



3200 WEST 300 NORTH  
WEST POINT CITY, UT 84015

## WEST POINT CITY PLANNING COMMISSION MEETING MINUTES

NOVEMBER 9, 2023

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### WORK SESSION 6:00 PM

**Planning Commission Present:** Chairperson Jeremy Strong, Vice-Chairperson Scott Wolford, Commissioner PJ Roubinet (online), Commissioner Trent Yarbrough, Commissioner Jeff Turner (online), 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

**Visitors:** Brooke Draper, Kelsie Sanchez, Kevin and Leslie Jones, Josh Draper, Ian Cahoon, Michel Bauer, McKenna Christensen, Mitch Vance, Chad Bessinger, Kelly Barrett (online), and Zach Clifford (online)

#### **1. Disclosures of a proposed General Plan amendment for property located at 500 S Cold Springs Road**

Bryn MacDonald discussed a general plan amendment for a property located at the interchange, specifically at the intersection of SR-193 and the West Davis corridor. The focus is on the north side of the road. A market study, previously presented in a prior meeting and approved by the Council in February, is revisited for clarification and potential questions. The property on the north side is outlined with predominantly residential areas, including village residential (townhomes), mid-rise residential (apartments), and a commercial corner featuring offices.

On the south side of the road, there is a mixed-use commercial zone with big-box commercial spaces. The plan includes space for big-box pads, additional out lots, and a village with a condo mix, resembling Farmington station—a walkable commercial center with the possibility of office or residential spaces above.

The residential breakdown on the north side includes 344 townhomes and 658 apartments, with a mix of village residential and mid-rise residential. The commercial aspect involves 1.2 million square feet of retail, 130,000 square feet of restaurants, and other unspecified uses. Zions Bank was hired for the market study, and the small area plan was conducted by Downtown Redevelopment, both contributing to the proposed plan based on their findings and numbers.

Trent Yarbrough asked if there is any indication as with all the commercial that could be located there, how many rooftops or doors would be needed to support it or will it rely mostly on pulling in commuter traffic.

Bryn MacDonald stated the study looked at a one, three, and five-mile radius around this area. The current numbers are taken into consideration as well as planned growth in these areas. Retailers also have numbers that need to be achieved. It all depends on what is within that radius.

Scott Wolford expressed concern that in order to get specific retailers, multi-family housing is needed first. There is no guarantee the retailers will come. That makes him nervous to sign up for this. He would feel more comfortable if there was an anchor tenant signed up.

Several Planning Commissioners asked if the police department had seen these plans. Bryn MacDonald stated they have and do not see any problems. Rochelle Farnsworth stated it would be good to have a plan of what stores and restaurants are interested in coming to this area and what the numbers need to be for them to come to the area. Not to just hope they will come. It was suggested to get public input on what stores they would like to see in this area. Jeremy Strong asked what the statistics were for online shopping versus brick and mortar and Troy Moyes stated it was only 16% online sales. It is not as high as it was originally thought. He reminded the Planning Commission that this area has been marked regional commercial on the General Plan for the last 20 years, so this is nothing new.

Mitch Vance, accompanied by Chad Bessinger from J. Fisher Company, applicants: Mr. Vance stated The J. Fisher Company, known for single-family homes through Henry Walker Homes and its commercial builders called Strategic Builders, has owned the property for about four or five years. Originally planning single-family homes, they paused due to the West Davis Corridor plan, which prompted a shift towards a mixed-use development aligning with the state's affordable housing goals.

The proposed development includes single-family homes on the outskirts, townhomes closer to other uses, and over three acres of commercial space. Mr. Vance emphasized the importance of having a General Plan for proactive city development, attracting commercial entities and fostering a close market with a high population nearby.

Mr. Bessinger mentioned their initial application was for an 84-88 lot single-family subdivision and they subsequently shifted towards a more diverse development plan. They discussed the significance of the development's location near an interchange, minimizing the impact on the city and promoting a concentrated growth strategy.

The conversation touched on the changing retail landscape, emphasizing experiential retail and the need for lasting amenities. Concerns were raised about the distribution of sales tax revenue and the challenges of predicting the retail market's future.

Mr. Vance and Mr. Bessinger responded to questions about public outreach, stating their willingness to conduct public input sessions before public hearings. They emphasized the integration of their company, managing their projects from planning to development, and expressed openness to a mix of for-sale and for-rent townhomes.

