protect the overall welfare of the community. The rezone requires a public hearing and recommendation from the Planning Commission before a final decision can be made by the City Council.

Analysis

The property being considered for a rezone is parcel number 14-055-0073 (.615 acres) located at 2048 West 300 North. West Point City's General Plan has this property designated as a future C-C Commercial. The proposal is consistent with the General Plan as shown below.





In addition to the rezoning request, the following is information as shown in the images below that will need separate approval at a future time:

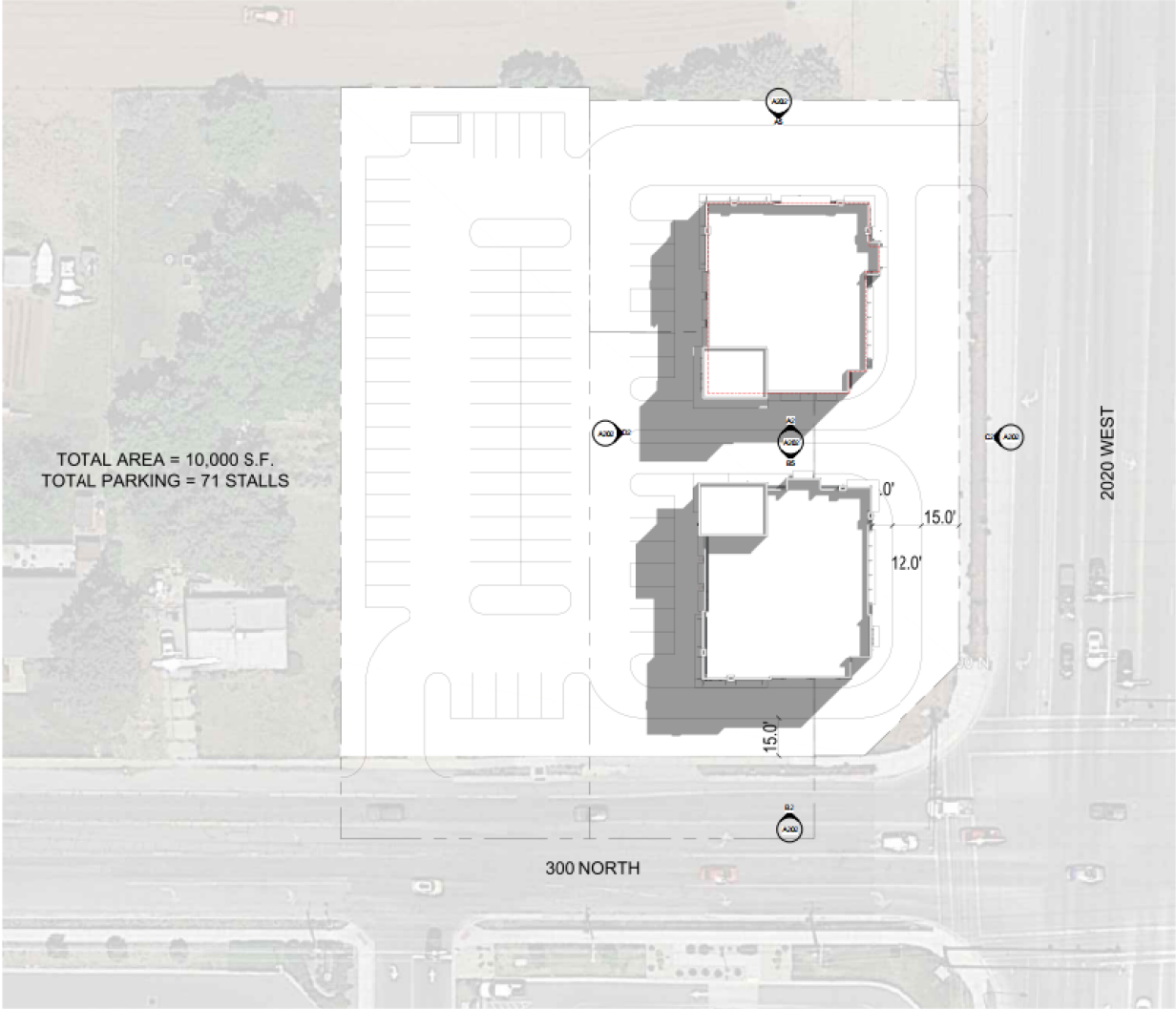
Site plan approval: A site plan is a detailed drawing that shows the layout of a proposed development, including the location of buildings, parking areas, landscaping, and other features. The Planning Commission will review the site plan to ensure that it meets all applicable standards and requirements, such as those related to setbacks, building heights, and landscaping. The City Council gives final site plan approval.

Preliminary plat approval: A preliminary plat is a map that shows the proposed division of a parcel of land into a buildable lot. The Planning Commission will review the preliminary plat to ensure that it meets all applicable standards and requirements, such as those related to lot size, street access, and drainage.

Conditional use approval: To obtain a conditional use permit, the applicant must demonstrate that the proposed use will meet certain conditions, such as those related to compatibility with surrounding uses, traffic impacts, and environmental impacts.

Staff is working with the applicant to ensure that the development meets all the standards and requirements of the West Point City Code. Once the applicant has addressed the comments

that have been raised, the Planning Commission will consider the application for site plan, preliminary plat, and conditional use approval. The applicant will also have a development agreement that will ensure that the property develops in a manner consistent with what was approved by the Planning Commission and City Council.



Building Elevations



Recommendation

No action, for discussion only.

Significant Impacts

None

Attachments

Application and Plans



Zoning Map Amendment Application

3200 West 300 North
 West Point, UT 84015
 PH: 801.776.0970
 FAX: 801.525.9150
 www.westpointcity.org

The rezoning of property is considered legislative action. All applications submitted must be made in accordance with Section 17.00.090 in the official West Point City Land Use & Development Code. Zoning amendments must be initiated by one or more property owners affected by the amendment.

Note: If the application for a zoning change is denied by the City Council a new application for the same request affecting the same property shall not be eligible for reconsideration for one year after such denial.


