

ALPINE CITY PLANNING COMMISSION MEETING
Alpine City Hall, 20 North Main
January 6, 2009

Minutes of the Alpine City Planning Commission meeting held January 6, 2009 at Alpine City Hall. The meeting was called to order at 7:00 pm by Chairman Jannicke Brewer. The following Commission members were present and constituted a quorum:

Chairman Jannicke Brewer

Commission Members: Steve Cosper, Jason Thelin, Tracy Wallace, Brad Reneer, Steve McArthur, Troy Stout

Staff: Charmayne Warnock, Shane Sorensen, Ted Stillman

Others: Aaron Holtsclaw, Jim Tracy, Angie Duty, Darrell Duty, Lynn Broadbent, Rod Bergman, Will Jones, Marla Rogers, Mike Russon, Keith Brown.

The prayer was offered by Jason Thelin.

1. PUBLIC COMMENT: Jannicke Brewer said the City Council approved the new fee schedule which included language not requiring a fee for a sign permit for non-profit organizations. The Council also passed the revised home occupation ordinance. Steve Cosper was reappointed to a 6-year term on the Planning Commission.

2. CONDITIONAL USE PERMITS FOR HOME OCCUPATIONS

Gina Rico Designs – 305 W. Twin River Loop – Gina Rico: Ms. Rico requested a permit for her business of interior design. No customers would visit the home. The business met the requirements of the ordinance. There were no questions from the Planning Commission.

MOTION: Steve Cosper moved to approve a conditional use permit for Gina Rico dba as Gina Rico Design at 305 W. Twin River Loop. Steve McArthur seconded. Ayes: 5 Nays: 0. Motion passed. Troy Stout was not present at the time of the motion.

3. JIM TRACY COMMERCIAL SITE PLAN – 134 S. MAIN – JIM TRACY: Ted Stillman said Jim Tracy was proposing a commercial site plan at 134 S. Main Street. The older home on the lot had already been demolished. Mr. Tracy wanted to know what setbacks the City would allow before actually designing the building. The conceptual plan showed a layout for a building, parking, landscaping to be incorporated into the sight triangle on the corner of Main Street and 120 South. The Gateway Committee had reviewed the proposed project and recommended the City approve a front setback of 15 feet from the sidewalk and a side setback of 15 feet on the north side of the building. The setbacks on the south side and in the rear met the 20-foot setback requirements set forth in the ordinance. The Gateway Committee had accepted the conceptual landscaping plan.

Jannicke Brewer said the Gateway Committee had recommended a plaza/patio type area on the east side of the building that would provide outdoor seating and would be counted as part of the 20% landscaping requirement. The paving material would be something other than plain concrete. The patio would incorporate landscaping such as potted plants, etc., and would not extend along more than 50% of the front of the building.

Steve McArthur said the Gateway Committee thought the patio would create a nice architectural relief with seasonal umbrellas or a lattice type cover, and decorative concrete.

Regarding parking shown in the setback, Jannicke Brewer noted that the bank had parking that went almost to the street and the medical building had parking 19 feet from the street.

Jason Thelin said he didn't have a problem with the setbacks as long as the site met the landscaping requirements.

Jim Tracy said he was planning on the site being a bakery. A drive-up window was proposed so a traffic study would be required according to ordinance.

Regarding parking, Shane Sorensen said there were 12 parking spaces shown on the site which would limit the interior seating to 48 seats. The seating in the patio area would not count toward the parking requirement.

MOTION: Jason Thelin moved to recommend that the City Council allow the following setbacks for the proposed commercial site plan at 134 S. Main: the front setback would be 15 feet from the sidewalk and the side setback on the north would be 15 feet, and that it be modified to allow the sight triangle. The patio would be included in the landscape requirements, and the seating would not be counted toward the seating that determined the parking requirement. Steve McArthur seconded. Ayes: 6 Nays: 0. Motion passed unanimously.

4. THREE FALL SUBDIVISION – PRELIMINARY PLAN – WILL JONES: Ted Stillman said Shane Sorensen had reviewed the preliminary plat for Three Falls and listed a number of issues that would need to be addressed. Mr. Sorensen had also written a letter identifying exceptions that had been previously recommended by the Planning Commission that would need to be approved by the City Council.

Jannicke Brewer noted that another exception had been recommended by the Planning Commission but was not included in the letter. The exception pertained to the length of the existing cul-de-sac. The exception had gone to the City Council but they hadn't wanted to act on it at the time, saying they would wait until the subdivision came back for approval.

