

March 15, 2005

Minutes of the Alpine City Planning Commission meeting held March 15, 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: Jim Tracy, Dale Porter, Thomas Whitchurch, Steve McArthur. Mike Mickelson and Phil Andrus not present.

Staff: Charmayne Warnock, Rachel McTeer, Shane Sorensen, Ted Stillman, Jay Healey

Others: Downing Akin, Ryan Degroot, Janice Ann Brown, Gregg Gardner, Lon Nield, Kay Van Buren, Lew Kofford, Scott Jorgensoen, Sue Bromley, Roger Whitby, Craig Skidmore, Lon Nield, Will Jones, Dave Prina, Rick Chesnut, Dan Carlisle

The prayer was offered by Dale Porter

1. PUBLIC COMMENT: None

2. CONDITIONAL USE PERMITS FOR HOME OCCUPATION

Aquarium World – 517 E. Mountainville Drive – Jared L. Loo : Mr. Loo requested a permit for his home business of providing maintenance and solution services for business and residential aquariums. No customers would visit the home. Items would be shipped directly to the customers from the distributors.

MOTION: Jim Tracy moved to approve a conditional use permit for a home occupation for Jared L. Loo doing business as Aquarium World at 517 E. Mountainville Drive. Dale Porter seconded. Ayes: 4 Nays: 0. Motion passed.

3. COMMERCIAL SITE PLAN – NURSERY (NORTH OF THE JUNCTION) – DAVE PRINA

PRINA: Mr. Prina said he wanted to open a year-round nursery for retail sales on the vacant property by the roundabout owned by Will Jones and Chris Culver. He would have a two or three-year lease agreement because the owners planned to develop their land at some point. Because the nursery would be temporary, there would be no permanent structures. He would have some weatherproof boxes in which to keep paperwork. Plants would be grown elsewhere and brought to the nursery for sale. There would be sections for bedding plants, ground covers, perennials, trees, etc. At some point he would like to sell bark and bag products, as well. The property would be enclosed by a split rail fence with a customer entrance and a service entrance.

Jannicke Brewer asked how he would secure the plants with just a split rail fence. Dave Prina said they were considering installing security cameras.

Jannicke Brewer said the Planning Commission needed to first decide if the use would be allowed in the Business Commercial Zone. It was not a permitted use and they needed to determine if it could be considered similar and compatible. Seasonal sales of produce, Christmas trees, etc. were listed as a conditional use. Members of the Planning Commission were polled and they all said they were comfortable with a retail nursery in the Business Commercial zone. Thomas Whitchurch said he felt a nursery was an appropriate use for the corner and felt it would beautify the area.

MOTION: Jim Tracy moved to approve a plant nursery as a similar and compatible use in the Business Commercial zone. Steve McArthur seconded. Ayes: 4 Nays: 0. Motion passed.

There was a question about what kind of equipment would be kept at the nursery. Dave Prina said the nursery was separate from his landscaping business and no equipment would be kept there except for items related to the nursery. Plants would be delivered by truck and kept there until sold.

Rachel McTeer said there would need to be a development agreement with the City as well as an agreement with Main Street Village. Other issues included garbage facilities, screenings, water billing, sanitary facilities and landscaping.

Dave Prina said there would be a covered dumpster. Green waste from the nursery would be taken away to be recycled. He said there was no plumbing on the site and they would either need to have an arrangement with the Junction to use their facilities or have a portable toilet on the site. The Planning Commission requested there be a regular service plan if sanitary toilet facilities were used.

In regard to water usage, Shane Sorensen said pressurized irrigation would be available and the nursery would be billed for that.

Layout and landscaping was discussed. The business needed to meet the 20% landscaping requirement for the BC zone. Dave Prina said there would be a landscaped demonstration area along the street in addition to the retail display of plants. He planned to use concrete pavers for the first 60 feet of pathway, then use road base. Shane Sorensen suggested he consider bark since the road base could get muddy.

Regarding parking and lighting, Shane Sorensen said there would be 55 parking spaces which would be adequate. Dave Prina said there would probably be some landscaping lighting and possibly security lighting over the entrances.

Jannicke Brewer said she'd like to see a more detailed plan before they approved the site plan showing ingress and egress, landscaping, trash storage, traffic flow for big service trucks, drainage, location of the sign, etc.

Dave Prina said that he would like to get started by April since that was a crucial month for plant sales. He asked if he could get a temporary approval since the next Planning Commission would not be until April 5th.

Steve McArthur said he was comfortable with the overall concept but would like to see a more detailed plan. He suggested that Dave Prina redraw the plan and bring it back to them later in the meeting since the Planning Commission would be there for a couple more hours.

