

August 2, 2005

Minutes of the Alpine City Planning Commission meeting held August 2, 2005 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: Dale Porter, Mike Mickelson, Jim Tracy, Steve McArthur, Thomas Whitchurch

Staff: Charmayne Warnock, Shane Sorensen, Ted Stillman, Jeff Robb, Jay Healey

Others: Robert Smith, Tracy Wallace, Rob Bergman, Jill Bergman, Bruce Fallon – Architect, Brian Higbee, Robert Brown, Tanya Simpson, Nathan Simpson, Laura Hobbs, Will Jones, Blaine Hudson, Ross Wolfley, Loretta Stevens, Stephen Sowby

The prayer was offered by Jannicke Brewer.

Jannicke Brewer said the regular City Council meeting would not be held the next week because of Alpine Days. A Board of Adjustment meeting would be held on Thursday.

1. PUBLIC COMMENT: Steve McArthur represented his neighbors on Pfeifferhorn Drive who were concerned about the continual speeding at the bottom of the hill. They wanted to request that a bike lane be striped or that a sign be put up that registered a vehicle's speed. He said they'd had a couple of near misses. Ted Stillman suggested the neighbors meet with the police chief.

Jill Bergman said she wanted to say how much they enjoyed the roundabout and new bridge.

Robert Smith wanted to know what the City would do with the windfall resulting from the increased tax evaluation. Ted Stillman said the City would not be getting an increase because they lowered the tax rate. So even though the evaluation went up, the taxes should remain about the same. Robert Smith said that was not the case because his taxes had gone up by \$200. Other said their tax had also gone up.

2. CONDITIONAL USE PERMITS FOR HOME OCCUPATIONS: None

ELECTION OF PLANNING COMMISSION CHAIRMAN: Jannicke Brewer said the Planning Commission Ordinance stated that a chairman and vice chairman should be elected every odd year.

MOTION: Dale Porter moved to elect Jannicke Brewer as chairman and Jim Tracy as vice chair. Steve McArthur seconded. Ayes: 5 Nays: 0. Motion passed.

3. SIGN ORDINANCE: Ted Stillman said that the Planning Commission had requested Robert Brown to submit an example of a community event sign. A drawing had been included in the packet which showed a lit sign that had space for three separate 36" x 36" announcements which would be placed underneath a plexi-glass covering. Robert Brown said three such signs would cost \$7500.

Jannicke Brewer said that at the last meeting they discussed sign locations and decided the roundabout was not a very safe place for signs because they would distract motorists. It was suggested a sign be placed at City Hall and one on Canyon Crest and one on Westfield Road.

Jim Tracy questioned using plexi-glass on the sign because people would be taping signs to it and leaving tape marks. It would yellow and get scratched. Steve McArthur suggested tempered glass.

Thomas Whitchurch suggested that City staff be responsible to put up the signs. It would increase the longevity of the structure. Staff could monitor what was put up and the length of time it was posted.

It was suggested the City acquire one sign and post it by City Hall. If it worked, they could consider additional signs. After more discussion the Planning Commission decided to have a double sided sign with space for two announcements on each side, totaling four spaces. Signs would be posted by staff and replaced by staff as new event signs were brought to City Hall. The sign structure would need to be located such that it did not obstruct vision. It was suggested the curb in front of City Hall be painted red, otherwise parked cars would block the sign.

MOTION: Jim Tracy moved to recommend that the City Council review the concept for a community event sign board to be located in front of City Hall. The sign would be double-sided with room for two signs on each side, and have a finished size of up to 6 feet above ground and 8 feet wide. Steve McArthur seconded. Ayes: 5 Nays: 0. Motion passed.

Regarding the time element for a sign, the Planning Commission decided users would comply with the 10-day limit and if no one else needed the space, it could stay up longer. No changes would be made to the current sign ordinance at that time.

MOTION: Mike Mickelson moved to table further discussion on the Sign Ordinance. Steve McArthur seconded. Ayes: 5 Nays: 0. Motion passed.

4. BERGMAN ALPACAS: Ted Stillman said the Bergmans wanted to have an alpaca farm on Grove Drive. They had two 2.5 acre parcels for a total of 5 acres. They requested 18 animals on each parcel for a total of 36 animals.

Ted Stillman said there were a number of other issues about the property but they were not necessarily related to the animal question. The ground purchased by the Bergmans had been part of someone else's lot and had provided the frontage for a home which sat farther on the property. When they owners split the lot and sold the front part, they sold their frontage as well, making it a non-conforming house. No building permit could be issued for the property. However the property could be used as pasture.

The second issue was assessing a pressurized irrigation fee since the Bergmans planned to sprinkle the pasture. Staff was working on that.

Dale Porter asked if the alpaca farm would be a business and if they would be selling animals or selling wool.