Ted Stillman said Charmayne Warnock had compiled a history of motions and minutes on the Three Falls subdivision with the beginning date of 2002, which the member of the Planning Commission should have received so they could review what had been done or approved up to that point. He said Will Jones was seeking preliminary approval, but according to the Engineer's Review letter there were a number of conditions that would need to be attached to the approval. The Planning Commission could do one of two things. They could grant preliminary approval subject to those items or they could give the developer direction to complete a number of the items before coming back for preliminary approval.

Jannicke Brewer said the Planning Commission normally liked to send recommendations on exceptions to the City Council, and have Council approval on them before proceeding with approvals.

Ted Stillman reviewed Shane Sorensen's letter listing the exceptions that would need to be granted in order for the development to move forward.

Lot #9

Ted Stillman said the owner of lot #9 didn't want to be part of the Three Falls subdivision, wanting instead for it to remain in the Ilangheni subdivision. Mr. Stillman said he had talked to David Church who said it would be okay to leave that lot out of the Three Falls development, but the lot owner, Gary Young, would need to decide which rules he would develop under if he developed the lot later on.

Steve McArthur asked if lot #9 would be using the services from the Three Falls subdivision and Ted Stillman said it would.

Jason Thelin said his concern with the lot was that there was a trail that would normally come all the way to the edge, but without the lot, they couldn't do that. He would like to see a trail that looped back rather than coming to a dead end.

Will Jones showed on the map how the trails would be routed in the absence of lot #9. There was more discussion about the trail system in the proposed development and Mr. Jones said he would like to work with the forest service to connect trails leading to the Hamongogs and Lone Peak area.

Ted Stillman said there was no recommendation needed from the Planning Commission on lot #9. It was for information.

Flood plain areas/channels. Shane Sorensen said some of the lots had flood channels contained in them, which wasn't typical, but in order to make the lot lines more regular, the Planning Commission had previously made a recommendation for an exception allowing flood channels in building lots. The flood channels would still need to be outside the building envelopes. The flood channels would be recorded on the plat as a conservation easement. The easement for the Fort Creek flood channel was 75 feet wide. There was a 25-foot wide easement for smaller channels and they didn't have constant flows.

Shane Sorensen said the flood channel would be recorded against the lot. Property owners could not change or disturb the flood channel. Some lots would share a box culvert in order to minimize what took place on the channel.

Will Jones said he had crews working to clean the dead vegetation out of the flood channel before the subdivision was developed so homeowners wouldn't have to go in and do any major clean-up, although there might be some minor clean-up.

Jannicke Brewer noted that restrictive covenants limited homeowners to irrigating one acre. Will Jones said that much of the area should be left natural. Generally the reason people bought in a place like Three Falls was because they wanted it to be natural.

Jannicke Brewer asked what kind of exception would be needed to allow the flood channels.

Shane Sorensen said the Planning Commission had already made a recommendation on allowing flood channels in lots. Staff just wanted to make sure the spirit of the motion had been followed.

Tracy Wallace asked if it wouldn't be easier to make the building lots smaller and move the flood channel outside the lots. Will Jones said it would result in uneven boundary lines, and the Planning Commission had directed him to even up the lot lines.

Grades for Intersections. Shane Sorensen said the ordinance required a maximum grade of 3% for 50 feet each way through the intersection. It had proved a challenge to achieve that in the Three Falls subdivision even after working through various designs. He said that finally he and Jay Healey had decided they could live with a grade of 4% or 5% in some of the intersections if every other intersection met the 3% grade requirement. He showed on the map which intersections would have a grade of more than 3%.

In order to have an idea what a 4% grade looked like, Shane said the intersection of 400 West with Westfield Road was about 4%. The intersection of 600 East coming down to 100 South was probably 10% or 12%.

Secondary access design parameters. Ted Stillman said the design parameters for the secondary access had already been accepted by the City Council.

Retaining walls: Jannicke Brewer said the Planning Commission had not discussed the retaining walls in Three Falls subdivision before. Given the change in the ordinance requiring City Council approval of retaining walls following recommendations from DRC and Planning Commission, she said she thought it would be a good idea to discuss them and make a recommendation to send to City Council before granting any approvals. She said the Planning Commission had been aware of the need for retaining walls along Fort Canyon Road, but there had been no discussion about retaining walls within the subdivision.

Shane Sorensen said the retaining walls within the subdivision had not been fully designed. He explained that the need for the retaining walls was created by Alpine City's cut and fill standard which required a 50-foot clear area from the road. If the builder could grade beyond the 50 feet, there probably wouldn't need to be a retaining wall in some places.

Jannicke Brewer asked how many retaining walls would be needed, and what height they would be.

Shane Sorensen said they were various sizes, 26 to 18 feet. They needed to look at seismic issues when designing the walls.