There were discussions about the potential impact on the community feel of West Point due to the addition of 500 units and concerns about transient families in rentals. Mr. Bessinger highlighted the company's commitment to managing their products, differentiating them from typical condo developers.

The conversation concluded with a mention of the positive reception of services added to Smith's Marketplace in West Kaysville, emphasizing that such additions can benefit the community despite initial concerns.

In summary, the discussion covered various aspects of the proposed development, including its evolution, alignment with city goals, consideration of public input, and the company's approach to integrated development.

## **2. Disclosures of a proposed rezone for property located at 2048 W 300 N**

Ian Cahoon, applicant from CW Urban, presented a request to rezone a parcel to build two retail buildings located at 2048 W 300 N. Mr. Cahoon stated they acquired this property from Wright Development. He mentioned the potential for attracting food users with drive-thrus, revealing that they already have two food users lined up. Scott Wolford commended the layout, particularly the placement of the access point away from the corner. A question was inquired about the flow through of the drive-thrus and Mr. Cahoon showed on the plans how the drive-thrus would work.

The discussion touched on the challenge of turning left onto 300 North and the likelihood of a site plan review after the rezoning. Mr. Cahoon stated the larger parking lot would remain for parking, emphasizing the ample parking space in anticipation of potential demand, especially with food users.

The conversation briefly considered future development to the north, with Bryn MacDonald noting that it is designated as commercial, but currently without specific plans. Mr. Cahoon explained that the northern access is temporary, to be shared once the adjacent land is developed. It was mentioned that the owner intends to hold onto that land. At the conclusion, it was decided to schedule a public hearing for the next meeting.

## **3. Discussion of proposed 2024 Planning Commission meeting dates**

Time ran out to discuss this item in the work meeting. It was discussed in the general session.

The following was the discussion that took place at the beginning of the general session:

The Planning Commission and Staff had no objection with the 2024 Planning Commission dates. A question was raised about when UEA weekend would be, but that information had not been released as of this date. Bryn MacDonald stated it would be easier to cancel a meeting versus trying to schedule one.

## **4. Review of agenda items**

There were no additional items discussed.

## **5. Staff update**

Time ran out to discuss this item in the work meeting. It was discussed in the general session.

The following was the discussion that took place towards the end of the general session:

Bryn MacDonald provided an update on the recent City Council meeting, mentioning that discussions were held regarding the Craythorn Homestead General Plan amendment. The Council also addressed the rezone related to the oil changers, indicating that a public hearing for this matter would take place at the next meeting.

Furthermore, there was ongoing deliberation on the subdivision code and public works standard. The Council expressed the intent to discuss these topics for one more meeting, with the hope of holding a public hearing and reaching a decision during the final meeting in December.

In other matters, the Movement Dance Center received approval amending the amount and location of parking spaces. The Council also approved the text amendment relating to the height of single-family dwellings. Bryn MacDonald expressed gratitude on behalf of the City Council to the Planning Commission for their hard work on the text change.

Staff will schedule a public hearing for the rezone for CW Urban in December.

Bryn MacDonald asked if the Planning Commission would like to schedule a public hearing for the General Plan amendment or hold an open house. Jeremy Strong stated he does like the idea of the applicant holding an open house. Bryn MacDonald stated she will let the applicant know.

Jeremy Strong asked if the developer who is developing on the corner of 4000 W and 800 N received an extension and Bryn MacDonald stated they received a 12-month extension.



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### GENERAL SESSION 7:00 PM

**Planning Commission Present:** Chairperson Jeremy Strong, Vice-Chairperson Scott Wolford, Commissioner PJ Roubinet (online), Commissioner Trent Yarbrough, Commissioner Jeff Turner (online), 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

**Visitors:** Brooke Draper, Kelsie Sanchez, Kevin and Leslie Jones, Josh Draper, Ian Cahoon, Michel Bauer, McKenna Christensen, and Craig Jacobsen

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Prayer – Trent Yarbrough**
4. **Disclosures from Planning Commissioners**

There were no disclosures from the Planning Commissioners.