Jill Bergman said she hoped not to sell animals because they were like family. The wool was sent to a co-op once a year when the alpacas were sheared. She said the alpacas were beautiful, bright and gentle. They didn't smell and didn't make noise except for a low hum. The alpaca fleece was warmer and more waterproof than wool and didn't itch. They only had teeth on the bottom and didn't bite. She said alpacas were about the size of a sheep and somewhat smaller than many breeds of sheep. Alpacas had a gestation period of about 11 months.

Jannicke Brewer said the alpacas seemed to be similar to a goat or a sheep. The ordinance allowed 2 sheep for the first 20,000 square feet and 2 for each additional 10,000 square feet with a maximum of 10 sheep or goats. They could have suckling off-spring up to 6-months-old which were not counted in the total number of animals.

MOTION: Dale Porter moved to recommend the City allow up to 18 alpacas per parcel for Rod and Jill Bergman and their property on Grove Drive. Steve McArthur seconded. Ayes: 1 Nays: 4 Motion failed.

Rod Bergman said they were putting a lot of money into the project. They didn't want to raise animals on dirt. Their object was to make the area park-like with grass and trees and have alpacas grazing on it. They didn't intend to cram more animals onto the ground than it could support.

Jill Bergman said they could have chosen to develop the ground and build homes on it, but they wanted to keep it beautiful and rural. What they were doing was the antithesis of what was happening everywhere else in Alpine.

Steve McArthur said he would like to be conservative and approve no more than 10 alpacas per lot, which would be the same as the maximum for sheep or goats. They could give it a year and see how it worked. If there were no complaints, the Bergmans could come back and request more animals.

MOTION: Jim Tracy moved to allow the Bergmans to keep up to 10 alpacas per parcel because the animals were comparable to sheep or goats. Mike Mickelson seconded. Ayes: 5 Nays: 0. Motion passed.

5. ALPINE MARKET OFFICE BUILDING SITE PLAN – BRUCE FALLON: Ted Stillman said the owners of Alpine Market wanted to build a new office building behind the existing building which had recently been remodeled and currently housed a real estate office and a hair salon.

Ted Stillman said the Historic Committee had reviewed the plans and felt it was compatible with the existing building. There was a question about parking. Based on the ordinance and Shane Sorensen's calculations, they were short 11 spaces. The building would need to be changed or made smaller to meet the parking requirement. The hallways, stairways and storage areas did not need to be included in the square footage when calculating office space.

Dale Porter asked if there could be a cross easement with the Alpine Playhouse which allowed the two businesses to share parking. Jannicke Brewer pointed out that the Playhouse had daytime classes and the parking may not be available. Shane Sorensen said the gravel parking area may be temporary because someone could build a house there at some point.

There was a discussion about the 20-foot right-of-way easement along the north side of the property. It provided access to the Burgess driveway. Jim Tracy questioned putting the trash collection bin in the easement. Ted Stillman said the Burgesses owned the easement and they would need to work out right-of-way issues with the owners of the Alpine Market. Bruce Fallon said they would get a letter from the Burgesses approving the trash collection site.

Shane Sorensen asked the Planning Commission to address the setback issue. The setbacks that were shown were 5.5 feet in the rear which was adjacent to commercial, and 5 feet on the south which was adjacent to residential. If the developer was modifying the building to meet the parking requirement, it would be a good time for him to consider changing the setbacks. The ordinance required a setback of 20 feet, but the Planning Commission could recommend a lesser setback if they felt it was warranted.

Steve McArthur said it would be his inclination to require a setback of 20 feet next to the residential property unless the adjacent property owners submitted a letter stating they were okay with a smaller setback.

6. TAYLOR MEADOWS SUBDIVISION – CONCEPT REVIEW – BRIAN HIGBEE AND STEVE SOWBY: Ted Stillman said the Taylor Meadow Subdivision consisted of 10 lots located at 100 South and 300 East. Since a portion of the subdivision was in the flood plain, the subdivision was a PRD containing open space. A major issue was flooding. The developers got a Letter of Map Amendment (LOMA) which was based on the 1983 FEMA map. However the FEMA map was being updated. Ted Stillman said Shane Sorensen had looked at the updated map

and there was a question about the numbers so they hired an independent consultant, Bowen and Collins, who came up with a substantially different number.

Ted Stillman said the original '83 FEMA map showed the entire proposed subdivision as being in the flood plain. The LOMA recently obtained by the developers showed only a portion of the area in the flood plain, and that portion was designed by the developer as open space and roadway. Ted Stillman said it was staff understanding that fill would be brought in to build up the lower areas, and they questioned where the displaced water would go. Historically that area had flooded. There were pictures in *Alpine Yesterdays* showing that whole area under water from a flood in 1953, and the City had serious concerns about building in an historical flood area. Highland City had problems earlier in the spring when flooding occurred in a subdivision that had been built in an historical flood plain. Highland City had to sandbag and several homes were flooded. Ted Stillman cautioned the Planning Commission to be very careful about allowing building in areas where there had been flooding.