Will Jones said he would prefer to have retaining walls that looked like rock rather than block walls. He said if they could grade beyond 50 feet along the roads, there wouldn't be a need for some of the walls, nor would they need to be as high. Shane Sorensen agreed saying that if they could extend the clear zone beyond 50 feet, that would eliminate some walls, but there were other places where they wouldn't be able to get around the need for walls.

Troy Stout said he would support an extension of the graded area in order to reduce the height of the walls. Other members of the Commission agreed.

Troy Stout asked how visible the walls would be to the rest of the community. Will Jones said they wouldn't be seen at all because everything was kept off the ridges. The development would be in a kind of pocket.

Jannicke Brewer said this item was not ready to send to the City Council with a recommendation. She would like to see some examples of the retaining walls, the size and locations.

Reverse grades on cul-de-sacs. Shane Sorensen said this item had been taken care of. The plan met the limitation of 4%.

Height limit on homes. Ted Stillman said the Hillside Protection Ordinance limited the height of homes to 25 feet, but because none of the homes would be visible from downtown Alpine, an exception had been recommended by the Planning Commission allowing a height of 34 feet. The recommendation hadn't been sent on to the City Council as yet.

Culdesac length. As mentioned earlier in the meeting, the Planning Commission had recommended an exception on the existing cul-de-sac. It went to the City Council but they chose not to act on it until the plan was done.

Open space: Will Jones said there was an area that he wanted to remove from public open space and designate as private open space. It was about seven acres where the original home had been. There was a small spring on the seven acres that was being contaminated by people throwing stuff into it. He said the second reason he wanted to set it aside as private was in case he needed a site for a building lot. All the lots in the subdivision were identified, but in the event that one of them turned out to be in an unbuildable location, he could substitute the private open space for a building lot.

Another area of private open space would be the equestrian center where the pond was located. He planned to increase the size of the pond and put in a horse arena and a barn.

There was a discussion about the Sliding Rock area which would be part of the public open space. Will Jones said parking was going to be an issue and the City might want to consider putting in a parking area somewhere. He added that one of the drawbacks of a parking area was that there was litter. Without a parking area, people were probably going to be parking along the roads to get Sliding Rock.

Jason Thelin said he thought the spring by the old house should be public open space.

Will Jones said he owned the water rights to the springs and other springs throughout. He said that if it ended up that he didn't need the ground for a lot, he would just protect the springs.

Steve McArthur asked what his ideas were for protecting it. Will Jones said he would probably fence it.

Culinary water system. Shane Sorensen said there was a design for the culinary water system but no detailed drawings. He said he thought it would be fair to recommend approval based on the schematic since it would be very expensive to design. Staff would review the design before construction.

Tracy Wallace asked if the ordinance allowed a structure on private open space. Jannicke Brewer said she thought that if it was developed open space in a PRD, they could build something on it.

Driveway access. Shane Sorensen said they need to look at the access for some of the driveways. Driveways were allowed a maximum grade of 12%, but there were some driveways in the northwest corner that might be pushing that.

Steve McArthur asked if there would be problems for fire access since a 12% grade was not fire-truck friendly. He asked if the homes would need to be sprinklered.

Shane Sorensen said he would have the fire chief, Craig Carlisle look at it. The water tank was supposed to be sized to meet the fire flow requirements for the size of the homes in this zone.

Jannicke Brewer noted that there was a letter from Darrell and Angie Duty that they should discuss. The Dutys were concerned about the parking lot that was shown in front of their home in Fort Canyon.

Darrell Duty said Will Jones had mentioned his concerns about the trash collecting in the area around the spring. He said he was concerned about the trash and litter that would be collecting in the proposed parking lot located 25 feet from his house. He said the right now people parked in front of his home to go up to Sliding Rock. He said that by refusing to address parking further up the canyon at Sliding Rock, Will Jones was making it Mr. Duty's problem instead of his problem, and it affected him right now.

Keith Brown said he thought the City needed to be realistic about what would happen up there once it was open. He said he lived up the canyon and as soon as there was access to Sliding Rock, no one would be using the parking lot at the beginning of the subdivision. There would be a parking mess at the end of the driveable area. He said the parking areas needed to be switched. There would be an empty parking lot at the beginning of the subdivision and cars crammed along the street. He said it didn't make any sense. They needed the parking lot in the right place.

Shane Sorensen said the parking lot would be for people who were walking or riding bikes, not necessarily going to Sliding Rock.

Will Jones said the City would own Sliding Rock and it would be their responsibility to police it. He said he envisioned the parking lot at the beginning of the subdivision as a possible trailhead to the Lone Peak area as well as trails within the Three Falls development.

