

January 4, 2005

Minutes of the Alpine City Planning Commission meeting held January 4, 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, Jim Tracy, Mike Mickelson, Thomas Whitchurch, Phil Andrus, Steve McArthur

Staff: Charmayne Warnock, Shane Sorensen, Rachel McTeer, Jay Healey.

Others: Matt Guyman, Tracy Wallace, Tim Henderson, Maureen Henderson, Craig Clyde – *Division of Wildlife*, Matt Rasband, Steve Burrows, John B. Johnson, Pam Gardner – *U. S. Forest Service*, Hank Finch, Craig Downs – *Scout Troop 823*, Bill Crockett, Mark Grant, Grace Taylor, Curtis Miner, Robert Sorensen, David Beckstrand, Charlie Emig, City Council Member Kimberly Bryant, Paul Bryant, Roger Whitby, Andy Pearce, Craig Skidmore, Mardi Horton, Will Jones, Marlene Arnold, Karissa Neely- *Lone Peak Press*, Russell Christen, Mayor Phil Barker, Paul Anderson.

Chairman Jannicke Brewer welcomed Jim Tracy as a new member of the Planning Commission. Loretta Stevens' term had expired. Jim Tracy said he moved to Alpine in 1998 and was a retired general contractor from California.

Members of Boy Scout Troop 823 were introduced and welcomed to the meeting.

The prayer was offered by Mike Mickelson.

1. PUBLIC COMMENT: One of the scouts said he played baseball and had noticed cigarette smoke drifting into the dugout during the games. He asked if "No Smoking" signs could be put up at Burgess Park. Thomas Whitchurch said he would discuss it with City Staff and City Council. The Trail Use Ordinance prohibited smoking on city trails but he wasn't sure about the parks.

2. CONDITIONAL USE PERMITS FOR HOME OCCUPATIONS:

Alpine Personal Learning Center – 772 S. Stonehedge Lane – Thomas Hughes: Mr. Hughes requested a permit for his consulting service on training and professional development. No customers would visit the home.

Christensen's Hard Casting – 367 East 300 North – Linda Christensen: Ms. Christensen requested a permit for her business of making and pouring molds of actual hands to mount hand statuettes. The Planning Commission had some questions about a number of items but she was not present so this application was tabled.

Candlelight Marketing, LLC – 177 N. Meadowbrook Dr. – Robert C. Sorensen & David G. Beckstrand: Mr. Beckstrand and Mr. Sorensen were partners and requested a permit for their consulting company. The business would be conducted in Mr. Beckstrand's home at 177 N. Meadowbrook. They anticipated one or two customers a week would visit the home and there was adequate off-street parking.

Access Health, Inc. – 72 N. Matterhorn Dr. – Steven N. Burrows: Mr. Burrows requested a permit for his business which created networks of healthcare providers and leased the networks to insurance companies. It appeared to meet all the requirements of the ordinance.

Air Master Heating & Cooling – 522 W. 600 N. – Matt Guyman: Mr. Guyman used a 15' x15' office in his home for his heating and cooling business. No customers would visit the home. He would pick up materials from a supply house and go to the job site. Some miscellaneous items may be stored in the garage.

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Clean Central, LLC – 522 W. 600 North – Matt Guyman: Mr. Guyman also conducted a cleaning business out of his home in which he cleaned newly constructed homes and prepared them for closing. No customers would visit the home. He kept supplies in a van which was parked off the street.

MOTION: Dale Porter moved to grant occupational use permits to the following businesses and table “Christensen’s Hard Casting” until Ms. Christensen was present:

Thomas Hughes dba “Alpine Personal Learning Center” at 772 S. Stonehedge Lane
Robert C. Sorensen & David Beckstrand dba “Candlelight Marketing” at 177 N.
Meadowbrook Drive
Steven Burrows dba “Access Health, Inc” at 72 N. Matterhorn Drive
Matt Guyman dba “Air Master Heating & Cooling” and “Clean Central, LLC” at 522
West 600 North

Phil Andrus seconded. Ayes: 5 Nays: 0. Motion passed. Steve McArthur was not present at the time of the motion.