Jannicke Brewer asked if development in that area would change what happened downstream and whether or not a stream alteration permit would be required. If fill was brought in, would it push the water onto existing residential areas?

Shane Sorensen said they needed to make sure the actual flow numbers were consistent with the numbers used with the LOMA was done. They may find that some LOMAs used a lower flow than the actual numbers.

Steve Sowby said he needed to dispel rumor and misinformation and stated that they were not bringing in fill or raising the road. They would actually be lowering the road in the cul-de-sac by 1 percent and making room for flood water. He said they had paid a lot for the Letter of Map Amendment. He noted that one could not obtain a LOMA on fill until it was compacted and a subdivision built on it. Mr. Sowby asked the Planning Commission to consider those things and approve the subdivision as drawn. There would be no fill required in the cul-de-sac area. He asked the Commission to grant an exception on the length of the cul-de-sac, pointing out that the cul-de-sac could be extended and used as an access to the adjacent park land which the City was planning to acquire. If the Planning Commission did not want to recommend an exception on the length of the cul-de-sac, he could reconfigure the subdivision and make it 450 feet. He said the developer would dedicate the open space to the City, and asked for approval because they were anxious to begin.

Ted Stillman said a LOMA was for purposes of flood insurance. A LOMA did not guarantee that the area would not flood. As a city they were concerned about the potential for flooding. They needed to be very cognizant and look at the proposed development very carefully. A separate study may be required. The LOMA was based on a 1983 FEMA back that was done back east rather than on site. They needed to factor that into the review process.

Shane Sorensen said they hadn't been able to recreate the descriptions in the LOMA. It didn't make sense and caused them to question the LOMA. He suggested the developer bring in the individual who did the LOMA so he could explain it.

Brian Higbee said the same situation did not exist as it did during the 1953 flood. Alpine had changed and there had been work done upstream which would control flooding.

Bill Devey said he had been in Alpine 73 years. In 1953 they had a flood from a rain storm that caused damage all the way to Lehi. He said the pictures in *Alpine Yesterdays* showed how deep the water was.

Robert Smith said he had been living in Alpine in 1953. There was water going over the bridge. He said Gene Healey had been up at the head gate in Box Elder and there was a 10-foot wall of

water coming out of the canyon. They had terraced the peak since then and he suspected that would hold some water.

Laura Hobbs asked if lot 10 would have streets on three sides since it was by 300 East, 100 South and the proposed cul-de-sac. Ted Stillman said there was open space between the lot and 100 South and 300 East. Brian Higbee said they were giving more open space than would be required because they were trying to maintain a rural look.

Craig Skidmore said the Master Trail Plan showed a trail east of Dry Creek that ran through the property. It needed to be a usable trail, not in the stream. Steve Sowby said the City would have the trail.

Jannicke Brewer said she felt it was a reasonable requirement for the City to see the figures on the LOMA before they moved forward.

Steve Sowby asked who was going to make it happen. Shane Sorensen said the developer would need to set up a meeting. Staff would be available most of the time.

7. THREE FALLS SUBDIVISION – ENVIRONMENTAL REVIEW: Ted Stillman said a copy of all the minutes from Three Falls had been included in the packet. The project had begun about three years earlier. There had been a number of issues, the latest of which was the potential for landslide. The environmental study had been included in the packet. Shane Sorensen had reviewed it and summarized his review of the study.

Shane Sorensen said the issue of land slide had come when reviewing other geological investigations for the project. The developer of Three Falls hired IGES to do a landslide investigation. Extensive trenching, core drilling and test pits were included in the investigation. Shane Sorensen said the conclusion of the review was that “previously mapped landslide material does not exist, and consequently does not pose a threat for future landslide activity.” He said the developers said Robert Biek with the Utah Geological Survey had visited the site and concurred with the conclusion.

Shane Sorensen said IGES recommended in the report that lot-specific investigations and testing be performed in order to establish localized soil conditions and special structural features that would impact the design of future homes and facilities.

Mike Mickelson said he had looked at the photos in the report and it didn't appear to be landslide material. He noted that the report qualified their findings by saying there appeared to be no landslide problem in that particular place.

Max Pitcher said he agreed the landslide issue was dispelled. However, he had some concerns about fault lines revealed by the trenching. He got a copy of the study and reviewed it, noting that there were numerous fault lines in the trenches, and obviously not all the faults in that area had been mapped. He said that before the City approved the environmental report, they should look at the whole thing -- faults and other hazards, not just landslides.

Mike Mickelson said there was probably a mess of fault in that area. Max Pitcher said the whole area was a shatter zone, and the Planning Commission should be very concerned about it.

