

March 20, 2007

Minutes of the Alpine City Planning Commission meeting held March 20, 2007 at Alpine City Hall. The meeting was called to order at 7:00 pm by Chairman Jim Tracy. The following Commission members were present and constituted a quorum:

Chairman Jim Tracy

Commission Members: Jason Thelin, Steve McArthur, Jannicke Brewer, Kent Hastings, Lincoln Watkins, Kevin Cosper.

Staff: Charmayne Warnock, Shane Sorensen, April Riley, Ted Stillman, Jay Healey

Others: Tracy Wallace, Randall Funk, Roger Whitby, Will Jones, Rob Ledbetter, Shari Warner.

The prayer was offered by Steve McArthur.

1. PUBLIC COMMENT: None

2. CONDITIONAL USE PERMITS FOR HOME OCCUPATIONS

LaMar Electrical – 277 S. 600 E. - LaMar Drew: Mr. Drew requested a permit for his electrical contracting business. It appeared to meet the requirements of the ordinance.

R.B. Funk Consulting – 435 E. 426 N. – Randall B. Funk: Mr. Funk requested a permit for his computer software ad network consulting business. It appeared to meet the requirements of the ordinance.

Warner Marketing – 655 E. 100 S. – Randall Warner: Mr. Warner requested a permit for his business of ordering and supplying cabinets for the construction industry. It appeared to meet the requirements of the ordinance.

MOTION: Steve McArthur moved to approve conditional use permits for home occupations to LaMar Drew dba LaMar Electrical at 277 S. 600 E., Randall B. Funk dba R.B. Funk Consulting at 435 E. 426 N. and Randall Warner dba Warner Marketing at 655 E. 100 S. Jannicke Brewer seconded. Ayes: 5 Nays: 0. Motion passed. Kevin Cosper was not present at the time of the motion.

3. CANYON CREST ESTATES – PRELIMINARY AND FINAL PLAT – BROOKS

CASPER: April Riley said the developer had acquired the strip of ground along Healey Boulevard from Wayne Patterson. The recommended action from staff was to grant preliminary approval and recommend final approval subject to a number of conditions.

Shane Sorensen said he understood that the Lehi Irrigation Company had approved the design of the pipe, but they still needed the letter for the file. The red lines had been taken care of and the one-foot protection strip had been incorporated into the plans.

Jannicke Brewer asked what had been decided on the trail. Jim Tracy said the motion made at the previous meeting had not passed and the situation remained unresolved. However, the landscaping plan had been received as requested.

Regarding the fence, Brooks Casper said they would like to have cement columns with vinyl fencing in between. The cost would be comparable to the cost of pre-cast concrete, which had been recommended by staff, but he thought the vinyl fencing would look better. It would break up the wall with different contours and colors.

Jim Tracy asked who was responsible to maintain and repair the fence, particularly if it were hit by a car. Jay Healey said the car insurance should pay for the damage if done by a car. Brooks Casper said other damage or maintenance would be the responsibility of the homeowner.

The Planning Commission discussed the trail on the south side of the development. Craig Skidmore said the Master Trail Plan showed a trail along Allegheny that would head south and tie into the existing trail system.

Jason Thelin said he felt the City should preserve a trail easement, which would give them the option to complete the trail in the future. Lincoln Watkins agreed, saying there would be no obligation to put in the trail. It just created a possibility for the future.

Shane Sorensen said that either way they would probably end up with sidewalk because the City hadn't had much luck with trails along the street. They had to tear out the asphalt trail in South Pointe and replace it with a sidewalk, and it became an expense for the City. He said he didn't see much point in having two trails 300 feet apart that went to the same place.

Jason Thelin said there was a fantastic trail in Healey Heights, and it would be great to connect it to a soft-surface trail.

Kent Hastings said he recalled a time when the City wanted an access to the mountains, and acquiring the access had been a very difficult process. It would make sense to obtain a 5-ft. easement now, and if they needed it, they would have it.

MOTION: Jason Thelin moved to grant preliminary approval and recommend final approval to Canyon Crest Estates subject to the following conditions:

1. The fire chief approve the location of the fire hydrants.
2. A letter of approval be provided from the Lehi Irrigation Company for the ditch piping design.
3. The City's water policy be met.
4. A 5-foot trail easement be granted to the City along the south side of lot 6.
5. A UPDES permit be obtained prior to construction.
6. The minor redlines be corrected on the construction drawings.
7. The developer construct a pre-cast concrete fence or vinyl fence with cement pillars along Healey Boulevard and Canyon Crest.
8. A bond be provided for 120% of the cost of improvements.

Jannicke Brewer seconded. Ayes: 6. Nays: 0. Motion passed unanimously.

4. VIRGINIA ESTATES SUBDIVISION – PRELIMINARY PLAT – ROB LEDBETTER:

April Riley said the proposed subdivision consisted of 7 lots on 10.61 acres and was located at approximately 230 W. Meadowlark Drive. The property was split between CR-20,000 and CR-40,000 zones. A zone boundary change was previously approved so that the zone boundary followed the property lines. Staff recommended postponing approval until a number of conditions were met. The conditions were:

1. The changes to the design of the streets and utilities be made, and revised plans be submitted for review.
2. Storm drain calculations and details for any modifications to the detention basin be submitted.
3. The Planning Commission and Trails Committee review the proposed trail easement.
4. The redlines on the plat be addressed.
5. A determination be made as to whether or not an environmental impact study would be required.

