

**West Point City
Planning Commission
3200 West 300 North
September 8, 2011**

Present: Rawlee Wilson, Curtis Seeds, Lowell Mielke, John Detamore, Cory Thompson, Tracy Young, Boyd Davis – City Engineer, Kent Henderson – City Council Representative, Michelle Bailey – Planning Commission Secretary

Excused: Brad Lee

Visitors: Spencer Wright

WORK SESSION

1. Review of final pad approval for a 7-Eleven convenience store and gas station located on the SE corner of 2000 West 300 North, applicant Wright Development.

Boyd Davis stated that 7-Eleven is anxious to get their approval because they would like to start construction before winter. He wanted to be sure the commission had adequate time to review the plans. This item will be on the agenda for a vote in the next meeting. Spencer Wright, with Wright Development, was present to answer any questions the commission had. Boyd stated that the property was zoned C-C Community Commercial. They are showing the land use gas station and convenience store. The gas station is a permitted use in the zone. The convenience store is a conditional use so it will require a conditional use permit.

At the last meeting, the commission expressed a desire to hold a public hearing to give notice to the neighbors. A public hearing is not required to be held. The City Manager and City Attorney have asked that they not hold a public meeting if it is not required. If holding the meeting, which is not required, stirs up problems, the developer could file a claim against the City for doing something that wasn't required. The neighbors will receive notice though. The application for the Conditional Use Permit requires the applicant to knock on the doors of the neighbors and get their signature on the application. They can come to the meeting next week and make public comments at the beginning of the meeting. However, there will be no official public hearing held.

The acreage of the lot is 1.3 acres made up of four parcels. The site plan has changed slightly since the last discussion. The building is 3,200 square feet instead of 2,800 square feet. The gas pump canopy only has six pumps. Now there are only two entrances to the property instead of three. One entrance is from the state road, and one is from a city road. There is a portion of the property that will be left open for future development. Rawlee Wilson asked if that undeveloped portion will be paved or if they are going to leave it dirt. Tracy Young asked if they would be required to maintain the property and keep the weeds down. Boyd Davis said that would be a requirement. He

suggested that the commission ask the developer what they intend to do with that portion of the property.

Cory Thompson stated that in the last meeting it was mentioned that there are four parcels on the property. If they combine the parcels, that is fine, but if they are going to divide them further, they would need approval. The lot on the northwest portion looks too small to put a business on. Boyd stated that the parcel isn't being divided, there will just be an entrance on a portion of that parcel. Curtis Seeds asked if the undeveloped portion will have utilities stubbed either way. Boyd responded that it would not; it will not be an improved parcel. Spencer Wright stated that if that entrance needs to be moved for some reason in the future, they would create a new curb cut and access point for 7-Eleven and then move that access. There will always be access for 7-Eleven from that street.

Tracy Young asked Spencer what the plan is for maintaining the undeveloped property. Spencer responded that they will scrape the ground so it will just be dirt. They will also cut the weeds throughout the season to keep the property looking well maintained.

The changes to the site plan that was shown at the last meeting are as follows: the canopy plan is for six gas pumps, the underground gas tanks will be changed to the south side of the property, the building footprint is slightly larger. Also, there is one less access entrance to the property. The building elevations have remained the same mostly. One change was the sign on the building that had the pan channel lettering. 7-Eleven prefers that the developer use the preferred prototype signage. They have allowed the pan channel lettering on other buildings when the city has required that specific signage. 7-Eleven has said that they may only use that lettering if required. They prefer the normal sign.

Boyd showed a picture of the canopy area and lead a discussion on that. He stated that it is a standard gas station canopy. It has striping all the way around the canopy. There will be a logo on the corners. Lowell Mielke pointed out that there would be two building permits issued. One for the convenience store and one for the gas pumps. It is considered two separate buildings. Boyd pointed out that the importance in that is because each building gets its own sign and its own square footage. It was suggested that they use brick for a portion of the columns of the canopy. Spencer Wright commented that 7-Eleven would rather the developer not use real brick, or use stucco. They prefer them to use fiber cement board. The developer would rather use better materials. Boyd Davis stated that the Code requires masonry product and it is calculated based on the perimeter of the building times four feet high. The Code states that the Planning Commission may consider alternative materials if they feel that it will provide a better product. They aren't considering using an alternative to the brick.