#### 5. **Public Comments**

Kelsie Sanchez, 4142 W 625 S: Ms. Sanchez stated she appreciated the discussion during the work session from Henry Walker and can see both parties involved are trying to keep West Point City's best interest in mind. However, she feels this plan combined with the Craythorn proposal is too many housing units totaling 664 apartments/townhomes. Hopefully, a buffer will be developed between the single-family homes and the apartments and commercial. She pointed out on the plan it looks as if traffic on SR-193 will push people to head west toward the school and her neighborhood. She questioned where an adequate place would be for the incoming traffic to turn around. She concluded with noting the east side of SR-193 is listed at commercial zoning and R-4 and asked that this area be taken into consideration.

Josh Draper, 4174 W 475 S: Mr. Draper stated he has a relationship with the Chief of Police in Farmington and spoke with him early that day regarding questions he had about Station Park located in Farmington along with some questions regarding apartment complexes. He stated from that conversation, he learned there needs to be the infrastructure in place of the police department. Davis County Sheriff's Department is willing to take this task on, but one deputy will not be enough coverage for West Point once the development goes in. When Station Park was developed, the needs of officers tripled.

Kelsie Sanchez, 4142 W 625 S: Ms. Sanchez stated in section 9 of the General Plan on the website, it states, "The City will work to establish a retail base without sacrificing community rural character." She asked the Planning Commission to keep this statement in mind when considering these developments.

**6. Approval of minutes from the September 14, 2023, Planning Commission meeting**

Scott Wolford motioned to approve the minutes from the Planning Commission meeting dated September 14, 2023, Planning Commission meeting. Trent Yarbrough seconded the motion. All voted aye.

**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**

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. A correction to be made in the Staff report is the bonus density should be 7%, not 10%. The applicant is also requesting for a rear yard setback to be 20 ft, not 25 ft. The applicant has also submitted a conceptual plan for the driveway access for lot 14.

Troy Moyes stated a concern was brought to the Planning Commission regarding should private lanes be allowed due to the pending ordinance stating that private lanes, drives, streets could only be allowed in multi-family developments. The subdivision code first appeared on the Planning Commission agenda on August 10, 2023, and the complete zoning application was submitted by the applicant on September 20, 2023. The State Code states, "The applicant is entitled to approval of a land use application if the application conforms to the requirements of applicable land use regulations. Land use decisions and development standards in effect when the applicant submits a complete application and pays application fees unless, in paragraph b, in the manner provided by local ordinance and before the applicant submits the application, the municipality formally initiates proceedings to amend the municipalities land use regulations in a manner that would prohibit approval of the application submitted." The city attorney was consulted and asked when an application is "formally" initiated and the legal feedback is whenever that item was placed on the agenda. That was formally put on August 10, 2023. This is for a rezone for an application. If this is something that can still be done by development agreement, if the private lane/street is desired, it can be denied and would go to City Council as that recommendation.

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.

The purpose of the PRUD overlay zone as described in WPC 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."

Jeremy Strong stated there have been applications for this property in the past. There have been discussions whether the Planning Commission bend to make something fit or hold tight until something fits come along.

Rochelle Farnsworth stated she feels they have seen a lot of options keeping the two homes. They have yet to see an option that removes an existing home. She does not feel like every option has been explored. It has only been what is the most profitable. She does understand steps are being taken to try and make it work. This plan presented has been the best so far and most favorable; however, she does feel there can be better.

Trent Yarbrough stated he agreed with all of Rochelle Farnsworth's comments. He feels there needs to be sidewalks down both sides of the street, especially in an active adult community. It is a great idea, but it can be made better with removing one of the existing homes.

Scott Wolford expressed his pleasure for this plan. He likes the look of the patio homes and the ability of them for the older community. He feels the pursuit for perfection is getting in the way. He appreciates the amenities included and while sidewalks would be great to have, for this subdivision it is alright not to have them.

Jeremy Strong stated while this does look like a good plan and better than previous plans that have been submitted, there is still a private road which they are trying to move away from. He feels City Council really should be the governing body to make a decision that involves something being removed from Code.

PJ Roubinet stated his main concern are the existing homes. However, he agrees with Scott Wolford's comments that this has been the best plan and would vote for approval.

Jeff Turner stated he feels this plan is close. He does like the concept of patio homes versus 2-story homes.

Craig Jacobsen, 520 Kays Drive: Mr. Jacobsen stated he appreciated the Planning Commissioners considerations and respects the views expressed. He understands it is a difficult property. He has not heard complaints about similar looking products with a private lane, no sidewalks, and patio homes that Capital Reef has built. The plan with the private lane would be to discuss this heavily with City Council and would appreciate the vote to move this plan.