4. PLANNED COMMERCIAL DEVELOPMENT – MAIN STREET – LON NIELD:

Rachel McTeer said the proposed development was located on the northeast corner of Canyon Crest and Main Street by the roundabout. The site was approximately 3 acres and would consist of office buildings, a bank, convenience store and a fast-food restaurant. Some of the issues were parking, a six-car stacking lane for the drive-up window, landscaping, garbage facilities, setbacks and lighting. The ordinance required fast food restaurants to devote no less than 50% of the total floor area to seating for patrons, which would affect the parking requirements.

Jim Tracy said the ordinance did not allow parking within the 30 foot setback and asked how that would be handled. Shane Sorensen said that the Historic Committee had been flexible and recommended parking in the setback provided there were berms and landscaping. Jim Tracy recommended they change the ordinance to be consistent.

Lon Nield said there would be extra parking spaces available in addition to what was shown. The landscaping would be in front of the development, next to the roundabout. Maintenance of all businesses would be done by one entity. Dale Porter said he would like the landscaping to be compatible with the landscaping in the roundabout.

There was a discussion about traffic flow from the fast food restaurant and whether it would affect parking and traffic for the other businesses. That would be addressed by a traffic analysis which

was required as part of the conditional use application. Other issues were location of the garbage, lighting and handicap access. Lon Nield said those would be shown on the preliminary plan.

Shane Sorensen said the ordinance required a 10 ft. landscaped strip around the development. For the most part the landscaping was there, but there were a couple of spaces that were lacking. Lon Nield said he wanted to put up a block wall between the proposed bank and the adjoining development (River Meadows Office Park).

Steve McArthur said he'd like to see a landscaped buffer between the two developments, at least along the street and about 50 feet back. A block wall would be okay after that. As a member of the Historic Committee, Steve McArthur said he would prefer to have the committee look at the development plan before the Planning Commission granted any kind of approval. Sometimes there were problems that presented themselves and they were easier to address before the developer invested too much in the design.

Thomas Whitchurch suggested there be a pedestrian access from the adjacent senior housing development. There would need to be a keyed gate.

Jannicke Brewer said that in general the Planning Commission agreed with the proposed development, but they would not give concept approval. She suggested Lon Nield meet with the Historic Committee the following week and the Planning Commission would look at it again at their next meeting.

5. ALPINE MEADOWS PLAT F, MINOR SUBDIVISION – DAN CARLISLE: Rachel McTeer said the original Alpine Meadows Subdivision plat would need to be amended in order to create Plat F, a minor subdivision consisting of two lots at approximately 700 South Alpine Highway. Staff recommended a public hearing be held rather than trying to obtain signatures because the plats had been amended so many times it was difficult to track property owners in the different plats.

Other issues were: obtaining a cross easement for the shared driveway, a letter from UDOT approving access off the Alpine Highway, and City Council approval because the driveway came off an arterial road. The water policy would need to be met for the additional home. The fire chief had reviewed the plat and approved the location of the fire hydrant.

Dan Carlisle lived in the existing home on one of the lots. He said there would be a 20-foot driveway between the two lots so there would be only one access off Alpine Highway.

Craig Skidmore asked about the trail along the property. Shane Sorensen said the Carlisles had already installed a sidewalk along the highway when their site plan was approved.

MOTION: Steve McArthur moved to approve Alpine Meadows Plat F subject to the following conditions:

1. A cross easement be provided on the plat for the shared driveway.
2. A letter from UDOT be obtained approving the driveway access onto Alpine Highway.
3. The City Council approve the driveway access onto Alpine Highway.
4. Meet the water policy for the addition of one home. The developer needs to state the source of the water rights.
5. Signatures be obtained to amend the plat or a public hearing be held.
6. The redlined comments on the plat be addressed.

Jim Tracy seconded. Ayes: 4 Nays: 0. Motion passed

6. HERITAGE HILLS SUBDIVISION, PLAT A – FINAL APPROVAL – DOWNING AKIN, KAY VAN BUREN: Plat A consisted of 21 lots on 30.54 acres and was located at the

north end of Elkridge Lane and north of Eastview Plat E. Approximately 13 acres of open space would be deeded to the City with Plat A which exceeded the minimum requirement of 25 percent open space.

Alpine Boulevard would be extended through the Moeller property and connected to Grove Drive. Bill Moeller had signed an agreement for the street. Alpine Boulevard would be connected to Main Street at a later date when rights-of-ways were obtained and further development occurred.

Jannicke Brewer said there was an agreement with Dr. Grant for Elkridge Lane on the north end. There would be no protective strip. The south end of Elkridge Lane was planned as a cul-de-sac. It would need to be determined who would construct the cul-de-sac and when.