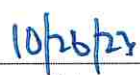
For Office Use Only		
Received Payment		
\$		
AMOUNT PAID	DATE RECEIVED	INITIAL
\$250.00	Rezone Application	

Applicant Information		
Name: Ian Cahoon/ CW Urban	Email Address: ian@cw.land	Date: 10/26/23
Address: 610 N 800 W, Centerville, UT 84014	Phone Number: 801-927-0498	

Property Information		
Property Address: 2048 W 300 N, West Point, UT 84015	Parcel Numbers: 140550073	
Current Zoning: R-2 and R-3	Requested Zoned: C-C	Total Acres: 0.615
Legal Description(s) (May Attach Copy): BEG 233 FT W FR SE COR SEC 33-T5N-R2W, SLM; TH W 100 FT; TH N 300 FT; TH E 100 FT; TH S 300 FT TO POB. CONT. 0.615 ACRES		
Describe the purpose of the request: CW Urban is currently working on a project involving three parcels: 140550073 (the parcel with the proposed rezone), 140550075, and 140550273. The current zoning for parcels 140550075 and 140550273 is C-C. We have received interest in developing this site and intend to proceed with the development. To facilitate this, we are formally requesting a zoning change to align this parcel with the zoning of the two other parcels.		

NOTE: If the agent listed above is not the property owner, he/she must be authorized as the assigned "AGENT" by completing the **STATEMENT OF OWNERSHIP/DESIGNATION OF AGENT** section below. This authorization only needs to be completed once, prior to concept approval.

I hereby certify that the requested application meets the standards of the West Point City Land Use & Development Code. I have read the West Point Zoning Amendment regulations and understand that submitting this application does not guarantee approval and is subject to the discretion of the City Land Use Authority and follows all requirements of West Point City's Municipal Code.

Applicant Signature: 
 Date: 

Affidavit

STATE OF UTAH)
COUNTY OF DAVIS)

I/WE COLIN H. WRIGHT, BEING DULY SWORN, DEPOSE AND SAY THAT I/WE AM/ARE THE OWNER(S) OF THE PROPERTY IDENTIFIED IN APPLICATION AND THAT THE STATEMENTS HEREIN CONTAINED AND THE INFORMATION PROVIDED IDENTIFIED IN THE ATTACHED PLANS AND/OR OTHER EXHIBITS ARE IN ALL RESPECTS TRUE AND CORRECT TO THE BEST OF MY/OUR KNOWLEDGE. I/WE ALSO ACKNOWLEDGE THAT I/WE HAVE RECEIVED WRITTEN INSTRUCTIONS REGARDING THE PROCESS FOR WHICH I AM APPLYING AND WEST POINT CITY STAFF HAVE INDICATED THEY ARE AVAILABLE TO ASSIST ME/US IN MAKING THIS APPLICATION.

[Signature]
Signature of Property Owner

[Signature]
Signature of Property Owner

Subscribed and sworn to me this 26 day of OCTOBER, 2023.

[Signature]
Notary Public



Residing in: GRANTSVILLE, UT

My Commission Expires: 03-18-27

Agent Authorization

I/WE _____, BEING DULY SWORN, DEPOSE AND SAY THAT I/WE AM/ARE THE OWNER(S) OF THE PROPERTY IDENTIFIED IN APPLICATION AND I/WE AUTHORIZE AS MY/OUR AGENT(S) _____ TO REPRESENT ME/US REGARDING THIS APPLICATION AND TO APPEAR ON MY/OUR BEHALF BEFORE ANY ADMINISTRATIVE OR LEGISLATIVE BODY IN WEST POINT CITY CONSIDERING THIS APPLICATION AND TO ACT IN ALL RESPECTS AS OUR AGENT IN MATTERS PERTAINING TO THE ATTACHED APPLICATION.

Signature of Property Owner

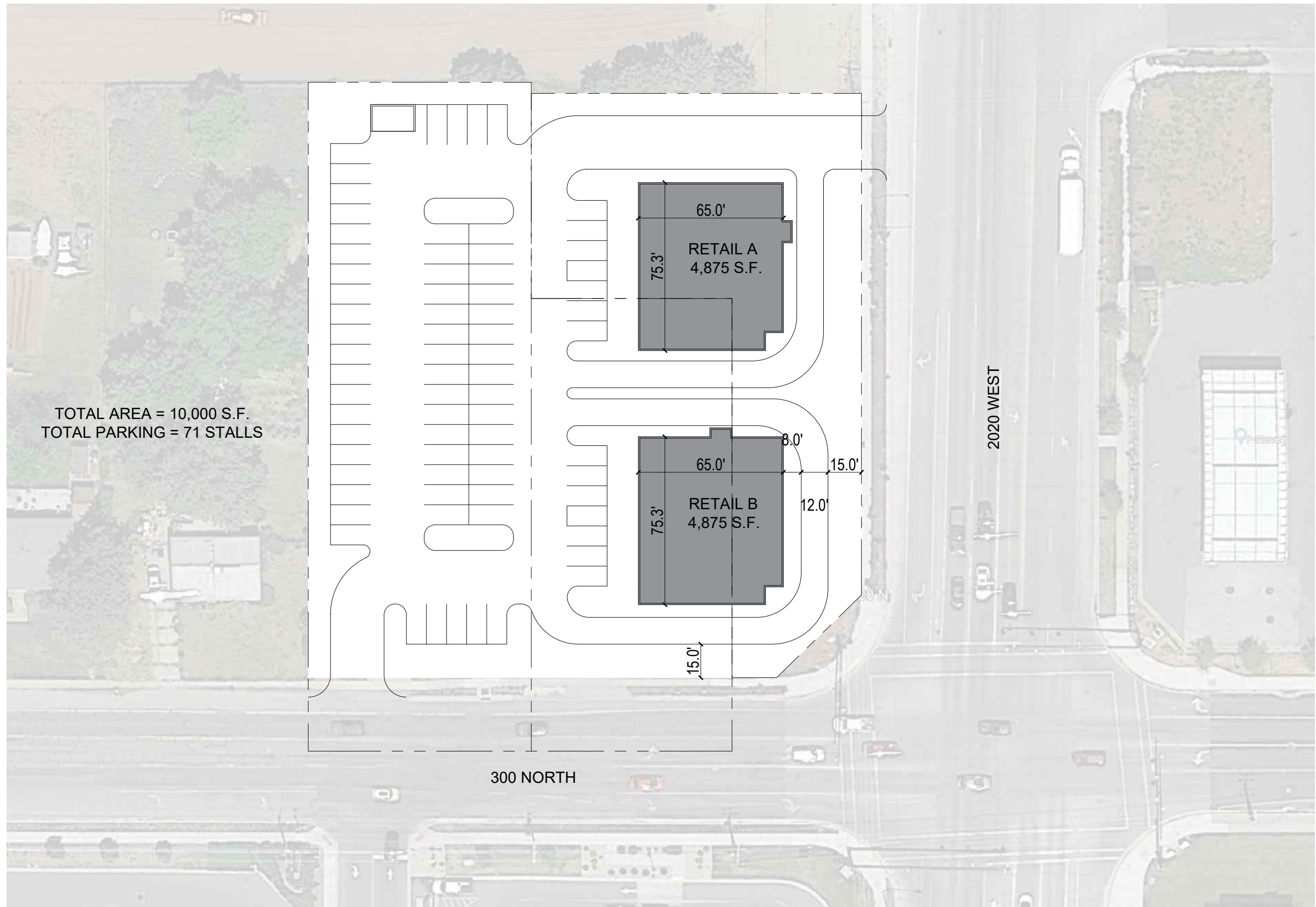
Signature of Property Owner

Subscribed and sworn to me this _____ day of _____, 20____.

