

**West Point City
Planning Commission
3200 West 300 North
October 11, 2012**

Present: Rawlee Wilson, Brad Lee, Jeremy Strong, Curtis Seeds, John Detamore, Lowell Mielke, Jeff Oyler – City Planner, Michelle Bailey – Planning Commission Secretary

Visitors: Brett Zaugg

WORK SESSION

1. Discuss plat amendment for Mountain Shadows

Staff has received a proposal from Brett Zaugg to rezone a piece of property from A-40 to R-3. It was zoned Agriculture, but everything around it is zoned R-3. He has taken one lot and subdivided it into three lots. There would be two lots that didn't exist before, both are vacant, and then a lot with a house on it. All of the lots meet the criteria of the Code. The two newly proposed lots are approximately 14,000 square feet and are only required to be 10,000 square feet. All of the utilities are stubbed in except electrical. He will bring electrical underneath the road and then run it to the two new lots. They meet all of the other requirements of the zone. The homeowner contacted Staff and inquired what was being done to their property because they had not been notified. Jeff Oyler explained what was happening and told them they would need to agree to the rezone and the plat amendment. The homeowner said they were fine with what was proposed. The lot with the house on it is 1.4 acres. It will be rezoned as well. There will be two actions taken during the regular meeting; a rezone and a plat amendment.

There were a couple of minor items mentioned in a Staff Report dated October 1, 2012, that need to be met. Rawlee Wilson asked about the item on the Staff Report regarding water shares. Jeff Oyler stated that Mr. Zaugg needs to transfer water shares to West Point City. That will need to be done before receiving approval from the City Council. There was no further discussion.

2. Street landscape standards

Jeff Oyler displayed pictures of different street landscape scenarios for the commission to look at and discuss. The current standard is four and a half foot park strip, and a five foot sidewalk. Staff's recommendation is a five foot park strip, a five foot sidewalk, and a five foot landscape strip. Discussion took place regarding different options such as a six foot back of curb sidewalk and then an eight foot landscape strip.

Rawlee Wilson asked each commissioner to give their opinion of what they would like the standard to be. Curtis Seeds said that he feels it would be an option to have two different standards; one standard for arterial roads and one for collector roads. He also said that he feels that anytime you have a landscape buffer between sidewalk and curb

and gutter, you have a safer pedestrian route. His opinion is a five foot park strip, a five foot sidewalk and an eight foot landscape strip. Curtis would like to see an HOA ownership. It would make for a happier homeowner. He feels the rear setbacks should be from the fence. Lowell Mielke said his opinion is a five foot back-of-curb sidewalk, with no stamped sidewalks, and an eight foot landscape strip. His second suggestion would be a five foot back-of-curb sidewalk, a three foot grassy area and then a seven foot landscape strip. Lowell would prefer to have an HOA, however he is concerned because we get small subdivisions here and isn't sure an HOA will work with that small of a subdivision. He feels the rear setbacks should be from the fence. Jeremy Strong said he didn't have a strong opinion whether it is sidewalk back of curb or whether there is a park strip next to the curb. His biggest concern is easement versus HOA. If it's an easement, the city is telling the homeowner they have property there but telling them what exactly to do with it and then make them pay taxes on it. He feels that is wrong. He feels that if the city is going to require it, he thinks it needs to be owned and maintained by the HOA. Jeremy likes the sidewalk back of curb option, four foot mow strip, then a seven foot landscape strip. Jeremy wants to have an HOA and have the rear setbacks from the fence. Brad Lee agreed with Jeremy that it needs to be owned by the HOA. He prefers the sidewalk back of curb, a mow strip, then a landscape strip. Brad feels that there should be an HOA and the rear setback to the fence. John Detamore likes a six foot back of curb sidewalk, a five foot mow strip, and a six foot landscape strip. John prefers to have an HOA and rear setbacks from the fence. Rawlee Wilson likes a five foot park strip, a five foot sidewalk, and an eight foot landscape strip. Rawlee also wants to have it owned by an HOA and rear setbacks from the fence. Rawlee brought up that it shouldn't be considered from the fence, rather it should be from the property line. Jeff Oyler said, "If an HOA owns the parcel, then it will be the property line." Kent Henderson stated that he prefers having a park strip, then the sidewalk, then the landscape strip to give an extra safety factor for pedestrians. Jeff Oyler said he is waiting to hear what the Commission would like as the standard. He feels they are clear on the HOA and the setbacks. Jeff feels that if the City has a landscape standard, something needs to be said about maintaining some flexibility. Odd situations can come up and they need the ability to work with people. Rawlee Wilson said it appears that the two choices are: a five foot park strip, five foot sidewalk, and eight foot landscape strip; or a six foot back of curb sidewalk, a five foot mow strip and then a seven to eight foot landscape strip.