3. COMMERCIAL USE – 45 EAST 200 NORTH (HARMONY FORGE BUILDING) – DR. JOHN VANHARA/EXERCISE AUTHORITY: Paul Anderson represented Dr. John Vanhara and said he planned to rent the Harmony Forge Building on 200 North and open a wellness clinic and physical therapy practice. It would change the use from light industrial to a medical/personal service use. According to the site plan, the business would need 10 parking spaces. It was noted that the owner of the forge building also owned the house on the corner, which had some parking available.

Thomas Whitchuch asked if the property owner was dedicating all the parking to the forge building, including the parking with the house, and Paul Anderson indicated that he would. Jannicke Brewer noted that there was also an asphalted area behind the building that could be used for parking.

Jim Tracy asked if there would be lighting in the parking lot. Paul Anderson said there were lights around the building that would go on at night.

Jannicke Brewer said the ordinance did not specifically require parking lot lighting and suggested the Planning Commission consider it at a later meeting.

Steve McArthur said it would be prudent to have a written agreement from the owner dedicating the parking from the house to the forge.

Mr. Anderson said there would be only two practitioners and two clients at a time so only four spaces would be needed.

MOTION: Steve McArthur moved to approve the change in use for the Harmony Forge building on 200 North as requested by Dr. John Vanhara with condition that the City receive documentation from the property owner that he will supply parking to meet the requirement for 10 parking spaces. Mike Mickelson seconded. Ayes: 6 Nays: 0. Motion passed.

4. WILDLIFE PRESENTATION: Max Pitcher introduced Pam Gardner from the U.S. Forest Service and Craig Clyde from the Division of Wildlife Resources. They would make a presentation regarding wildlife habitat. Mr. Pitcher said he had talked to them about the possibility of the Forest Service acquiring and managing the open space in the proposed Three Falls development. The open space would provide a buffer between the wilderness area and the developed area.

Craig Clyde said he was always concerned about building in wildlife areas. It was rarely a win/win situation. Even when open areas were preserved, development cut off migration routes and habitat was lost. He said he'd read the environment impact study by Bear West.

Jannicke Brewer asked what was happening with the elk herds on Suncrest. Craig Clyde said the DWR had a management plan for the elk in their jurisdiction which extended all the way to Duschene. The elk herd around Alpine varied between 40 to 80. When the number exceeded that, they held a hunt. If the number of elk exceeded what the winter range could support, they starved. There used to be many more elk but with all the development, they had to reduce the numbers.

Thomas Whitchurch asked for a recommendation on design in the Three Falls area. Mr. Clyde said the problem he saw was that the flatter areas were developed and the steep slopes left open. The problem with that was that the flat areas were where the elk liked to graze. When it snowed they moved even lower. The higher steep slopes were hard on the animals. He said the open space areas below the development were too small and the animals would be migrating through the housing areas in the spring and fall. He recommended a limit on fence height of 42 inches so the animals could migrate. There also needed to be clearance on the bottom of the fence so smaller animals could crawl under. To protect landscaping, the fence needed to be 6 ft. high, but that stopped migration. Smaller individual areas and gardens could be fenced.

Mark Grant asked what the DWR intended to do about poaching. There were ten elk killed on his property about ten years ago.

Craig Clyde said they were a poor agency and were limited in what they could do. Most of their funds come from hunting licenses rather than taxes, but they had been able to hire more officers in recent years.

Craig Skidmore asked where the migration paths were in the Three Falls area. Craig Clyde said the whole area was a migration path depending on the weather. When it was snowy, it was lower. When it was dry the animals moved higher. They generally took the flatter areas.

Mr. Clyde submitted a written recommendation on wildlife management, saying it was a generic plan but it applied to the Three Falls area. He recommended that people who bought homes in the area be made aware that they were sharing it with wildlife and what the restrictions and problems might be.

Pam Gardner was a District Ranger with the National Forest Service in the Pleasant Grove office. Their district stretched from the Salt Lake County boundary down to Springville. There was a lot of urban wilderness interface in their district, and there was no buffer zone between private land and the wilderness. It created problems with encroachment in the wilderness - - ATV use, etc.