Notary Public

Residing in: _____

My Commission Expires: _____



WEST POINT RETAIL CENTER
WEST POINT, UTAH



POINTE RETAIL

2000 W 300 N
WEST POINT, UT



INDEX OF DRAWINGS	
Sheet Number	Sheet Name

GENERAL	
G001	COVER SHEET

GENERAL: 1

ARCHITECTURE	
A001	SITE PLAN
A202	ELEVATIONS V2
A900	PERSPECTIVE

ARCHITECTURE: 3
Grand total: 4

UNLESS A PROFESSIONAL SEAL WITH SIGNATURE AND DATE IS AFFIXED, THIS DOCUMENT IS PRELIMINARY AND IS NOT INTENDED FOR CONSTRUCTION RECORDING PURPOSES, OR IMPLEMENTATION.

c.w. DESIGN

THE DESIGNS SHOWN AND DESCRIBED HEREIN INCLUDING ALL TECHNICAL DRAWINGS, GRAPHIC REPRESENTATIONS & MODELS HEREOF, ARE PROPRIETARY & CAN NOT BE COPIED, DUPLICATED, OR COMMERCIALY EXPLOITED IN WHOLE OR IN PART WITHOUT THE SOLE AND EXPRESS WRITTEN PERMISSION FROM CW DESIGN.

POINTE RETAIL
2000 W 300 N, WEST POINT

REVISIONS:

REV #	DATE	DESCRIPTION

866.744.2489
610 N 800 W
CENTERVILLE, UT 84014
BUILTBYCW.COM

ARCHITECT

CW DESIGN
610 N 800 W
Centerville, UT 84014
CONTACT:
JASON MALASKA
jason@builtbycw.com
801.885.8268

DEFERRED SUBMITTALS

1. FIRE ALARM SYSTEM DRAWINGS
2. AUTOMATIC FIRE SUPPRESSION SYSTEM DRAWINGS PER IFC 903.3.1.1
3. EMERGENCY RESPONDER COVERAGE SYSTEM (DAS)
4. ROOF TRUSS / FLOOR JOIST SHOP DRAWINGS
5. POST-TENSIONING ELONGATIONS
6. OVERCURRENT PROTECTIVE DEVICE STUDY AND ARC-FLASH STUDY
7. MEP SEISMIC RESTRAINTS.
8. ALL METAL/STEEL SHOP SUBMITTALS