Staff has not reviewed the landscaping plan yet, but it is a pretty straight forward plan and appears to meet the requirements but they will check on that.

Boyd Davis listed the things the Planning Commission is required to review and approve. First of all the Conditional Use Permit – they will need to approve the building elevations, the landscaping plan, the lighting plan, the ingress/egress, parking and traffic, pedestrian access, a review from the Fire Department, and the aesthetic nature of the signage.

An at-length discussion took place regarding the buffer wall and the mechanical enclosure. Lowell Mielke commented that the mechanical enclosure infringes on the buffer zone. John Detamore asked Spencer Wright what their plans are for the buffer wall on the east side of the property. Spencer replied that he agrees that there is a great need for a wall there. He is concerned that the mechanical enclosure gets within approximately three feet of the buffer wall. The developer wondered if the commission would suggest that they move the building back and make that mechanical enclosure wall part of the buffer wall, or do they want a small gap between the enclosure and the wall. Lowell Mielke said he feels that there needs to be a separation even if it's only three feet between. Boyd Davis stated that one of the review comments was to move the mechanical enclosure to the north side of the building. Boyd reminded the commission that the Code states that they are required to have a ten foot buffer yard with landscaping and so forth. The mechanical enclosure could be landscaped around, but it would be better to have it located elsewhere. Spencer Wright replied that it is a 7-Eleven issue because that is the prototype. They have it located at the back of the building for a few reasons, one being that they can come out the side door and walk to the back of the building and access that enclosure easily. He feels that they probably could shift it to the north side of the building. Lowell Mielke stated "The reason why there is only a three foot barrier is that the building had to be back that far to make the lot useable for the gas pumps and such. It's not a matter of moving the building seven feet forward on the lot. It won't work." Boyd agreed and said "Originally this was going to be required to have thirty-five feet from property line to the building. It wouldn't have worked. Commission recommended a change to the Code and the City Council approved it to allow a ten foot buffer in exchange for enhanced landscaping and a masonry wall." Lowell suggested that if they agree to leave the buffer zone the way it is, the commission could request that the developer install a higher quality wall to shield neighbors.

Boyd Davis made some comments regarding the enclosure. It has a brick wall that surrounds it and has a gate at the opening. The wall is 7 ½ feet tall. The requirement for the buffer wall is six feet tall, so the enclosure wall could be 1 ½ feet taller than the buffer wall. They might consider asking for the buffer wall to be taller. Rawlee Wilson said he would rather see the enclosure be moved to the north side of the building to maintain as much buffer as possible. Curtis Seeds felt that having the mechanical enclosure be in the back cleans up the lot much better. He would suggest a taller buffer wall to hide the mechanical enclosure. Lowell Mielke stated he would rather see the enclosure moved to the north side of the building if possible. If not, he would suggest a higher quality wall for a buffer wall. Cory Thompson said his opinion is that it doesn't matter where it is on the building. His concern is the neighboring structures adjoining the property. He is more concerned with a quality buffer wall to shield the neighbors from any nuisances. Tracy Young said she feels that they should honor the buffer zone that

has been passed. She feels the enclosure should be moved to the north side of the building. John Detamore said he feels balance of the building is more important. If the mechanical enclosure is centered in the back of the building, it is generally balanced. The visual of the building will be better if the enclosure is located in the back of the building. Rawlee Wilson said he feels that the majority favors the building plans as submitted. Tracy Young asked what the height requirement is for the buffer wall. Boyd Davis said that the Code requires a minimum of six feet tall. Commission all agreed that the wall needs to be at least eight feet tall to hide the mechanical enclosure. Brent Page added, from a construction side, the reason they generally put them in the rear is because they have their electrical wiring and other things run to that area of the building so all protrusions will be contained within that enclosure. Changing the location of the mechanical enclosure will change where they have things located inside the building. The commission all felt that if the enclosure is located at the back of the building, then the buffer wall will need to be eight feet tall. If the enclosure is moved to the north of the building, the buffer wall can be six feet tall as required by Code.

