

March 21, 2006

Minutes of the Alpine City Planning Commission meeting held March 21, 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, Kim Bryant, Brian Baxter, Steve McArthur, Lincoln Watkins. Mike Mickelson was excused.

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

Others: Betsy Schow, Farrel Price, Mike Fletcher, Robert Glenn, Karina Glenn, Tracy Wallace, Christina Davis, Wade Glathar, Maureen Henderson, Mark Parratt, Jodie Samualson, Scot Jones, Amy Jones, Justin Anderson, Christi Anderson, Rebecca Whitchurch, Steve Robertson, Lori Robertson, Dianne Lindstrom, Michael Lindstrom, Carolyn Riley, Bruce Getter, Stephanie Getter, Landon Wallace, Keith Wilson, Janette Thompson, Mike Farley, Gary Thurgood, Donald Beck, William Devey, Denise Hesterly, Angela Tamang, James Seeley, Linda Seeley, Gary Webb, Nicole O'Neal, Mark Morley, Grant Myers, Stephanie Myers, Cynthia Chesler, Kenneth McClure, Dorothy McClure, Evelyn Jensen, Katrina Hughes, Holli Alldridge, Mike Paiser, Todd Webb, Janette Waters, Joe Avina, Kristy AVina, James Utley, Philip Baron, Chase Purles, Kathy Tenney, Trish Barney, Chuck Terry, Rebecca Cousins, Michelle Stone, Kristen Fillmore, Jenne' Hunter, Julie Wright, Paul Newey, Gaylee Coverston, Kevin Birrell, Susan Montandon Ham, Michelle Lye, J. Henscheid, Tom Lefler, Stan Gunther, JK Chamberlain, Dave Jennings, Downing Akin, Walter Noot, George Gruber, Janet Southwick, Martin Southwick, Ed Gifford, Ryan Nield, Aaron Frazier, Mark Lye.

PUBLIC HEARINGS

Shepherd Minor Subdivision – 32 North 100 West – Will Jones: Ted Stillman said it consisted of two lots across from city hall. Split. The new lot will face on 100 west. BOA granted a variance on width from 90 feet to 76 feet.

No comments.

McNeil Subdivision #2 – 550 North Alpine Boulevard – Lon Nield: Ted Stillman said the two-lot subdivision was located at the north end of Alpine Boulevard and was part of the Bennett fruit farm, which was to be annexed. The City Council had accepted the annexation petition.

No comments.

The prayer was offered by Kimberly Bryant.

1. PUBLIC COMMENT: None

2. CONDITIONAL USE PERMIT FOR A HOME OCCUPATION

Pfeifferhorn Landscape Design, LLC – 475 W. 800 S. – Robert Stenquist: Mr. Stenquist requested a permit for his landscape design business. Since he was not present, and there were some questions about the business, the item was tabled.

MOTION: Jim Tracy moved to table Pfeifferhorn Landscape Design until the applicant was present to answer questions. Brian Baxter seconded. Ayes: 5 Nays: 0. Motion passed.

3. SHEPHERD MINOR SUBDIVISION – 32 NORTH 100 WEST – WILL JONES: Ted Stillman said the property consisted of 0.7283 acres and would be split into two lots with the existing home facing Main Street and the newly created lot facing 100 West. The lots exceeded the size requirement of 10,000 square feet per lot, but did not meet the frontage requirement of 90

feet. The property had received a variance from the Board of Adjustment on February 9, 2006 allowing a frontage of 76 feet. Water and sewer service would be needed for the new lot.

MOTION: Jim Tracy moved to approve the Shepherd Minor Subdivision subject to the following conditions:

1. New water and sewer services be provided for lot 2.
2. The City's water policy be met.
3. A bond be provided for the required improvements.
4. The redlines on the plat be corrected.

Steve McArthur seconded. Ayes: 5 Nays: 0. Motion passed.

4. MOUNTAINVILLE ACADEMY SITE PLAN – 300 EAST 100 SOUTH – RICHARD

MOSS: Jannicke Brewer explained that the meeting that evening was a regular Planning Commission meeting, which was open to the public, but it was not a public hearing. The difference between the two meetings was that the Planning Commission was not obligated to take public comment at their regular meeting. A public hearing would be held on April 4, 2006 wherein the public could comment. She said she suspected that most of the people were in attendance because of an anonymous letter that went out to the people. She said there was some misinformation in the letter. The discussion that evening would attempt to present facts.