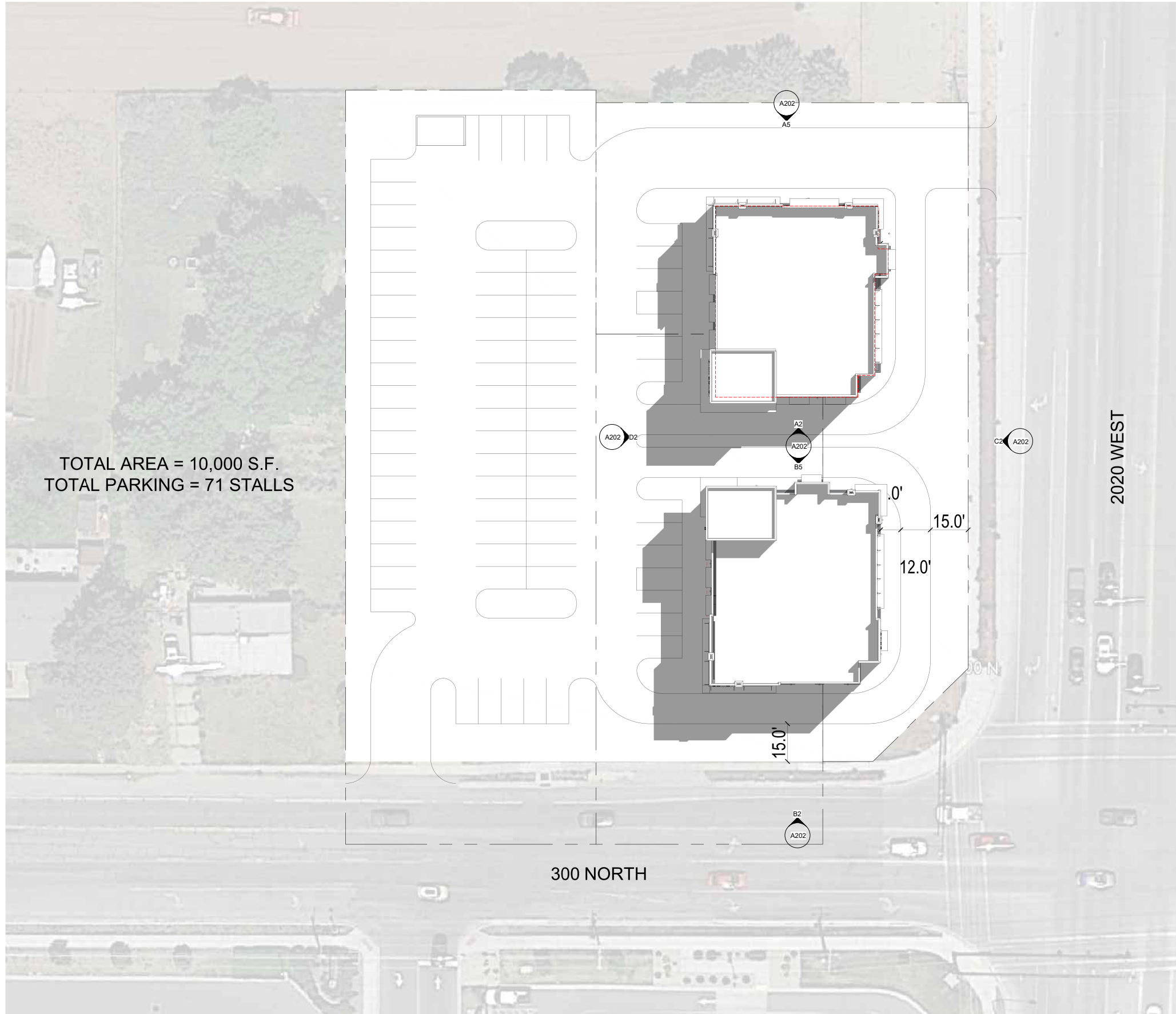
APPROVALS

NAME	DATE	NAME	DATE
NAME	DATE	NAME	DATE
NAME	DATE	NAME	DATE

COVER SHEET

DRAWING NUMBER
G001

ISSUE DATE: 2023.10.25



TOTAL AREA = 10,000 S.F.
TOTAL PARKING = 71 STALLS

TOTAL BUILDING SF
10,000 SF
COMMERCIAL PARKING
71 STALLS

UNLESS A PROFESSIONAL SEAL WITH SIGNATURE AND DATE IS AFFIXED, THIS DOCUMENT IS PRELIMINARY AND IS NOT INTENDED FOR CONSTRUCTION RECORDING PURPOSES, OR IMPLEMENTATION.

c.w.
DESIGN

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POINTE RETAIL
2000 W 300 N, WEST POINT

REVISIONS:

REV #	DESCRIPTION	DATE

866.744.2489
610 N 800 W
CENTERVILLE, UT 84014
BUILTBYCW.COM

SITE PLAN

DRAWING NUMBER
A001

ISSUE DATE: 2023.10.25



D2 Elevation 1 - a
A202 1/8" = 1'-0"



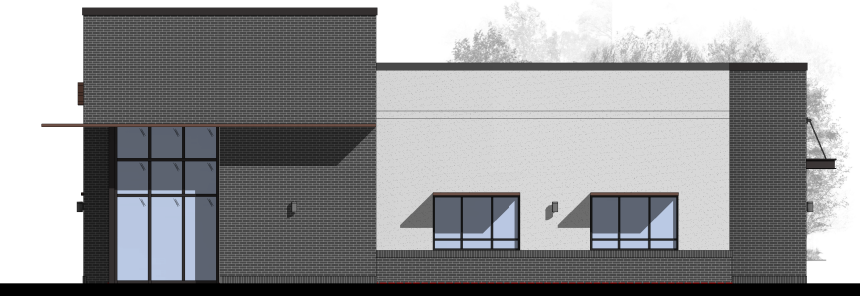
C2 Elevation 2 - a
A202 1/8" = 1'-0"



B2 Elevation 4 - a
A202 1/8" = 1'-0"



B5 Elevation 5 - a
A202 1/8" = 1'-0"



A5 Elevation 1 - c
A202 1/8" = 1'-0"



A5 Elevation 3 - a
A202 1/8" = 1'-0"

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c.w.
DESIGN

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POINTE RETAIL
2000 W 300 N, WEST POINT

REVISIONS:

REV #	DESCRIPTION	DATE

866.744.2489
610 N 800 W
CENTERVILLE, UT 84014
BUILTBYCW.COM

ELEVATIONS V2

DRAWING NUMBER

A202

ISSUE DATE: 2023.10.25

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c.w.
DESIGN

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POINTE RETAIL
2000 W 300 N, WEST POINT
REVISIONS:

REV #	DATE	DESCRIPTION

866.744.2489
610 N 800 W
CENTERVILLE, UT 84014
BUILTBYCW.COM

PERSPECTIVE

DRAWING NUMBER
A900

ISSUE DATE: 2023.10.25

DS

Planning Commission Staff Report



Subject: PRUD (Planned Residential Unit Development) –
Hall Haven Subdivision
Author: Troy Moyes, City Planner
Department: Community Development
Date: November 9, 2023

Background

Capital Reef Management has submitted an application to rezone 3.641 acres located at approximately 3240 W 300 North to the Planned Residential Unit Development (PRUD) zone. This overlay zone request also includes a rezone from R-2 Residential (2.7 units/acre) to R-3 Residential (3.6 units/acre) as shown on the West Point General Plan.

The Planning Commission held a public hearing on October 26, 2023. The Planning Commission tabled the item to allow for further discussion. The commission wanted to talk about driveway access for the existing lot, sidewalks, and if private roads are allowed in the PRUD overlay zone due to a pending ordinance change that started several months ago.

Process

Rezone requests are legislative decisions. In legislative matters, the Planning Commission and City Council have broad discretion, provided that it can be demonstrated that their action will promote or protect the overall welfare of the community. The rezone requires a public hearing and recommendation from the Planning Commission before a final decision can be made by the City Council.

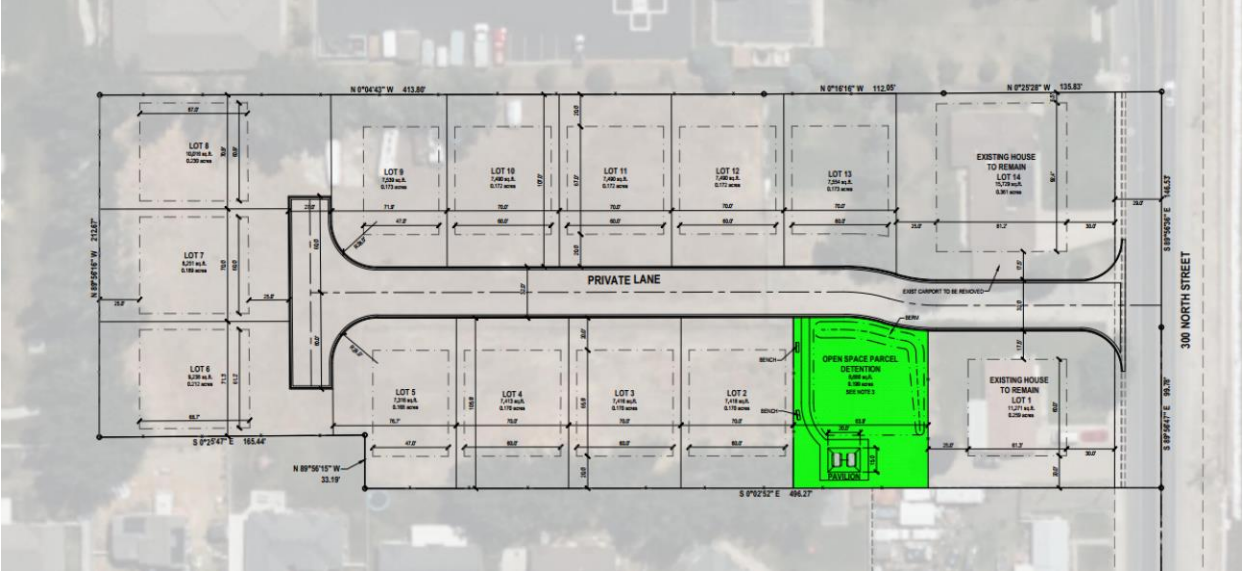
Analysis

The purpose of the PRUD overlay zone as described in WPCC 17.60.160(A) is to "encourage imaginative and efficient utilization of land through large-scale residential development and provide greater flexibility in the location of buildings on the land, the consolidation of open spaces, and the clustering of dwelling units."