Boyd Davis listed the items that Staff must review. They check on the masonry on the building, the horizontal articulation, the vertical articulation, the windows, 15% landscaping space, landscaping plan, buffer yard, lighting, ingress/egress, parking, pedestrian access, fire department review and the aesthetics of the sign.

The Planning Commission will only be approving the aesthetic nature of the sign. The technical part of the sign requirements will be taken care of later with the Sign Code. The building sign is fine. The stripes on the canopy sign, according to Code, are considered a part of the sign and there is too much square footage. They would need to reduce that or request a change to that. Also, the site plan shows a monument sign, but Staff has not received a drawing of that yet. They aren't required to do a monument sign, but that is what was submitted. Spencer Wright volunteered to go back to 7-Eleven and inquire as to whether they would be willing to do the pan channel lettering on the building if they are allowed to have the striping on the canopy even though it exceeds the limit. Boyd also stated, "This is a corner lot. The pylon sign, or the monument sign, is allowed to have 200 square feet of signage, but on a corner lot they can split that between two signs." Boyd asked if they could get a consensus regarding the appearance of the signs from the commission. He recommends that they consider using the pan channel letters on the building then allow the other sign to be done as submitted. Each commissioner agreed with Staff's recommendation for the signs.

REGULAR MEETING

1. Call to Order
2. Pledge of Allegiance
3. Prayer: given by John Detamore
4. Approval of Minutes from August 25, 2011

Cory Thompson made a motion to approve the minutes as written. John Detamore seconded the motion. All voted aye.

5. Public Comments: None given
6. Planning Commission Comments

Tracy Young had no comments.

Curtis Seeds had no comments.

Cory Thompson had no comments.

John Detamore thanked Staff for all of the information gathered for the discussion.

Lowell Mielke reported briefly regarding a meeting that he attended regarding the extension of Highway 193 out into what was called the DTEC area. The meeting was held on September 1, 2011, and there were representatives from Clearfield, Syracuse and West Point cities as well as a couple of families who have ground involved with the project. It was mostly an introductory meeting for everyone to get to know each other and their views of what they wanted to see happen. They have a copy of our General Plan and our zoning for the portion of that area that lies within West Point. The family that owns the property in Syracuse which abuts the property in West Point would really like to see that be more residential than commercial. The presenting group was very blunt. They said there are not enough households out here to support that type of development at this point. What they are talking about would be a neighborhood grocery store, some smaller strip centers and a little bit of commercial. Occasionally you might see something with a big box on the corner. They seemed to imply that we wouldn't see any major development out here for several years. There was not a UDOT representative at the meeting. There is a public meeting at Syracuse High School on September 15th at 7:00 pm to discuss the property.

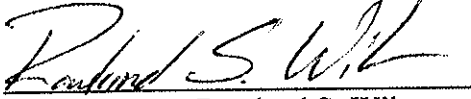
Rawlee Wilson commented that the commission has been in neutral for awhile and now they are drinking from the fire hose, so to speak, with a commercial building coming up quickly. He feels they have done a great job at expressing concerns and weighing options despite the pressure. He encouraged everyone to consider the impact upon who they

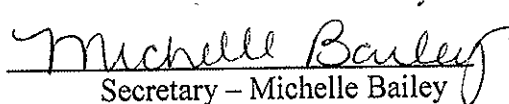
represent and that is the City and its residents. It's easy to be concerned with developers and what they may think or say, but this is our community and our responsibility. He feels everyone did a great job tonight at addressing issues and concerns.

Boyd Davis thanked the commission for the discussion. It was very helpful for Staff and the developer. He feels it is a good project and the commission got the right issues out on the table. He also announced that UDOT released new maps of the West Davis Corridor. It is on their website. He encouraged the commission to look at that. They are still studying two corridors. There was a meeting held and they emphasized that a decision has not been made yet but they are getting closer.

7. Adjournment

Rawlee Wilson made a motion to adjourn at 7:38 p.m. Curtis Seeds seconded the motion. All voted aye.


Chairperson – Rowland S. Wilson


Secretary – Michelle Bailey