

January 17, 2006

Minutes of the Alpine City Planning Commission meeting held January 17, 2006 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: Jim Tracy, Mike Mickelson, Kimberly Bryant, Lincoln Watkins, Brian Baxter. Steve McArthur was excused.

Staff: Charmayne Warnock, Shane Sorensen, Jay Healey

Others: Doug Smith, Stan Adams, Taz Murray, Milan R. Malkovich, Cheri Maude, Kim Lambourne, Frank Trinnaman, Ryan Nield, Mick Taylor, Christopher Cockrell, Colette Johnson, Brian Higbee, Ken Berg, Will Jones.

PUBLIC HEARING ON BURGESS PLACE SUBDIVISION

Shane Sorensen said Burgess Place was a 2-lot minor subdivision in the TR-10,000 zone located at 200 North 200 East being developed by Chris Cockrell.

There were no comments.

PUBLIC HEARING ON E-CREST MINOR SUBDIVISION

E-Crest Minor Subdivision was a 2-lot subdivision being developed by Paul Ercanbrack and the LDS Church located in the CR-40,000 zone at about 200 N. Alpine Boulevard. Lot 1 would be a residential building lot and consisted of 40,000 square feet. Lot 2 consisted of approximately 3 acres and would be the site of an LDS Chapel. Kim Lambourne and Milan Malkovich represented the LDS Church.

Doug Smith said he was representing Clark Olsen who owned the property adjacent to lot 1. He said Clark Olsen had several concerns. First, he said the water line serving his home was not looped and the water pressure was very low. He was concerned that if there was a fire in that area, there would not be enough water pressure to fight it. He said he had paid to run the water line to his home and had understood that the City was going to loop the line to increase the pressure.

Shane Sorensen said the water line did need to be looped. Staff was working out the details on how that would be done. It was not necessarily a part of this subdivision and would probably be a City project.

Doug Smith said Clark Olsen also had a problem with the pressure for the pressurized irrigation system.

Shane Sorensen said the City would not be doing anything with the pressurized irrigation system. If the Olsens were having problems, it was probably because of the way their sprinkler system was designed. Sprinkling systems were supposed to be designed according to the water pressure available. There had been no complaints from other residents on Meadowbrook Drive during the three years the pressurized irrigation system had been in use. It was possible the Olsen's were trying to irrigate too large of zone.

Doug Smith said he wanted to know how the church site was going to be landscaped. It looked as if the parking stalls and dumpster would butt up against the Olsen property.

Jim Tracy said the landscaping plan showed trees and cobbles in the back corner, and showed it to Mr. Smith. Jannicke Brewer said the churches typically fenced their church sites.

Doug Smith said the Olsens were concerned about cars pulling into park and the headlights shining into their living room.

Jannicke Brewer said most church sites were careful about lights disturbing adjacent residences. Jim Tracy said the dumpsters would be fenced and screened.

Doug Smith said another concern they had was about the walking path to Alpine Boulevard. For some time children had been able to walk from the end of Meadowbrook Drive and across the vacant lot to Alpine Boulevard to go to school. He said if that access were maintained it would be great. If it were not, he was afraid people would start walking across the Olsen property.

Jannicke Brewer said they would be discussing the pedestrian access as part of the subdivision approval.

The prayer was offered by Kim Bryant.

PUBLIC COMMENT: None

CONDITIONAL USE PERMITS FOR HOME OCCUPATIONS:

Platinum Images – 304 W. Meadowlark Drive – Ted York: Mr. York submitted a new application for his photography business which utilized 196 square feet in the home. Work was done on the computer with no dark room and no chemicals. Most photo shoots would be off site.

Seasons Shared, LLC – 271 W. International Way – Cheri Maude: Ms. Maude requested a permit for her business in which she designed and sold books and dolls. Most of her storage was in American Fork with some storage in an attached garage.

Cascade Construction, Inc. – 1279 E. Cedar Mountain Circle – Ben Probst: Mr. Probst requested a permit for his construction business. He used a 200 square foot room in his home for billing and accounts receivable.