Keith Brown said he thought people using Sliding Rock would outnumber people hiking, biking or riding horses 20 to 1.

Will Jones said the parking lot would be the entrance into his development and he intended it to look nice. If anything it would be over-landscaped.

Jannicke Brewer said it was evident that there were issues that needed to be discussed on Three Falls, but she felt they were done with it for the evening.

5. AMENDING ANNEXATION POLICY PLAN AND MAP: As part of the Three Falls subdivision, developer Will Jones proposed to provide a second access that would cross property that was currently located in Utah County. The developer/property owner had applied for annexation of the property so the road could be built in Alpine City limits. The staff recommended that the annexation be completed before the Three Falls plat was recorded.

In order to annex the property, the Annexation Policy Plan would need to be amended by adding what was known as the Melby property to the Annexation Policy Plan.

Jannicke Brewer said that the City Council had accepted the Annexation Petition for the Melby property in April 2008 and had instructed the Planning Commission to move forward.

Ted Stillman said the City would begin the hearing process for the annexation, notify the affected entities and give them a chance to comment at the public meeting. A hearing would need to be scheduled by both the Planning Commission and City Council on the proposed amendment to the Annexation Policy Plan.

Jannicke Brewer said the Annexation Agreement would state that there would be no development rights on the ground to be annexed. Except for the road, the rest of the ground would be open space in a conservation easement.

Jason Thelin asked Will Jones why they didn't just build the road in the County. Will Jones said that if the road were built according to County standards a 56-foot right-of-way would be required with 34 feet of pavement, which would require a higher retaining wall.

Mike Russon asked if it was legal to attach a city road to a county road.

Shane Sorensen said that roads connected between different cities and counties all the time. It was just like the road going from Alpine into Highland. He said City staff had already met with the county officials about the roads.

Rod Bergman asked if the development would create islands that would need to be annexed at a later date. Jannicke Brewer said there would be a peninsula created, but no islands.

Rod Bergman said that when he lived in California there was land designated for parks and hiking. It became so popular that people began parking along the roads in front of homes. The homeowners eventually petitioned to disallow parking in front of their homes. He said he expected the residents in the Three Falls subdivision would be petitioning to disallow parking in front of their homes, and the City might want to consider a parking area.

6. WIND ENERGY CONVERSION ORDINANCE: Ted Stillman said that based on the information and input from the previous meeting, April Riley had drafted a Wind Energy

Conversion Ordinance for review. The Alpine City Building Inspector had previously reviewed the ordinance and added his suggestions.

Steve Cosper said that overall the ordinance was well-written, but he thought they should set a sound limit.

Brad Reneer said he had strong feelings about hobbyists. He said a lot of the innovations in the country had been driven by hobbyists and he felt it was important to encourage them. He agreed that the towers needed to be safe, but he didn't want to discourage hobbyists.

Tracy Wallace asked about the setbacks from property lines, noting that the setbacks would prohibit many from having a wind tower that might want one. He said there had been some provisions in other ordinances that allowed neighbors sharing a property line to put in a tower closer to the property line if both were in agreement.

Brad Reneer said he thought the use of guy wires should be allowed. The wind mill that was presented at the last meeting was heavily engineered with no guy wires, but that added considerably to the cost. He said he would like to make wind towers available to those who were not wealthy.

Steve McArthur said he would support a guy wire option. The wires wouldn't be visible above six feet because it was only nearer the ground that they would need to be flagged, etc.

MOTION: Steve McArthur moved to set a public hearing on the Wind Energy Conversion Ordinance for the next available date. Steve Cosper seconded. Ayes: 6 Nay: 0. Motion passed.

Jannicke Brewer suggested they set the public for sometime in February after the *Newsline* came out so it could be noticed in the *Newsline*.

7. ELECT PLANNING COMMISSION CHAIRMAN AND VICE CHAIRMAN: The Planning Commission discussed likely candidates for chairman and the time commitment for the position. Jannicke Brewer said she would be happy if someone else was willing to serve as chairman, but she wasn't opposed to serving again because she did have the time.

MOTION: Jason Thelin moved to nominate Jannicke Brewer as chairman of the Planning Commission. Troy Stout seconded. Ayes: 6 Nays: 0. Motion passed.

MOTION: Steve McArthur moved to nominate Brad Reneer as vice chairman of the Planning Commission. Troy Stout seconded. Ayes: 6 Nays: 0. Motion passed.

8. APPROVE MINUTES OF DECEMBER 2, 2008

MOTION: Steve McArthur moved to approve the minutes of December 2, 2008 and adjourn. Brad Reneer seconded Ayes: 6 Nays: 0. Motion passed.

The meeting was adjourned at 9:36 pm.