Rob Ledbetter said there had been some confusion about what was going to happen on lot 4. There was an existing home on it that would be torn down. The property to the north of lot 4 was not included in the subdivision and the home on that lot would remain.

Rob Ledbetter said he had some questions about the trail. He had taken pictures of different trails around Alpine trying to decide what type of trail he would like to see. He said he would like to have some control over what type of trail went in. If it was going between the lots at the end of the cul-de-sac, he would like to resolve what kind of trail it would be. He said he would also appreciate knowing if they had to do an environmental impact study, and what kind of study it would be.

Craig Skidmore said the intent of the trail would to provide neighborhood access to the hills. It might also provide a potential route to the hills if there was a fire. Parts of the trail could be steep and they might need steps or switchbacks. He said that if the trail went between lots, they might want to consider what type of surface it would have. A dirt trail could be muddy if flanked by watered lawns. Road base or asphalt would be better.

Steve McArthur asked Rob Ledbetter what type of trail he would like to have. Mr. Ledbetter showed the photos he'd taken, indicating that he liked the natural trail surrounded by trees in Healey Heights and an asphalt trail.

It was pointed out that since there were no trees in the Virginia Estates subdivision, the natural trail probably wouldn't work that well. Jannicke Brewer said she didn't envision a lot of people parking in the cul-de-sac to use the trail. It would just be a way for local residents to get into the hills. She said that one of the problems with a road base trail was that people tended to encroach on the easement. An asphalt trail was more obvious.

Shane Sorensen said that one of the concerns with the trail was that it led to private property. What was the destination? Craig Skidmore said they would have to acquire two more easements to get to the destination trail.

Steve McArthur suggested they put all of the 10-foot easement on lot 3, but not have it improved until there was something to connect to.

Jannicke Brewer said that was a good idea. Lot 3 was quite large and a trail along the edge of the lot wouldn't have much impact. The trail was shown on the trail map, and if they didn't set aside an easement, it would be lost.

Jason Thelin said he was in favor of improving the trail. It would be tough to take it back later on if the property owners included it in their landscaping.

The Planning Commission discussed whether or not the trail should be an easement or be deeded to the City, and motions were made.

MOTION: Steve McArthur moved to place a 10-foot trail easement on the south and west border of lot 3 and it remain unimproved until there was a connection. Kevin Cosper seconded. Ayes: 1 Nays: 5. Steve McArthur voted aye. Jannicke Brewer, Jim Tracy, Jason Thelin, Kevin Cosper and Lincoln Watkins voted nay. Motion failed.

MOTION: Lincoln Watkins moved that the Virginia Estates subdivision show a 10-foot trail corridor to be deducted from the south and west boundary of lot 3 and it be deeded to the City. Steve McArthur seconded. Ayes: 6 Nays: 0. Motion passed.

The Planning Commission next discussed the need for an Environmental Impact Study.

Shane Sorensen said he'd received a copy of the geotech report. It stated that the proposed development might lie over the South Mountain fault. He said they should look at it and determine whether or not there were fault line issues.

MOTION: Jannicke Brewer moved to require Virginia Estates to conduct a geologic study as part of the Environmental Impact Study, referencing IGS, and the study be done by one of the engineering firms on Alpine City's list. Steve McArthur seconded. Ayes: 6 Nays: 0. Motion passed.

Rob Ledbetter asked if they could come for final approval if there was a negative report on the fault line. Jim Tracy said they needed to see the study first. It was hard to make a recommendation without seeing the study.

5. WHITBY WOODLANDS, PLAT D – FINAL PLAT – ROGER WHITBY: Plat D of Whitby Woodlands consisted of 5 lots on 3.68 acres with 0.89 acres of open space.

Shane Sorensen said the draft agreement to obtain the right-of-way to widen Westfield Road had been taken to the City Council. The Planning Commission needed to make a recommendation on final approval. He said the remaining undeveloped plats in Whitby Woodlands, Plats D, G and F would be given a 15-year approval so they didn't have to keep coming back to the City for an extension.

Jim Tracy asked if anything had changed since the subdivision had been to Planning Commission, and Shane Sorensen said it had not.

Lincoln Watkins asked about the private open space, saying the least desirable method of managing it was through a home owners association, which was what they had in Whitby Woodlands. A conservation land trust was preferable. He added that anything with private open space was going down the wrong path.

MOTION: Jannicke Brewer moved to recommend final approval for Whitby Woodlands, Plat D subject to the following conditions:

1. The City and developer enter a development agreement indicating that this plat cannot be recorded until an agreement has been reached with the property owner adjacent to the cul-de-sac to allow the cul-de-sac to be constructed as planned, or an alternate street design be provided that will allow the cul-de-sac to be constructed entirely on the Whitby property.
2. Flared end sections be provided on the pipe at the crossing on Westfield Ditch.
3. The redlines on the plat and construction drawings 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 obtained prior to construction.