MTC Consulting, Inc. – 1291 E. Oakwood Circle – Michael Taylor: Mr. Taylor requested a permit for his technical writing business in which he used 400 square feet of his home. No customers would visit the home.

Colette Johnson Design – 563 Grove Drive – Colette Johnson: Ms. Johnson requested a permit for her design business which included some furniture sales. No customers would visit the home.

Stan Adams Engineering – 182 South 400 East – Stan Adams: Mr. Adams requested a permit for his engineering business. He used an office in his home which met complied with the ordinance.

Jim Tracy said he'd visited all six sites applying for conditional use permits and didn't see any problems.

MOTION: Jim Tracy moved to approve the conditional use permits for home occupations for the following:

Platinum Images – 304 W. Meadowlark Drive – Ted York
Seasons Shared, LLC – 271 W. International Way – Cheri Maude
Cascade Construction, Inc. – 1279 E. Cedar Mountain Circle – Ben Probst
MTC Consulting, Inc. – 1291 E. Oakwood Circle – Michael Taylor
Colette Johnson Design – 563 Grove Drive – Colette Johnson
Stan Adams Engineering – 182 South 400 East – Stan Adams

Mike Mickelson seconded. Ayes: 5 Nays: 0. Motion passed.

LON NIELD COMMERCIAL DEVELOPMENT – MAIN STREET/CANYON CREST – LON NIELD: Shane Sorensen said he'd met with Lon Nield earlier that day and had revised his engineer's review. The new review was on the table in front of them. He said Lon Nield had also met with the Gateway Historic Committee and they approved the colored renderings and recommended adjusted setbacks.

Jannicke Brewer said the development plan had changed somewhat from the last time they saw it. The gas station was gone and there was a restaurant with a drive-through. A traffic study was required for drive-through restaurants, but they'd already had a study done on an earlier layout. She asked if the original traffic study was adequate or if they'd need a new one.

Shane Sorensen said the drive-through was located directly across from the exit which was a good situation for traffic flow. He said he felt the original study done by Horrocks should be adequate.

Regarding parking, Shane Sorensen said there were 162 spaces shown with a certain number designated for each building pad. Since detailed plans for the buildings had not been done, each building design and use would have to meet the parking requirements for each building. Pad A showed 37 space, Pad B had 21 spaces, Pad C had 32 spaces, Pad D showed 39 spaces and Pad E had 33 spaces. Shane Sorensen said that based on what they knew about the business so far, 162 spaces would be adequate. It would need to be further reviewed as more information became available.

Kim Bryant asked what would happen if the businesses changed after it was approved. Shane Sorensen said the new business would have to come back into the Planning Commission for Site Plan approval if the use changed, and they would revisit parking.

Jim Tracy asked if there needed to be a sign and notification about the new plan. Jannicke Brewer said another notification would be needed if there was a 6-month lapse in the approval process. The Planning Commission had last looked at the proposed development in August 2005 so they were okay.

Jim Tracy said each building should have its own screened trash collection area. There were 5 buildings and he saw only 3 trash areas. They also needed to see parking lot lighting. He asked if each pad needed to abut on a public street.

Shane Sorensen said it was a condo-like situation in which only the building pad was owned. The parking was considered common area and did abut on a public street.

The Planning Commission discussed the setbacks which were less than those required by the ordinance. However, the ordinance allowed the Planning Commission to recommend lesser setbacks if justified. The Gateway Historic Committee had recommended specific setbacks, and the Planning Commission made a motion recommending those setbacks be approved.

The parking lot lighting and detailed landscaping would be reviewed and approved at preliminary.

Kim Bryant said she would like the lighting in the development to match the lighting the City Council had approved for the downtown area.

MOTION: Jim Tracy moved to approve the revised concept plan for the Lon Nield Commercial Development and that, based on the Historic Gateway Review Committee recommendation, they allow the setbacks on east and north to be 10 feet and allow parking within the 30-foot setback. The setbacks for Pads A and E would be 20 feet and for Pad B it would be 24 feet. The Planning Commission would later review the landscaping, trash collection, type of screening for trash,

parking lot lighting and drive-through parking requirements. Brian Baxter seconded. Ayes: 5
Nays: 0. Motion passed.