Jannicke Brewer said that all they would be doing that evening was accepting the report, not approving it.

Max Pitcher asked if it would be possible for the state geologist to integrate all the reports and make it clear what was known about the area and what was not known.

Ted Stillman asked Max Pitcher if he would put his concerns in writing so they could forward them to the state geologist. He suggested they also have Councilman Hunt Willoughby look at it since he was a geologist.

Will Jones said he would like to see the Planning Commission do two things that evening: 1. Accept the report; and 2. Make a motion stating that 15% of a building lot could contain ground with a slope of more than 25% in the CE-5 zone as mentioned in Section 3.9.7.3 (2) of the PRD Ordinance.

Ted Stillman said that when they got a concept plan they could make a motion. The PRD Ordinance required the DRC to make a recommendation to the Planning Commission and the Planning Commission made a recommendation to the City Council.

Jannicke Brewer said the study stated that, "Hazards potentially impact every lot," and listed the hazards. She said they wanted to make sure they were doing the right thing before they moved forward.

Will Jones said that if it took more time, it was okay with him. He wanted to make sure it was done correctly. He said he would like the worst case scenario and the best case scenario so he could give the information to his engineer.

MOTION: Steve McArthur moved to accept the Landslide Investigation for Three Falls Subdivision done by IGES. Mike Mickelson seconded. Ayes: 5 Nays: 0. Motion passed.

8. LON NIELD COMMERCIAL PLANNED DEVELOPMENT: Ted Stillman said there were two handouts on the table concerning the commercial development. One was from Connie Douglas with Horrocks Engineers regarding traffic recommendations. The other was from Councilman Kent Hastings.

Kent Hastings had several recommendations, one of which was that there be a drive-through access for the fast-food restaurant. It had been eliminated in the new design.

Connie Douglas of Horrocks recommended that the one-way exit onto Main Street from the bank be signed as right-turn only from the beginning. The access immediately north of the bank exit providing ingress and egress into the project site be maintained as a full access, allowing right and left turning traffic to exit or enter. When future traffic volumes increased and caused excessive delay, she recommended that a raised median be constructed making the full access a right-in and right-out access only.

Thomas Whitchurch asked how the median would be financed. Shane Sorensen said it could be included in the Street Master Plan as a growth related improvement.

Dale Porter asked if this development would be bringing back the same traffic problems that the roundabout had solved. The Planning Commission discussed layout and traffic patterns for the proposed development.

Thomas Whitchurch said he would like to see a drawing that reflected all the changes they had recommended during the last two meetings, but the developer kept bringing back the same drawing. Jim Tracy agreed that he would like to see a revised, final drawing.

Jannicke Brewer said that the City Council had been concerned about the egress from the bank. They also thought the developer was trying to fit too much on the property. However it did comply with the ordinance.

Shane Sorensen said Mayor Barker felt there should be a detailed traffic study done. The Planning Commission agreed.

MOTION: Steve McArthur moved to require a detailed traffic study and a revised layout. Jim Tracy seconded. Ayes: 5 Nays: 0. Motion passed.

9. PRD ORDINANCE – PUBLIC VERSUS PRIVATE OPEN SPACE: Jannicke Brewer said they were to review the issue of public versus private open space generally, not necessarily as it related to Canyon Brook. She suggested they consider restoring the maximum lot size restriction to the PRD Ordinance.

Will Jones said he disagreed with a maximum lot size. In his development he would already be donating far more open space than the ordinance required. Restricting the lot size in addition to the open space would amount to a taking. He said he would challenge it and the City would need to be prepared to pay for it. He asked why the City would want to restrict someone from having a large lot.

Jannicke Brewer said the purpose of a PRD was to cluster the lots to preserve hillsides and sensitive areas. She said she didn't agree with assigning private open space to a lot.

Will Jones said David Church had said the answer was to put the open space in a conservation easement. Will Jones said he felt the design of the development should drive whether or not the open space was public or private. If the lots were a half-acre they wouldn't want public open space by their yard.

Craig Skidmore said one thing they were missing in the discussion was what the use of the open space would be. People wouldn't necessarily be running around the entire open space. They could restrict use to a trail corridor. When they looked at open space, they needed to consider the appropriate activity for it. He suggested they look at the Open Space Ordinance and the PRD Ordinance together.

Jannicke Brewer said there would need to be a conservation easement regardless of whether it was public or private

Tracy Wallace asked who wrote and developed a conservation easement. Ted Stillman said it was a collaborative effort between the developer's attorney and the city attorney.

10. APPROVE MINUTES OF JULY 19, 2005 AND JULY 27, 2005

MOTION: Steve McArthur moved to approve the minutes of July 19, 2005 and July 27, 2005, and adjourn. Mike Mickelson seconded. Ayes: 5 Nays: 0. Motion passed.

The meeting was adjourned at 10:35 pm.