Discussion took place regarding the recording of the property used in this landscape strip. It could be recorded as an easement or a separate parcel. If it's a separate parcel, the fence would be the property line. If it's an easement, then it would be considered the land owner's property.

Brad Lee suggested the Code include verbiage stating that the developer must meet the standard that has been set or they may exceed the standard. Jeff Oyler asked for opinions so he can come up with a cross section of what the standard looks like and put it right in the ordinance. Rawlee asked for a straw poll determining who would like a six foot back of curb sidewalk, five feet of grass and seven feet of landscape. Lowell, John, Brad and Jeremy were in favor of that. Rawlee and Curtis were in favor of five foot park strip, five foot sidewalk, five foot landscape strip.

REGULAR MEETING

1. Call to Order

2. Pledge of Allegiance

3. Prayer: given by Rawlee Wilson

4. Approval of Minutes from September 27, 2012

John Detamore made a motion to approve the minutes from September 27, 2012, as written. Brad Lee seconded the motion. All voted aye.

5. Public Comments: None given

6. Approve/Deny final rezone for 2.063 acres from A40 – R-3

Jeff Oyler stated that the property is just over two acres. The request is to rezone it from A-40 to R-3. That is consistent with the zoning surrounding it. Staff recommends approval of the rezone.

Lowell Mielke made a motion to approve the final rezone for 2.063 acres from A-40 to R-3. John Detamore seconded the motion. All voted aye.

7. Approve/Deny plat amendment for Mountain Shadows Subdivision

Brett Zaugg 375 North 2000 West, West Point – Mr. Zaugg stated that when he developed the subdivision, he stubbed in two laterals, anticipating the possibility of creating two lots in this area in the future. Jeff Oyler said that this was discussed in the work session. By amending the plat, it will create three lots where there was only one lot. This meets all of the requirements of the zone. The Staff Report points out minor plat changes that need to be made.

John Detamore made a motion to approve the plat amendment for Mountain Shadows Subdivision contingent on the recommendations listed on the Staff Reports are met. Lowell Mielke seconded the motion. All voted aye.

8. Approve/Deny street landscape standards

Jeff Oyler said he feels that he is clear with what he needs to write up to submit for discussion and approval to the Commission. He asked the commissioners to contact him if they have other suggestions or ideas before the next meeting.

Brad Lee made a motion to table the approval or denial of the street landscape standards until further verbiage can be added and reviewed. Jeremy Strong seconded the motion. All voted aye.

9. Planning Commission Comments

Lowell Mielke had no comments.

Brad Lee had no comments.

John Detamore thanked Staff for the work they do.

Jeremy Strong had no comments.

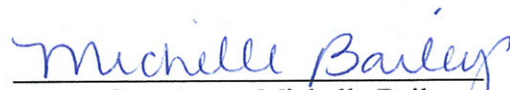
Curtis Seeds had no comments.

Rawlee Wilson had no comments.

10. Adjournment

Brad Lee made a motion to adjourn at 7:20 p.m. Lowell Mielke seconded the motion.
All voted aye.


Chairperson – Rowland S. Wilson


Secretary – Michelle Bailey