BURGESS PLACE MINOR SUBDIVISION – PRELIMINARY AND FINAL APPROVAL – CHRIS COCKRELL: Jannicke Brewer said the proposed 2-lot minor subdivision was located in the TR-10,1000 zone at 200 North 200 East on the former Ross Burgess property. The developer planned to split the lot and demolish the existing home. A demolition permit would be required.

Shane Sorensen said he had not received any revised drawings. There had been some changes that needed to be made on the original plan as well as on the construction drawings.

Jannicke Brewer said there had been a question about a boundary line with adjacent property owner Kay Lindow, and asked if the City needed to be involved with that.

Shane Sorensen said it was a fence line issue and the City didn't need to be involved. Regarding other issues, the fire chief had approved the location of the fire hydrant. The setback table needed to be included on the plat.

Jannicke Brewer noted that the building envelope for one of the lots was very narrow, but there were to be no exceptions or variances granted on setbacks. There should be a note on the plat so potential buyers were aware of that.

MOTION: Jim Tracy moved to grant preliminary and final approval to the Burgess Place minor subdivision subject to the following conditions:

1. The city water policy be met.
2. A bond be required for the required improvements.
3. A lot setback table be included on the plat.
4. There be a note on the plat stating that no variances would be given.
5. A Developers Agreement be executed.

Mike Mickelson seconded. Ayes: 5 Nays: 0. Motion passed.

E-CREST MINOR SUBDIVISION and LDS CHURCH SITE PLAN: Jannicke Brewer said they would discuss the two items together since they were linked, but each would have a separate motion.

Shane Sorensen said that since the time the Planning Commission had last reviewed the subdivision, there had been one minor change. The Church had purchased an additional 6 feet to increase the parking areas, and the stalls were 9 feet long.

Regarding the pedestrian walkway across lot 1 (the residential building lot), Shane Sorensen said Ted Stillman had talked to City Attorney David Church about it. He said David Church said the City could not require it as part of the subdivision, but if the City felt they needed it, they should purchase it. Ted Stillman had talked to Mayor Hunt Willoughby who felt there should be a pedestrian access for children walking to school and for people who wanted to walk to church. It was explained that children had crossed the vacant lot at the end of Meadowbrook Drive to Alpine Boulevard for years in order to get to Alpine Elementary, rather than walking all the way around.

Jim Tracy asked if it was possible to walk through the church parking lot. Shane Sorensen said the LDS Church may not be a favor of that unless an easement could be worked out.

Shane Sorensen said the City would need to loop the water line, and the most obvious place for that was along the north property line of the residential lot. In addition, there was no catch basin in the cul-de-sac and they would probably need to pipe the water to the storm drain system in Alpine

Boulevard. Since the City would need a utility easement along the north boundary, it made sense to put a pedestrian easement in the same location.

Kim Bryant said they should build the walking path before the lot was sold so a potential buyer would know it was there.

Jannicke Brewer suggested they consider having a pedestrian access into the church parking lot from the northeast corner by way of a gate. Although residents next to the church attended a different church at the present time, that could change in the future, and it would be nice for the nearby neighbors to be able to walk to church rather than driving all the way around. She said there was a gate in the fence at the Alpine Stake Center on Canyon Crest, and many of the neighboring residents in the South Pointe subdivision used it to walk to church. Former City Councilman Mel Clement had negotiated with property owners to obtain a walkway between two lots, and with the Church to put an opening in the fence. The City and citizens had paid for the improvements.

Jannicke Brewer said the Planning Commission could recommend the City require an opening in the fence for pedestrian access, but they couldn't require the church to buy the pedestrian easement.

Milan Malkovich said the Church was reluctant to have people walking through the parking lot because of liability issues. They preferred people use the public access on the street, and they didn't like people parking in the parking lot unless it was for a church activity.

Regarding the parking issue, Jim Tracy said he'd driven around Alpine on Sunday morning about 11 am and surveyed the parking at the various churches. The churches with smaller parking lots had more cars parked along the streets. He suggested that if there were a gate in the fence and people had the opportunity to walk to church, there would be less parking on the street. He said the residents on Long Drive and Canyon Crest complained that there was no gate to the West Stake Center and they had to walk all the way around.