Ms. Gardner said one of their primary concerns was maintaining public access to the public lands. In the Alpine area, the only access to the mountains was the Dry Creek Trail head. The other accesses around Alpine which had historically been used to get to the mountains were on private land. The property had recently changed hands and the accesses were being blocked by the property owner. She said the Forest Service would like to explore ways to insure access to public lands.

Max Pitcher said that if Three Falls were approved, the open space would be dedicated to the City.

Steve McArthur said the question was whether the City or the Forest Service would do a better job of managing the open space. Cities had been known to give up land for development. He asked if the Forest Service would do that.

Pam Gardner said the Forest Service was highly unlikely to sell land. They may close areas to certain uses such as motorized use, or for a short period of time if there were fire concerns.

Regarding the absence of a buffer zone between private land and wilderness, Ms. Gardner said the Lone Peak Wilderness was established in 1978. At that time they never envisioned houses backing up to the wilderness area, but it was now a problem along the Wasatch Front. She said a buffer zone would have fewer restrictions than the wilderness area.

5. SITE PLAN – NORTH PRESTON DRIVE IN WILLOW CANYON – BRET VAN LEEUWEN: This 10-acre parcel was located at 252 N. Preston Drive next to Joel Kester's home. The parcel came in with the Willow Canyon annexation but was not included as a regular building lot in the subdivision. The parcel needed increased frontage on Preston Drive to qualify as a building lot. Mr. Van Leeuwen and Joel Kester had agreed on a property trade that would give the ten-acre parcel adequate frontage.

According to the annexation agreement, the home could not exceed 25 ft. in height, but the City Council had approved a variance of 4 feet on the height at their meeting on November 23, 2004. As required by the annexation agreement, five of the ten acres would be put into a conservation easement.

Shane Sorensen said he thought the water service and sewer lateral were stubbed to the lot, but they may need another fire hydrant and would need to bond for it. Fire Chief Craig Carlisle would need to review the site plan and approve the location of the fire hydrants.

Regarding trails and a public utility easement, Shane Sorensen said that the public trail access to Willow Canyon was along the access road to the Willow Canyon water tank and debris basin. The road also contained the City's water line. It was his understanding that Joel Kester had prepared the paper work to record the trail and public utility easements.

Jannicke Brewer said the original owner of the property, Dave Taylor, had also signed an agreement stating that the City could put a trail through there. She asked about the construction of debris basins.

Shane Sorensen said the debris basins were covered in the annexation agreement. The City had a blanket easement allowing them to locate a basin wherever needed within that area. He added that the debris basin under construction was actually completed that day.

MOTION: Steve McArthur moved to approve the Van Leeuwen Site Plan subject to the following conditions:

1. The fire chief will approve the location of the fire hydrants.
2. Verify the easements for the trail and City facilities.
3. Property owners provide deeds for the property exchange.
4. Meet the water policy for a 60,000 sq. ft. building envelope.

Dale Porter seconded. Ayes: 6 Nays: 0. Motion passed.

6. SITE PLAN – MAIN STREET VILLAGE – JOHN JOHNSON: Rachel McTeer said that in July 2004 the City approved an amendment of Main Street Village which combined lots 5, 6 & 7 into lots 5 and 6. Mr. Johnson brought in renderings for commercial buildings on lots 5 and 6. They were within the building envelopes, and there were a total of 42 parking spaces for two buildings, which met the requirement. The plans still needed to be approved by the Historic Gateway Committee and go to the City Council for approval.

Jannicke Brewer said she hoped the buildings would be set back somewhat and not sitting on the sidewalk. She asked where the garbage cans would be located and if there would be rear entrances to the buildings.

John Johnson showed where the garbage dumpster would be located in the future. At present it was closer to the existing building. He said the buildings did not have rear entrances because the buildings were not very deep.

Jim Tracy asked if there would be lights in the parking lot. John Johnson said he had plans to put in light poles. It would be part of the landscaping.

MOTION: Dale Porter moved to approve site plans for lots 5 and 6 of Main Street Village subject to approval by the Historic Gateway Committee and the City Council. Steve McArthur seconded. Ayes: 6 Nays: 0. Motion passed.