PJ Roubinet asked if the rezone is tied to what the plan is submitted and can the applicant only build this with a rezone and Troy Moyes stated yes and Bryn MacDonald stated because of the PRUD the site plan is attached to that.

Scott Wolford motioned to recommend approval of a rezone of 3.641 acres located at 3240 W 300 N, from R-2 residential to R-3 PRUD on the General Plan, Lee Wells, applicant, with the amenities of

the full landscape on properties, the improved detention pond area to include path, benches, and a pavilion, and 8% density. Rochelle Farnsworth seconded the motion.

Roll Call:

Jeff Turner - aye

PJ Roubinet - aye

Rochelle Farnsworth - nay

Trent Yarbrough - nay

Jeremy Strong - nay

Scott Wolford – aye

The motion ties and becomes a failed.

Trent Yarbrough motioned to deny the consideration for a request to rezone the property located at 3240 W 300 N from R-2 to R-3 PRUD overlay, Capital Reef Management, applicant for the reasons of the two existing homes being left, no access of sidewalk around the backside of curb and gutter, and the private lane. Rochelle Farnsworth seconded the motion.

Roll call:

Rochelle Farnsworth - aye

Trent Yarbrough - aye

Jeremy Strong - aye

Scott Wolford - nay

PJ Roubinet - nay

Jeff Turner - aye

Motion to recommend denial passes to City Council.

At this point in the meeting, the Staff Update from the work session was discussed.

## **8. Planning Commission Comments**

Scott Wolford recognized the veterans in the community with Veterans Day on November 11. He appreciates the float in the 4<sup>th</sup> of July parade for them and thanked the veterans for their service. He does hope they feel how grateful we are of their service. He also expressed his appreciation for the debate during the meeting. He does like split votes/civil discourse and how opinions can be shared all in the benefit to make the community greater. He is nervous about what is coming for these commercial developments and what a full-time police force means. Hearing the comment about Farmington Police needing to triple in size due to Station Park gives him great pause.

Trent Yarbrough stated he agreed with Scott Wolford and thanked the veterans for their service and is very grateful. What makes these types of meetings enjoyable is members are willing to express their opinions and stand by their values, but everyone is able to leave as friends and rely on each other. He does appreciate all the different ideas and that is what is needed to help bring the best product to the community. Changes are coming and rash decisions are not needed. Each change will need to be thoughtful as it is new. The city has an opportunity for great promise and this is the time to be thoughtful and choose what is in the best interest for residents. He is confident it will happen. He is grateful for the residents who do come out and make their voice heard.

Rochelle Farnsworth stated she enjoyed the discussion. She feels it will be important to get the small area plan out to the public efficiently and quickly to help hold key discussions about important areas in the city. She would like to see the public, Planning Commission, and City Council all come together to work on these areas. She does look forward to more discussions.

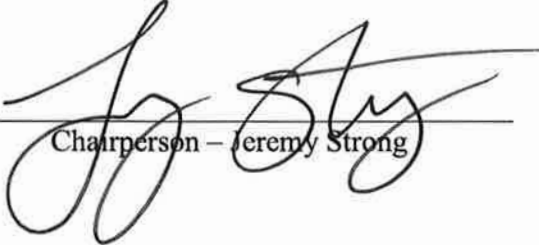
PJ Roubinet expressed his appreciation for all the hard work and seconded Scott Woford's comments regarding veterans. He agreed an open house would be beneficial for the large development. He is concerned about more apartments.

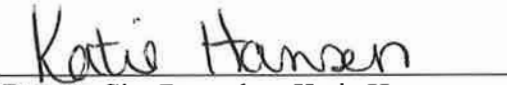
Jeff Turner stated city government when it comes to major growth changes should be methodical and slow moving. He feels a project like what was discussed in the work session needs a lot of discussion. There needs to be a vision for West Point and more time spent as a commission discussing what that should be.

Jeremy Strong stated he agreed with Jeff Turner's comment and all others that have been shared. He has been against General Plan amendments and this one he feels strongly about. There needs to be several public discussions regarding this area and voted into the General Plan, not amended. He does appreciate the discussion. He expressed good luck to the other Planning Commissioner's running in the City Council election.

## 9. Adjournment

Trent Yarbrough motioned to approve the meeting at 7:57 pm.

  
Chairperson – Jeremy Strong

  
Deputy City Recorder – Katie Hansen