Kim Lambourne from the LDS Church said they had created more parking for the proposed church building by purchasing an additional six feet of ground, eliminating some of the landscaping, and making some stalls shorter. On the south end of the property they had eliminated the detention basins and would pipe storm run-off underground. It resulted in more level land for landscaping.

The Planning Commission discussed frontage and access for the residential lot. The frontage would be counted on Alpine Boulevard because there wasn't 110 feet available on the cul-de-sac at the end of Meadowbrook Drive. However, there could be rear access from the cul-de-sac. If the main driveway access came from Alpine Boulevard, the property owner would need either a circular driveway or a hammerhead turn around so cars were not backing out onto Alpine Boulevard.

Jim Tracy suggested the City consider acquiring land around the cul-de-sac to build a sidewalk at the same time they were acquiring a pedestrian access alongside the residential lot. If they didn't do it then, it would probably never get done.

Jannicke Brewer said she didn't think a sidewalk was necessary because sidewalks were primarily for safety and there was only one house on the cul-de-sac. It was not a busy street.

MOTION: Mike Mickelson moved to grant approval to the E-Crest subdivision subject to the following:

1. Egress and access be consistent with Section 4.7.4.14 of the Subdivision Ordinance.

2. The three culinary water laterals and the pressurized irrigation water laterals that will not be used in this development be removed and plugged at the main line.
3. An easement be provided for construction of a water line and storm drain line along the north edge of lot 1.
4. Eastfield Ditch be piped as proposed on the LDS Church site plan.
5. The developer state the source of water to meet the City's water policy.
6. The City negotiate with the developer to obtain an easement for a walking path across lot 1.
7. The minor items redlined on the engineering drawings be addressed.
8. A bond be provided for the required improvements.
9. That a Developer's Agreement be executed.

Jim Tracy seconded. Ayes: 5 Nays: 0. Motion passed.

MOTION: Jim Tracy moved that, after reviewing the parking at other churches in Alpine and counting the number of cars parked on the street during church services, they make an exception on the parking requirement. Based on a site-specific review of the LDS Church site plan located at approximately 200 N. Alpine Boulevard, the Planning Commission recommended that less than the required number of parking spaces for this site be allowed, but the total parking spaces would not be less than 234 including 7 handicap spaces. Mike Mickelson seconded. Ayes: 3 Nays: 2 Jannicke Brewer and Lincoln Watkins voted nay. Motion failed.

Lincoln Watkins said there was not enough clarity in the parking ordinance to provide a basis for an exception.

The Planning Commission discussed the issue of church parking requirements, and the dilemma in which parking was calculated on fixed seating in the chapel and did not take into account temporary seating in the overflow areas of the church as well as seating in classrooms.

Shane Sorensen said that since the parking ordinance was not clear, the Planning Commission should interpret it the way it had been interpreted for the last few churches that had been approved in Alpine.

MOTION: Mike Mickelson moved to approve the LDS Church site plan located at approximately 200 N. Alpine Boulevard and approve a conditional use permit subject to the following conditions:

1. A UPDES permit be obtained for the site prior to construction and a copy of the permit be provided to the City Engineer.
2. The Eastfield Ditch be piped as proposed on the plans.
3. The landscape plan be approved by the Planning Commission.
4. A plan be provided for parking lot lighting.
5. Any proposed fencing around the site be reviewed by the Planning Commission.
6. The minor items redlined on the engineering drawings be addressed.

Motion died for lack of a second.

MOTION: Jim Tracy moved to approve the LDS Church site plan located at approximately 200 N. Alpine Boulevard and approve a conditional use permit subject to the following conditions:

1. A UPDES permit be obtained for the site prior to construction and a copy of the permit be provided to the City Engineer.
2. The Eastfield Ditch be piped as proposed on the plans.
3. The landscape plan be approved by the Planning Commission.
4. A plan be provided for parking lot lighting.
5. Any proposed fencing around the site be reviewed by the Planning Commission.

6. The minor items redlined on the engineering drawings be addressed.
7. A gate be installed in the northeast corner to allow pedestrian access to the church.