Ted Stillman said the affected property owners had agreed to having the cul-de-sac built on their property. The Whitbys were ready to sign an agreement. The Lovelands had the potential for another lot and, as part of the agreement, wanted the fence relocated, wanted a driveway approach to the new lot, and wanted the asphalt removed and backfilled.

Rachel McTeer said lots # 101, 103 and 104 had slope issues, but the homes could have a basement with proper grading. There would need to be a geotec study before building permits were issued.

Jannicke Brewer asked if there was an agreement with the developers of North Pointe (Will Jones). Ted Stillman said there was not.

There was a discussion on sewer service for lots #119 and 118. Downing Akin said it looked as if both lots could be sewerd properly and there wouldn't need to be ejector pumps on any of the lots. Prior to construction, the depth of the sewer would need to be verified. Mr. Akin said they would have the geotech report and hazard report available to future property owners.

The fire chief had approved the location of the fire hydrants. There was adequate water for Phase 1. Letters from the utility companies had been obtained.

Craig Skidmore said he would like to see the trail built before the lots were sold so people were aware there was a trail above them. He said the trail committee was willing to help construct the trail. Because of the steep slope, it would need to be done manually and it would reduce the cost to the developer if the trail committee helped.

Shane Sorensen said the trail also needed to be shown running through the open space on the plat.

Jannicke Brewer said the CC&Rs should be reviewed to make sure they did not conflict with city ordinances. It was agreed the DRC (development review committee) would look at them rather than wait until the next Planning Commission meeting and hold up the approval.

Jannicke Brewer asked if the debris basin would be constructed with the first phase. Shane Sorensen said the drainage would go to the street. The debris basin would be shown on the plat but wouldn't be constructed until a later phase.

Rick Chesnut said there would be some drainage from the hillsides that would run between lots. The channels should be lower than the building pads to promote drainage.

Jim Tracy asked if Elkridge Lane would be renamed to Elkridge Court. Ted Stillman said it would depend on whether or not the neighbors wanted to do it since there was quite a bit involved in changing a street name.

MOTION: Jim Tracy moved to grant final approval to Heritage Hills Plat A subject to the following recommendations from the engineer:

1. The annexation of the property be finalized.
2. Commitments be obtained for necessary easement and street rights-of-way.
3. Construction of the south portion of Elk Ridge Lane be addressed.
4. Right-of-way deeds and temporary turn-around easements be provided.
5. Sewer service for lots 118 and 119 be addressed.
6. The recommendations of the geologic engineering report be incorporated into the design.
7. The recommendations of the Utah Geological Survey's review of the geologic engineering report be put on the plat.
8. The redlines be addressed on the plat and plans.
9. The DRC review the CC&Rs.
10. The trail be shown on the final plat.

Steve McArthur seconded. Ayes: 4 Nays: 0. Motion passed.

7. WHITBY WOODLANDS, PLAT A – FINAL APPROVAL – ROGER WHITBY: Plat A consisted of 3 lots on 2.01 acres and was located on the east side of Deerfield Drive. One of the issues that needed to be discussed was whether the open space would be private or public. Jannicke Brewer said the Planning Commission had already recommended that it be private.

The Deerfield right-of-way needed to be dedicated. Ted Stillman read Section 4.7.4.4 in the Subdivision Ordinance which stated that cities shall require dead end streets to extend to the boundary and dedicate the right-of-way so adjacent properties were not landlocked.

Regarding stream bank mitigation, Shane Sorensen said that Jay Healey, Roger Whitby and Ed Gifford had walked the Fort Creek channel and identified areas that needed to be addressed. The developer needed to obtain a stream alteration permit and it was being prepared. Some minor clean-up could be done prior to getting the permit as long as they didn't affect the channel. Jannicke Brewer said there was to be no rear-yard fencing within 20 feet of boundary so people would not be fencing down into the ditch bank.

Shane Sorensen said the developer needed to obtain a UPDES permit from the state which was a permit to discharge storm water into the stream. They would need to look at erosion control during construction.

Dale Porter asked who would maintain the open space. Will Jones said it would be the homeowners association.

Shane Sorensen said improvements on 200 North would be constructed as part of the first phase.

MOTION: Dale Porter moved to recommend that the open space in Whitby Woodlands, Plat A be private and to grant final approval to Whitby Woodlands, Plat A subject to the following conditions:

1. The Deerfield right-of-way dedication be addressed.
2. The area for stream bank mitigation be agreed upon.
3. The redlines on the plat be corrected.
4. A bond be provided for the required improvements.
5. The water policy be met for the development.
6. A UPDES Permit be provided
7. The CCRs be reviewed by DRC
8. Improvements be constructed along 200 North in front of the existing home.

.Jim Tracy seconded. Ayes: 4 Nays: 0. Motion passed.