7. PIERCE SUBDIVISION – CONCEPT – MATT RASBAND: The Pierce subdivision consisted of 3 lots on approximately 4 acres and was located at 1095 East 600 South. There were existing homes on lots 2 and 3. Watkins Lane would need to be extended and the right-of-way dedicated to the City. It would be a partial width street.

One of the main concerns with the development was drainage. There was a hollow area on lot 1 with drainage coming in from three sides, which raised concerns about flooding.

Shane Sorensen said the low point in the road was in front of lot 1. The road would be connected with Country Manor Lane so there would be additional drainage from the east side. The developers planned to put in a sump, but that was a short-term solution to a long-term problem. He recommended that a pipeline be constructed from Watkins Lane to the north edge of the Pierce subdivision to convey storm water and runoff to the area on the north. The natural ravine collected drainage from the whole area. When the area on the north was developed, the pipe could be extended and connected to the storm drain system that would be constructed at 800 East on Alpine Drive. The City planned to begin construction on the storm drain system in the spring.

Jannicke Brewer said the submitted plat was not ready to approve. The slope and contours needed to be shown on the plat along with the names of adjacent property owners, the location of existing waterways and easements, the soil types, and the location of the sewer lateral. There was also a question about a piece of ground that was connected to the house but not included in the subdivision. That would make it a derelict parcel.

Adjacent property owners, Kimberly and Paul Bryant said they had concerns about lot#1. It was a bowl and subject to flooding. They suggested the Planning Commission take a field trip and actually look at the proposed lot. Paul Bryant said it would be unwise to put a basement in the house. They'd had the sewer back up into their basement and suggested the City look at the depth of the sewer in relation to the property. Shane Sorensen said the depth of the sewer would be noted on the plat.

Mr. Bryant went on to say that they had an agreement with the Pierces to prevent erosion because of the steepness of the ground. Since the proposed lot #1 was lower than his, he didn't want the liability if there was damage because a sprinkler line or something broke. He asked who would pay for the catch basin and noted that all the taxpayers had ended up paying for the debris basins in the Willow Canyon subdivision when the affected property owners were originally supposed to pay for it.

Pete Sundwall, another property owner, said he agreed with Paul Bryant and also had concerns about erosion and flooding.

Phil Barker said that the water puddled in front of their house because of the way the ground was graded.

David Taylor, a property owner in the area, asked if there were natural springs in the undeveloped area because it was always wet. David Pierce said there weren't any springs there. It was the natural collection basin for a fairly large area.

Jannicke Brewer said there would not be any more notices sent to the property owners. They would need to check the agendas to see when the Planning Commission would be discussing the proposed subdivision.

8. THE PARK ON GRANT AVENUE – CONCEPT – ELLIS ROBINSON: The proposed congregate living complex consisted of three buildings with ten units in each building. It was previously reviewed by the Planning Commission at their meeting of June 15, 2004. Ted Stillman had said that the primary issue was whether or not there was a need for the development. Members of the Planning Commission said they would like to see written data from an outside source supporting the need for such a development.

The City Council had said that no more projects should be approved until Paradise Cove, Spring Creek and Whispering Pines were developed and filled. Paradise Cove was currently under construction and Spring Creek was close to being recorded. Whispering Pines had received a go-ahead from the City Council but had not returned to the Planning Commission.

Ted Stillman said the City Council was concerned about approving more projects if there was not a need for them. Mayor Barker polled the City Council members earlier in the week and they all agreed that no more assisted living or senior housing developments should be approved until the approved developments were completed and operating. At that time they could decide if they were successful and if there was a need for more developments. He suggested the Planning Commission table Park at Grant Avenue Senior Housing.

Ellis Robinson said that up until the last moment, he'd been encouraged to move forward with his project. He'd never been turned down. He said the last time he was at Planning Commission, he understood he had filled all the requirements and it should go to the City Council. He said he thought he was included in the three projects that were allowed to go forward.

Ted Stillman said it was his recollection that the Planning Commission told him he needed to come back with a study stating there was a need.

Steve McArthur asked where the study was. He said his comment was to bring back some data supporting the need, but all that was submitted that evening was a statement in an appraisal stating there was a need. He went on to say that one could always find data that said people wanted congregate living. A more objective study might recommend against filling up the commercial area with congregate living units.