The PRUD overlay zone is a special zoning designation that allows for greater flexibility and increased density in exchange for higher development standards. To qualify for the PRUD zone, a development must meet certain requirements, including providing a minimum of 5% bonus density amenities. Bonus density amenities are features or improvements that go above and beyond the minimum requirements for residential development. Examples of bonus density amenities include parks, playgrounds, street trees, and trails. These amenities provide benefits to both the residents and the community as a whole.

The PRUD overlay zone requires the applicant to submit a concept plan along with a detailed description of the proposed density calculation and bonus amenities. The base R-3 zone (3.6 units/acre) would allow up to 13 units on this property. The applicant is proposing 14 units

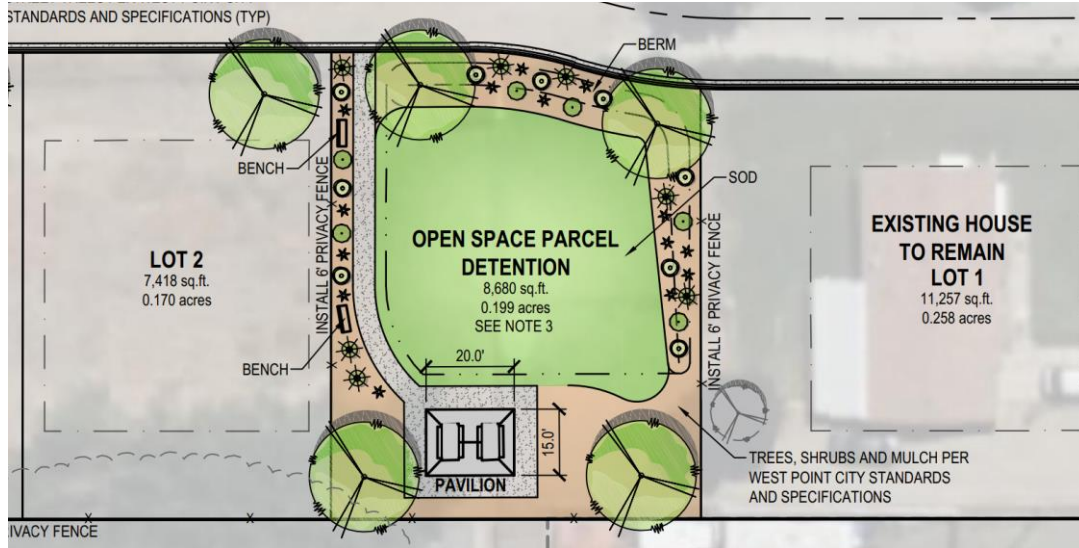
which would equate to 3.85 units per acre (a 10% bonus density) within the PRUD overlay zone.



Density Calculations (WPCC 17.60.160(G)(3): Density “bonuses listed” in the PRUD overlay zone “that share common elements regardless of the subsection shall not be used together to create a greater bonus percentage.” The applicant's proposal of bonus density amenities is calculated in the following way:

1. Section E: Improved Open Space (Up to 15 Percent):
 - Item “i” – “Storm water detention facility areas that are designed and used for multiple purposes which blend with the overall theme of the open space design, i.e., the grading and landscaping are carried out in such a manner that the use as a detention pond is not discernible (up to five percent).”

The applicant has submitted the following and is requesting the full 5% bonus density for the improved detention facility as shown in the image below.



2. Section F: Other Amenities (Up to 15 Percent):

- “Other amenities may be approved by the city council with a recommendation from the planning commission.”

Within the improved detention facility, the applicant is proposing to add a pavilion and benches. They are requesting an additional 5% bonus density for these amenities, as shown in the image above.

Flexible Deviations from Underlying Zone (WPCC 17.60.160(F)): “The planning commission may recommend to the city council flexible deviations from applicable development standards in the underlying zone that include, but are not limited to, street widths, curb, gutter and sidewalk, park strips, setbacks, frontage widths, minimum lot size, etc., only if it finds that all of the following conditions are met:

1. That the variations proposed assure additional usable open space.
2. That the housing units provide designs and present exteriors with increased curb appeal.
3. That the infrastructure, including streets, is private and reduces the city burden.
4. That the anticipated storm water demand is 90 percent accommodated on site.”

The applicant's request the following deviation from the underlying standards:

	R-3 PRUD	Request
Front Setback (Minimum distance to garage)	25'	20'
Rear Setback	25'	20'
Side Yard Setback (Corner Lot)	20'	17.5'
Minimum Lot Widths – Lot 8 has a total of 27' frontage to the road while Lot 6 has 40' of frontage	70'	27' & 40'

Street & Driveways:

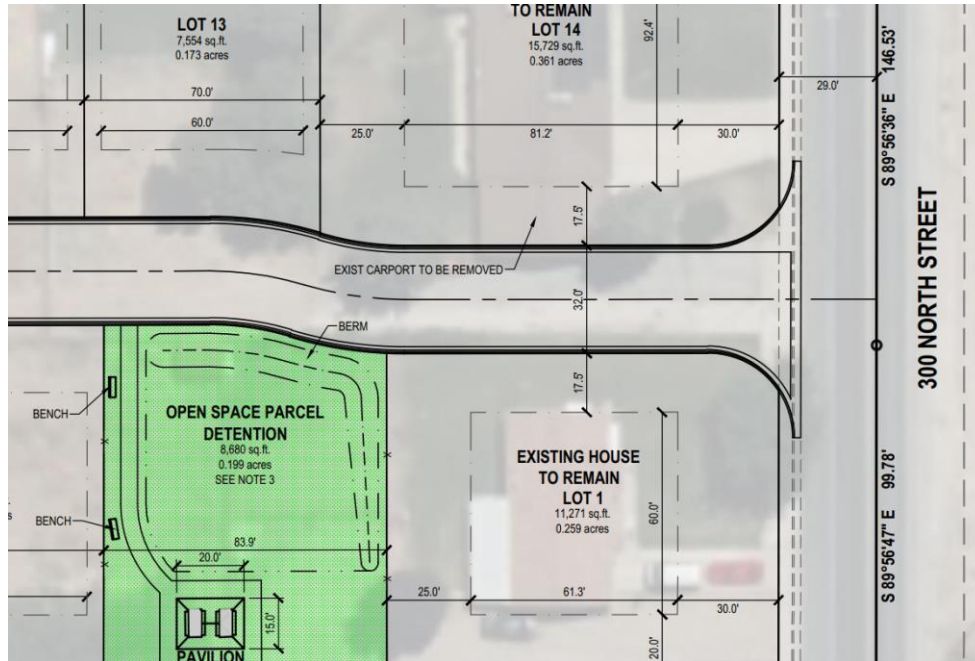
- The driveway access for lots 14 and 1 will need to be addressed with UDOT. The applicant will need to show the location of the side access for lot 14. This could affect the rear setback if a new garage is constructed.
- The plans also indicate that the existing carport on lot 14 will be removed to make room for the private lane.
- As requested by the Planning Commission, the applicant removed the sidewalk on the west side of the private lane and increased the size of the lane from 27 feet to 32 feet.

Private lanes are defined in the West Point City Code as "a private street with curb and gutter on both sides that provides access to the front of residential or commercial buildings with a minimum width of 25 feet measured from the back of curb to back of curb. Private lanes do not provide access to more than 15 units or lots."

The City is in the process of updating the subdivision code. One of the proposed changes would prohibit a private lane from connecting to a collector street. 300 North is classified as a major collector. Utah State code allows an applicant to be vested in the code at the time they submit a complete application, unless the city has formally initiated an amendment to the code. The City Attorney has determined that "formally initiated" is the first time the item appears as an agenda item of a Planning Commission meeting open to the public. The subdivision code first appeared on the agenda on August 10th. The complete rezone application was submitted on September 20, 2023.

10-9a-509 (1) (A) (ii) *An applicant is entitled to approval of a land use application if the application conforms to the requirements of the applicable land use regulations, land use decisions, and development standards in effect when the applicant submits a complete application and pays application fees, unless:*

(B) in the manner provided by local ordinance and before the applicant submits the application, the municipality formally initiates proceedings to amend the municipality's land use regulations in a manner that would prohibit approval of the application as submitted.



Maintenance: The PRUD requires that all common areas, including streets and open space, shall be maintained by a homeowners association. Perimeter fencing will also be required.

Recommendation

Rezoning requests are legislative decisions that are subject to broad discretion by the Planning Commission to promote or protect the community's overall well-being. The PC should determine if this request complies with the intent of the general plan for this area.

Attachments

Application, Letter and Plans



3200 West 300 North
 West Point, UT 84015
 PH: 801.776.0970
 FAX: 801.525.9150
 www.westpointcity.org

Subdivision Plan Application

All applications submitted must be made in accordance with the Title 16 & 17 of the West Point City Code, Governing all Land Use and Subdivision Developments. A new application is required for each application type.

Application Type – what type of application are you seeking?

Concept Plan Preliminary Plan/Plat Final Plan/Plat Amendment

For Office Use Only		
Received Payment		
\$		
AMOUNT PAID	DATE RECEIVED	INITIAL
Amendment	\$300	
Conceptual Plan	No Fee	
Preliminary Plan/Plat	\$300 + \$25 per lot	
Final Plan/Plat	\$600 + \$50 per lot	

Subdivision Property Information

Proposed Subdivision Name: THE COTTAGES AT HALL HAVEN	*Current Zoning: R-2	Total Acreage: 3.641
Approximate Address: 3230 W 300N 3250 W 300N	Number of Lots: 14	**Concept Review Date:
		**Preliminary Approval Date:

Developer/Agent Contact Information

Contact Name: LEE WELLS	Company: CAPITAL REEF MANAGEMENT	Owner of Property?	
		<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Address: 520 N KAYS DR.	City: KAYSVILLE	State: UT	Zip: 84037
Contact Office Phone: N/A	Contact Cell Phone: 801-726-8488	Contact Email: LEE@EQUATIONHOMESUTAH.COM	

Engineer Contact Information

Name: CAM PRESTON	Company: ENSIGN ENGINEERING
Address: 919 N 400 W	City: LAYTON
Contact Office Phone: 801-547-1100	Contact Cell Phone: 801-643-0527
Contact Email: CPRESTON@ENSIGNUTAH.COM	

*IF THE DEVELOPMENT REQUIRES A CHANGE IN ZONING/A REZONE APPLICATION IS REQUIRED
 **IF APPLICABLE

NOTE: If the agent listed above is not the property owner, he/she must be authorized as the assigned "AGENT" by completing the **STATEMENT OF OWNERSHIP/DESIGNATION OF AGENT** section below. This authorization only needs to be completed once, prior to concept approval.

I hereby certify that the requested Subdivision would comply with all required conditions and standards of the West Point City Subdivision and Land Use Ordinance, be harmonious with neighboring uses, fit the goals of the community's General Plan, and impose no insatiable demands for public services. I have read the West Point Subdivision and Land Use Ordinances and understand that submitting this Application does not guarantee approval and is subject to the discretion of the City Land Use Authority and compliance with all requirements of West Point City's Municipal Code.

Developer/Agent Signature

9-20-2023
 Date

Statement of Ownership/Designation of Agent (provide a small plat map showing ownership)

As the undersigned legal owners of the property described on a short plat map, we designate _____ to act as the agent with respect to this application.

Property Owner Signature

Print Name

Date

Affidavit

STATE OF UTAH)
COUNTY OF DAVIS)

I/WE BRAD FROST, BEING DULY SWORN, DEPOSE AND SAY THAT I/WE AM/ARE THE OWNER(S) OF THE PROPERTY IDENTIFIED IN APPLICATION AND THAT THE STATEMENTS HEREIN CONTAINED AND THE INFORMATION PROVIDED IDENTIFIED IN THE ATTACHED PLANS AND/OR OTHER EXHIBITS ARE IN ALL RESPECTS TRUE AND CORRECT TO THE BEST OF MY/OUR KNOWLEDGE. I/WE ALSO ACKNOWLEDGE THAT I/WE HAVE RECEIVED WRITTEN INSTRUCTIONS REGARDING THE PROCESS FOR WHICH I AM APPLYING AND WEST POINT CITY STAFF HAVE INDICATED THEY ARE AVAILABLE TO ASSIST ME/US IN MAKING THIS APPLICATION.