Steve McArthur seconded. Ayes: 3 Nays: 2. Motion failed. Steve McArthur, Jannicke Brewer, Jim Tracy voted aye. Jason Thelin and Lincoln Watkins voted nay. Kevin Cospers was not present at the time of the motion.

Jason Thelin said his concern was the open space. The developer had maximized the number of lots with a minimum amount of open space, and the open space was private.

Roger Whitby said there was some public open space that could be developed into a minipark. The rest of it was natural open space along streams.

Jannicke Brewer said there had been a lot of discussion about the open space in Whitby Woodlands. It was felt that because the streams were very channeled, it would not be safe for people to walk along them.

Lincoln Watkins said the problem was they were presupposing there was only one way to handle private open space. The land could go into a private land trust.

Kent Hastings said he remembered discussing the open space along the stream, but didn't recall that it was determined that the lower open space was to be private.

MOTION: Jannicke Brewer moved recommend final approval to Whitby Woodlands, Plat D subject to the following conditions:

1. The City and developer enter a development agreement indicating that this plat cannot be recorded until an agreement has been reached with the property owner adjacent to the cul-de-sac to allow the cul-de-sac to be constructed as planned, or an alternate street design be provided that will allow the cul-de-sac to be constructed entirely on the Whitby property.
2. Flared end sections be provided on the pipe at the crossing on Westfield Ditch.
3. The redlines on the plat and construction drawings 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 obtained prior to construction.

Steve McArthur seconded. Ayes: 4 Nays: 2. Motion passed. Steve McArthur, Jannicke Brewer, Jim Tracy, Kevin Cospers voted aye. Jason Thelin and Lincoln Watkins voted nay. They disagreed with the private open space designation.

6. WHITBY WOODLANDS, PLAT F – FINAL PLAT: Plat F of Whitby Woodlands consisted of 15 lots on 10.79 acres including 2.84 acres of private open space. Shane Sorensen said sidewalk would not be required on the east side of 400 West because it would run by a steep hill that would need a retaining wall. There would be a sidewalk along the west side as part of the Westfield Road project.

Jason Thelin asked what the rationale was for the open space being private rather than public.

Roger Whitby said it was natural and a steep hill. If people were on the hill they would be looking down into people's yards.

Lincoln Watkins said it could be public open space with restricted uses.

Kent Hasting said he didn't like trails behind people's homes where one could look down or into people's yards, but this wasn't a trail. He said he thought it would be a good place for scouts to work on merit badges. He had thought it would be public open space.

Roger Whitby said there was no way to get up the hill without eroding it. In response to a comment from Lincoln Watkins that it could be public with a conservation interest, Mr. Whitby said he felt it would be better to have an HOA control it.

Jason Thelin asked if the developer could be required to put in a sidewalk somewhere else if they weren't putting sidewalk along their development. He said that in Thelin Heights he'd had two lots. Since there was no other sidewalk on that street, he'd had to pay for sidewalk on Westfield Road.

Shane Sorensen said they'd talk about it, but Roger Whitby had agreed to front \$300,000 to get the road in.

MOTION: Steve McArthur moved to recommend final approval on Whitby Woodlands, Plat F subject the following conditions.

1. The redlines on the final plat and the construction drawings be addressed.
2. A bond be provided for the required improvements.
3. The water policy be met for the development.
4. There be sidewalk around the southwest corner of lot 1.

Jannicke Brewer seconded. Ayes: 4 Nays: 2. Motion passed. Steve McArthur, Jannicke Brewer, Jim Tracy, Kevin Cospers voted aye. Jason Thelin and Lincoln Watkins voted nay.

7. WHITBY WOODLANDS, PLAT G – FINAL PLAT. April Riley said Plat G of Whitby Woodlands consisted of 3 lots on 1.7339 acres including 0.031 acre of private open space along Fort Creek. It didn't meet the 25% open space requirement but there were other plats which exceeded 25% open space. The over all percentage of open space in Whitby Woodlands was about 26%.

Shane Sorensen said Roger Whitby had requested that the sidewalk be next to the curb in order to save the tree.

MOTION: Jannicke Brewer moved to recommend final approval to Whitby Woodlands, Plat G subject to the following conditions:

1. A bond be provided for the required improvements.
2. The water policy be met for the development.
3. The sidewalk be a combination sidewalk.

Jason Thelin seconded. Ayes: 5 Nays: 1. Motion passed. Steve McArthur, Jannicke Brewer, Jim Tracy, Kevin Cospers and Jason Thelin voted aye. Lincoln Watkins voted nay. Jason Thelin said the open space in Plat G was unusable made more sense as private open space.

8. CONTINUING EDUCATION: April Riley reviewed Chapter 4 of *The Complete Guide to Zoning*.

9. APPROVE MINUTES OF FEBRUARY 20, 2007 AND MARCH 6, 2007

MOTION: Lincoln Watkins moved to approve the minutes of February 20, 2007 and March 6, 2007 as amended and adjourn. Kevin Cospers seconded. Ayes: 6 Nays: 0. Motion passed.

The meeting was adjourned at 9:00 pm.