Thomas Whitchurch said he didn't want to end up with the situation where they couldn't fill the units with senior citizens so they changed the use.

Ellis Robinson said that his problem was that he was not summarily cut off until after he'd spent \$10,000 and a year and a half working on the project.

9. WHITBY WOODLANDS SUBDIVISION – PRELIMINARY – WILL JONES/ROGER WHITBY: This item was tabled at the previous meeting because the preliminary plat was incomplete. In the meantime the City Council had approved an exception on the length of the cul-de-sac. The Trail Committee had submitted a recommendation on trails in the proposed subdivision. Plans for ditch maintenance had been submitted by the developer and irrigation company. The intersection of the road with Westfield Road would be coordinated with the City.

Jannicke Brewer reviewed the Trail Committee's motion recommending: 1) That a trail go from the elbow on 350 North through the open space and cross to the west side of Fort Creek with a

footbridge where the paved walkway was planned; 2) Utilize the Pioneer Road in the Mountainville Heights open space to connect the cul-de-sac at the west side of the property north through the open space west of Westfield Ditch to Whitby Woodlands Boulevard north of lot 37. This would require a small bridge across the Westfield Ditch at the north end of the open space; 3) Eliminate lot 46 and connect to the trail easement on the west side of Alpine Cottages.

A second motion was made at the Trail Committee meeting to set up a meeting with the Mountainville HOA to discuss a potential trail connection into the Whitby Woodlands on the west side open space.

Jannicke Brewer said it was not likely that lot 46 would be removed because the developers had met the requirements for the number of proposed lots. The Planning Commission discussed the other trail alignments.

Will Jones said the developers would include trails they planned as shown on the plat. They would not do the additional trails proposed by the Trail Committee because they were not shown on the Trail Master Plan and they were not required to put them in. If there were trails shown in public open space that the City wanted, they could put them in at a later date. Mr. Jones disagreed with the need for a footbridge by lot 37 because it would be in someone's backyard. There was a place to cross the stream a little farther up where the road crossed.

Regarding ditch maintenance, Will Jones said they would have the following recorded on the plat:

1. No alteration may occur in the stream.
2. No piping.
3. No dumping.
4. No fencing within the 20-foot easement.

In addition, the homeowners association would collect funds to clean the ditch and would police the stream maintenance. It would be part of the CC&Rs.

Mayor Phil Barker commented that after listening to the presentation on wildlife, it might be well to warn potential buyers about the deer and wildlife in the area.

Thomas Whitchurch stated that he would prefer to see public open space rather than private. However, the Planning Commission had made their recommendation that there be a mix of public and private open space. The City Council still needed to approve it.

Steve McArthur noted that the landscaping plan did not show a concrete sidewalk on the west side and it should be shown.

MOTION: Steve McArthur moved to extend the meeting to 10:15 pm. Phil Andrus seconded. Ayes: 6 Nays: 0. Motion passed.

MOTION: Mike Mickelson moved to approve the preliminary plat for Whitby Woodlands with the following conditions:

1. Provide a vicinity map.
2. The design of the Westfield Road/200 North intersection would be coordinated with the City's consultant.
3. Redlines be corrected.
4. The fire chief approve the location of the fire hydrants.
5. The developer state the proposed phasing for the developers to allow for proper planning.
6. Show improvements in open space including the concrete sidewalk and trail.

7. Provide CC&Rs including the specifics regarding ditch maintenance and include restrictions on the ditch on the recorded plat.

Phil Andrus seconded. Ayes: 6 Nays: 0. Motion passed.

10. DEVELOPMENT CODE: Discussion on this item was postponed but a motion was made to set a public hearing.

MOTION: Steve McArthur moved to set a public hearing on Development Code. Dale Porter seconded. Ayes: 6 Nays: 0. Motion passed.

11. MINUTES OF NOVEMBER 30, 2004

MOTION: Steve McArthur moved to approve the minutes of November 30, 2004 and adjourn. Mike Mickelson seconded. Ayes: 6 Nays: 0. Motion passed.

The meeting was adjourned at 10:10 pm.