[Signature]
Signature of Property Owner

Signature of Property Owner

Subscribed and sworn to me this 20th day of SEPTEMBER 2023.

[Signature]
Notary Public

Residing in: DAVIS COUNTY

My Commission Expires: AUGUST 22, 2024



Agent Authorization

I/WE _____, BEING DULY SWORN, DEPOSE AND SAY THAT I/WE AM/ARE THE OWNER(S) OF THE PROPERTY IDENTIFIED IN APPLICATION AND I/WE AUTHORIZE AS MY/OUR AGENT(S) _____ TO REPRESENT ME/US REGARDING THIS APPLICATION AND TO APPEAR ON MY/OUR BEHALF BEFORE ANY ADMINISTRATIVE OR LEGISLATIVE BODY IN WEST POINT CITY CONSIDERING THIS APPLICATION AND TO ACT IN ALL RESPECTS AS OUR AGENT IN MATTERS PERTAINING TO THE ATTACHED APPLICATION.

[Signature]
Signature of Property Owner

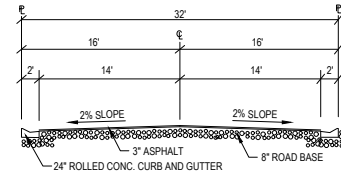
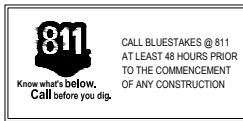
Signature of Property Owner

Subscribed and sworn to me this _____ day of _____, 20_____.

Notary Public

Residing in: _____

My Commission Expires: _____



PRIVATE LANE CROSS SECTION
NO SCALE

NOTES

- PROPERTY IS TO BE ZONED R-3 PRUD
 - 7,000 SQ.FT. MINIMUM LOT AREA
 - 70' MINIMUM FRONTAGE
 - FRONT / REAR YARD SETBACK IS 20' FRONT AND 25' REAR
 - SIDE YARD SETBACK IS 5', 10' TOTAL
 - CORNER SIDE YARD SETBACK IS 20'
- REQUESTED BUILDING SETBACKS FOR LOTS 2-5 & 9-13
 - 20' FRONT
 - 20' REAR
- DETENTION POND TO HAVE A ZERO EDGE ALONG SIDEWALK AND PAVILION (NORTH AND WEST) TO PROVIDE USABLE OPEN SPACE FOR RESIDENCE

LAND USE TABLE

OVERALL AREA	156,800 sq.ft. / 3.59 acres
SINGLE FAMILY LOTS	14
DENSITY	3.89 UNITS/ACRE
BASE R-3 DENSITY	3.6 UNITS/ACRE
R-3 PRUD MAX DENSITY W/ 10% BONUS	3.96 UNITS/ACRE
MINIMUM OPEN SPACE REQUIRED	5%
OPEN SPACE PROVIDED	8,680 sq.ft. = 5.53%



LAYTON
919 North 400 West
Layton, UT 84041
Phone: 801.547.1100

SANDY
Phone: 801.255.0529

TOOELE
Phone: 435.843.3590

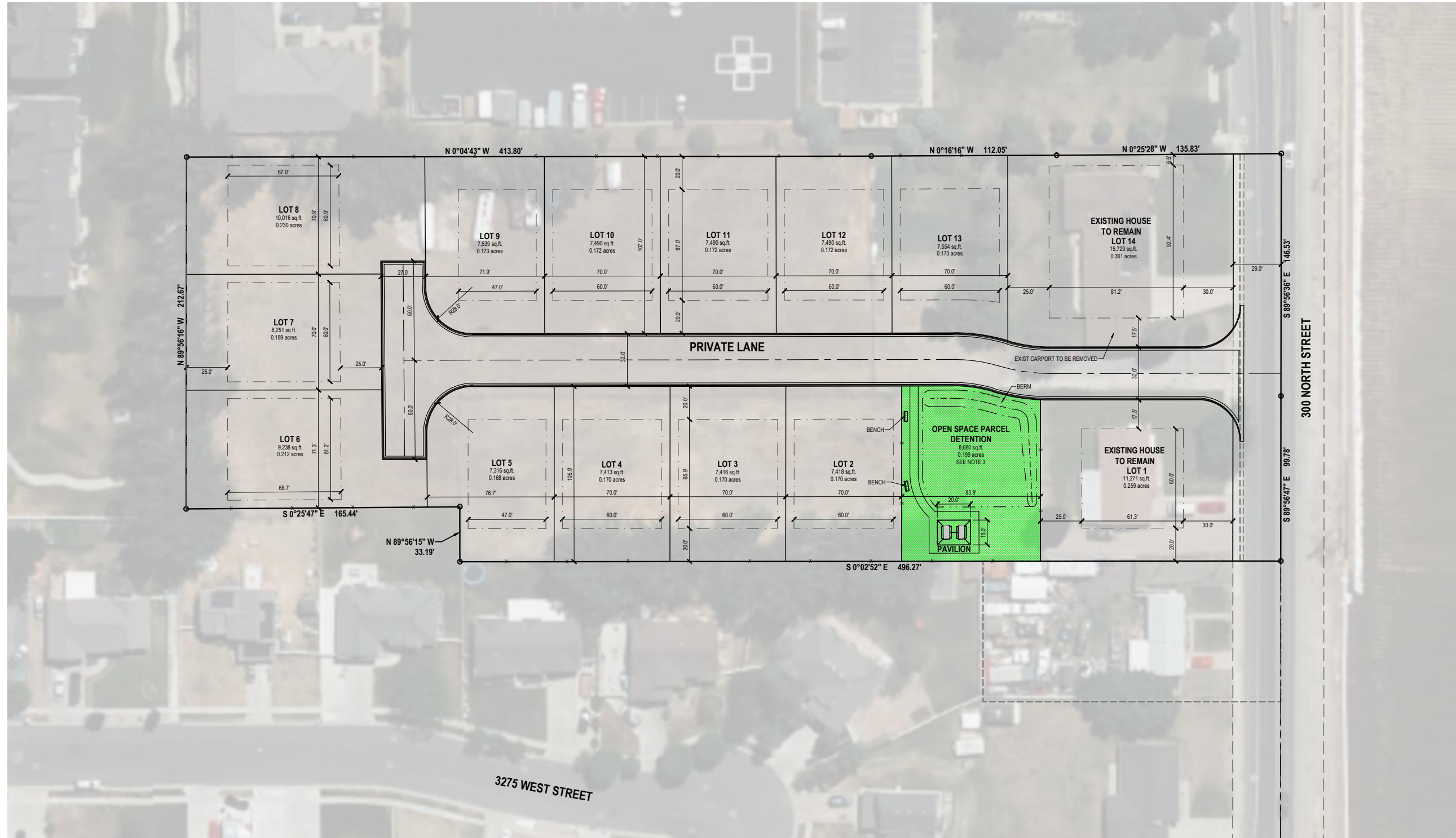
CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
CAPITOL REEF MANAGEMENT, LLC
428 NORTH KAYS DRIVE
KAYSVILLE, UTAH 84037