MOTION: Dale Porter moved to extend the meeting to 10:00 pm. Jim Tracy seconded. Ayes: 4 Nays: 0. Motion passed.

8. ALLEGHENY TRAIL RECOMMENDATION: Rachel McTeer said the resident's request to abandon the Allegheny Trail went to the City Council where it was discussed at length. Before abandoning at trail, the ordinance required a recommendation from the Planning Commission and a public hearing.

Craig Skidmore said the Allegheny Trail was part of the Bonneville Shoreline Trail, but said the Trail Committee had been asked to find a better alignment for the section of the Bonneville Shoreline Trail that runs through Alpine. He suggested that if they remove the trail in the back, they should call it a trail in front.

Steve McArthur said he would recommend abandoning the trail only if there was a sidewalk in front.

Jim Tracy said he agreed with abandoning the trail. He didn't necessarily agree with building a sidewalk because there many streets in Alpine that needed a sidewalk more urgently than this area.

Thomas Whitchurch said they needed to consider if they were creating a situation where a sidewalk was needed if they abandoned the trail. There were other places in town that needed sidewalks but they weren't places where a trail had been abandoned. He asked if they would need a protected access to the park.

Dale Porter said he agreed with Steve McArthur, that if they abandoned the trail, they needed a sidewalk.

Jannicke Brewer said it appeared that the majority of the residents in that area did not want a sidewalk. It was currently not a busy street and there were other areas in town that were a higher priority for sidewalk. She suggested the City have a priority list for sidewalk construction.

Craig Skidmore recommended striping a bike trail lane in the street instead of building a sidewalk.

Sue Bromley said she liked the idea of having a bike trail in the street. She said there were five homeowners on Allegheny that had expensive landscaping in the front of their yard. It would cost 25 to 30 thousand to relandscape if it were torn out and a sidewalk put in.

Bill Funke said he lived farther down the street and did not want a sidewalk. He said he'd signed a petition to that effect.

MOTION: Jim Tracy moved to recommend the City abandon the Allegheny trail behind the 7 homes on Allegheny Way and leave a partial trail behind lot 6 for future access to the school, and recommend that the sidewalk be placed on a priority list to be done as need required. Steve McArthur seconded. Ayes: 3 Jim Tracy, Jannicke Brewer and Steve McArthur voted aye. Nays: 1. Dale Porter voted nay. Motion failed.

MOTION: Steve McArthur moved to abandon the Allegheny trail and complete a sidewalk in front of the homes by the time the Alpine Commons final bond was released. Dale Porter seconded. Ayes: 2 Nays: 2. Steve McArthur and Dale Porter voted aye. Jannicke Brewer and Jim Tracy voted nay. Motion failed.

MOTION: Steve McArthur moved to extend the meeting until they were done. Jim Tracy seconded. Ayes: 4 Nays: 0. Motion passed.

9. DAVE PRINA COMMERCIAL SITE PLAN: During the meeting, Dave Prina had drawn a more detailed site plan for the nursery and submitted it to the Planning Commission. The reviewed it and moved to approve it. It was recommended he place the sign perpendicular to the street and sandblast both sides so it could be read from either direction.

MOTION: Steve McArthur moved to approve the commercial site plan for Dave Prina's plant nursery at the corner of Canyon Crest and Main subject to the following conditions:

1. The landowners approve any changes necessary to create the service and customer accesses.
2. The property owners in Main Street Village approve the use of the common area.

Dale Porter seconded. Ayes: 4 Nays: 0. Motion passed.

10. LUDMA TRAINING: Rachel McTeer said the legislature had passed a lot of laws that affected land use and recommended attending the conference. If members of the Planning Commission were interested in going, they needed to contact City Hall.

11. DEVELOPMENT CODE CHANGES

MOTION: Dale Porter moved to approve changes to Section 3.9.6.2. which increased the minimum lot size to 13,000 square feet. Steve McArthur seconded. Ayes: 4 Nays: 0. Motion passed.

MOTION: Dale Porter moved to approve changes to Section 3.21.5 regarding frontage on arterial streets. Steve McArthur seconded. Ayes: 4 Nays: 0. Motion passed.

MOTION: Jim Tracy moved to eliminate the word "refuse" in Section 3.10.5 paragraphs #6 and #9 and add language that trash containers would be screened and covered in the Business Commercial Zone and in Planned Commercial Developments. Dale Porter seconded Ayes: 4 Nays: 0. Motion passed.

12. APPROVE MINUTES OF FEBRUARY 15, 2005

MOTION: Steve McArthur moved to approve the minutes of February 15, 2005 and adjourn. Dale Porter seconded Ayes: 4 Nays: 0. Motion passed.

The meeting was adjourned at 10:30 pm.