Brian Baxter seconded. Ayes: 4 Nays: 1. Motion passed. Mike Mickelson voted nay.

Kim Lambourne asked if the church would have control over the gate and the answer was that they would.

TAYLOR MEADOWS SUBDIVISION – REVISED CONCEPT – BRIAN HIGBEE: Jannicke Brewer said Rulon McDaniel was scheduled to give an eyewitness report on the flood of 1951 at the meeting that night but he was ill and unable to attend. She went on to say that it was her understanding that where there had been a Letter of Map Amendment (LOMA) from FEMA taking the lots in Taylor Meadows subdivision out of the flood plain, the Planning Commission was required to move forward on the subdivision according to the Subdivision Ordinance, although there were some concerns

The City Engineer's review stated that Bowen Collins & Associates reviewed the Dry Creek floodplain adjacent to the Taylor Meadows subdivision, and made a number of recommendations. City staff met with the developer and the development and floodplain engineers to discuss the issues in the Bowen Collins letter. Staff then summarized the recommendations from Bowen Collins with additional comments, and recommended approval of the revised concept plan with a list of conditions.

Lincoln Watkins said that the Taylor Meadows subdivision was a PRD and governed by the PRD Ordinance. In Section 3.9.7.3 of the PRD Ordinance it stated that areas of known significant physical hazard should be contained in open space, as well as all 100-year flood plains. Even though the lots had been taken out of the flood plain, it was still an area of known significant physical hazard.

Brian Baxter said that things had changed since 1951. The culverts had increased in size and other mitigating measures had been taken.

Lincoln Watkins agreed that things had changed. There were more houses and more impermeable surfaces. He said that even if basements were raised and flood water did not enter the house, water rushing along the foundation of a house left it unstable. Trees and boulders could still come down from the canyons and clog the culverts and waterways.

Shane Sorensen said the City Council had talked about hazards at their previous meeting. He said David Church listed three things in regard to hazards. 1) Cities had sovereign protection; 2) Cities needed to provide protection through studies and the best information possible; 3) Government was not responsible for people's choices. Shane Sorensen said the City had required studies and current information regarding the Taylor Meadows subdivision.

The Planning Commission discussed the flood in St. George. Mike Mickelson said his firm did the map for St. George, and the reason it flooded was because there was so much debris and junk in the flood way. It had a dam effect and the water left the channel.

Shane Sorensen said they toured the flood areas and were told the biggest problem was the invasion of tamarisk trees in the waterway. He said the City had required the developers of Whitby Woodlands to clear the waterway through that subdivision and they needed to do that on Taylor Meadows.

Jay Healey said mitigating improvements had been made since the flood of '51. The culverts had increased in size. There was no more grazing on the hillsides and Box Elder had been terraced.

MOTION: Jim Tracy moved to approve revised concept for Taylor Meadows subdivision subject to the following conditions to mitigate possible flood hazards:

1. The finished floor elevation is a minimum of 2 feet above the base flood elevation.
2. The developer obtain the necessary permits and construct erosion protection in the vicinity of lots 5 and 9.
3. A note will be placed on the plat concerning this area having a potential flood hazard. The street will be designed to carry flood hazards. Additional requirements as noted by Bowen Collins should be included.
4. The flood plain be shown on the final plat.
5. A minimum of 2 feet of freeboard be designed into the levee on the west side of the detention area.
6. Special consideration be required in the design of the detention basin outlet works.
7. Any openings that would allow water into the basement such as window wells, stairwells, garage openings, vents or walk-out basements shall have the same requirements as the finish floor, and all being 3 feet higher than the base flood elevation.
8. The creek shall be cleaned out by the developer.

Mike Mickelson seconded Ayes: 4 Nays: 1. Motion passed. Lincoln Watkins voted nay.

CONTINUING EDUCATION: The Planning Commission reviewed Chapter 1 of the book on Land Use by Craig Call.

APPROVE MINUTES OF JANUARY 3, 2006

MOTION: Lincoln Watkins moved to approve the minutes as amended and adjourn. Jim Tracy seconded. Ayes: 5 Nays: 0. Motion passed.

The meeting was adjourned at 10:00 pm.