CONTACT:
BRAD FROST
PHONE: 801-564-3888

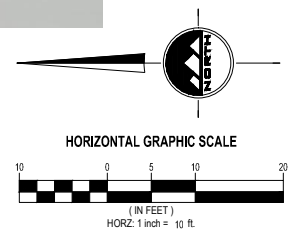


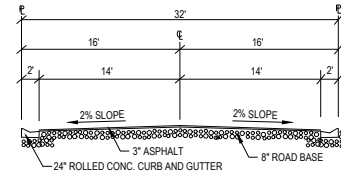
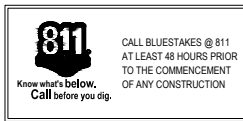
HALL HAVEN
3230 WEST 300 NORTH
WEST POINT, UTAH

CONCEPT PLAN
R-3 PRUD

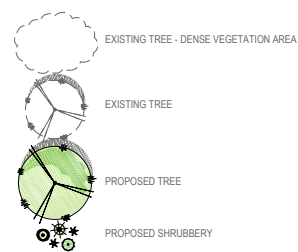
PROJECT NUMBER: 12565
PROJECT MANAGER: C. PRESTON
PRINT DATE: 10/17/23
DESIGNED BY: M. ELMER

1 OF 1





PRIVATE LANE CROSS SECTION
NO SCALE



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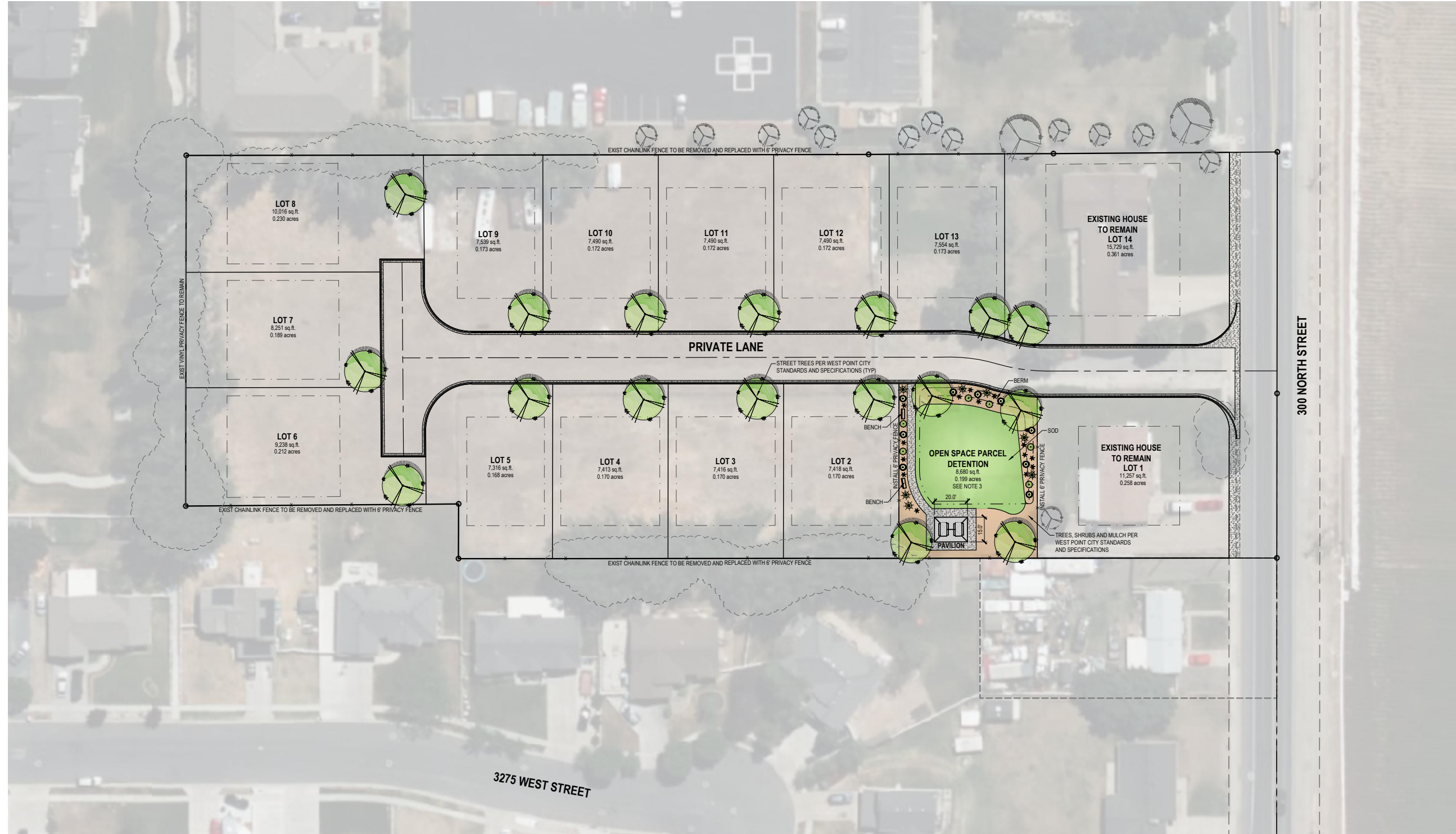
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FOR:
CAPITOL REEF MANAGEMENT, LLC
428 NORTH KAYS DRIVE
KAYSVILLE, UTAH 84037

CONTACT:
BRAD FROST
PHONE: 801-564-3898



HALL HAVEN
3230 WEST 300 NORTH
WEST POINT, UTAH

CONCEPTUAL LANDSCAPE PLAN

PROJECT NUMBER: 12565
PRINT DATE: 10/17/23
PROJECT MANAGER: C.PRESTON
DESIGNED BY: M.ELMER

1 OF 1