Jannicke Brewer said the letter stated that homes would be condemned on 100 South in order to widen the road. That was not true. She said that what was true was that the Utah State Legislature had made laws saying that cities could not say yes or no to charter schools. They were a permitted use. The municipality did have a right to treat the charter school as a site plan which meant it had to go through the same process as other site plans in relation to traffic issues, parking, storm drainage, etc. But as far as location, a charter school could go anywhere. She said their job as a Planning Commission was to see what could be done to make it work. She told the public that if they had questions about how charter schools were located, they could talk to Mike Morley of the Utah State Legislature who sponsored the legislation.

Jannicke Brewer said the City received a letter from resident Stan Adams listing his concerns about the charter school. She said the Planning Commission shared the same concerns about the traffic impact and the safety of children walking to Alpine Elementary. The staff had visited different charter schools in the past week to evaluate what kind issues they might be dealing with.

Ted Stillman said charter schools were governed by State Law No. 10-9A-305. He said those who were interested in more information could go to Google and type in charter schools in Utah. It would pull up all the relevant information.

Ted Stillman said the state law required charter schools to comply with land use ordinances. However, the city could not require landscaping, fencing or aesthetics. The city could not require them to participate in sidewalks or roadways that were not necessary for the school. He said churches and regular schools were conditional uses, and the city could impose conditions on them, but not on charter schools. Parking requirements for charter schools could not exceed the parking requirements for other public institutions. He said the state law had changed again recently, giving the cities even less authority, but the governor had not yet signed it.

Jim Tracy made a presentation suggesting that traffic problems could be mitigated in two ways. First, there would need to be a left turn lane on 100 South for east-bound traffic and a right turn lane into the school site for west-bound traffic. Second, he suggested that half of the students arrive at 7 am and the other half at 8 am. Closing times would also be staggered. He also suggested there be more parking than proposed. He based on parking requirement on percentages at Timberline Middle School.

Shane Sorensen introduced Gary Thurgood from WCEC Engineers, Inc. who had done the traffic study for the charter school.

Gary Thurgood said the charter school proposed 675 students with 30 faculty and staff members. There would be no busing and students would travel to and from school via car pools. The traffic analysis assumed there would be one entrance driveway and one exit driveway. They anticipated 326 vehicles entering the school at 8 am and 267 vehicles exiting. At 3 pm they estimated 191 entering vehicles and 215 exiting vehicles. There was 350 feet of staging area within the school site. The road by the site could be designed with a right turn lane and left turn lane as suggested by Jim Tracy. He anticipated that the vehicles would arrive and depart during a 15-30 minutes period. He projected that 20% of the traffic would head north on Main Street, 50% to the south on Main Street, 10% to the north on 300 East and 20% to the east on 100 South. The study indicated that there would be a need for a traffic signal at the intersection of Main Street and 100 South. The current wait time at that intersection was 9 seconds. With the addition of the charter school, the projected wait time was 18 seconds. He recommended that parking not be allowed on the school side (north side) of 100 South. There needed to be 100 feet of stacking in the left turn lane.

Gary Thurgood said the traffic impact on other routes was difficult to quantify. He said that if half the students could come an hour earlier than the other half, it would be an effective way to reduce traffic congestion

Kimberly Bryant wanted to know how the proposed school compared to Alpine Elementary. She said she had been stuck there and it had a lot fewer cars than would be at the charter school.

Jannicke Brewer said Alpine Elementary had a much shorter staging area.

Jim Tracy said they had visited the charter school in Springville. Fifteen minutes before school let out, the cars began stacking. When school let out there was a lot of congestion.

Jannicke Brewer said the school in Springville had only enough stacking room for 22 cars. Most of the traffic was on the street, and vehicles that were trying to pass were stuck because there were no turn lanes. She counted 170 cars.

Jannicke Brewer said they next went to the Lincoln Academy, which had a stacking area accommodating 50 to 60 cars. During pickup time she counted 120 cars. For 2 or 3 minutes there were some cars on the street, but after that, it went smoothly.

Jim Tracy said they needed to take into account the delays at the cross walks. If there was a crossing guard on 100 South for Alpine Elementary, it could delay traffic for up to 5 minutes. Also, the traffic study did not take into account the traffic from the bank. He said that even without the school, it was sometimes difficult to exit from the bank onto 100 South.

Jannicke Brewer said the staff would continue to work on turn lanes and staging issues. She invited the people back to the public hearing on April 4, 2006.

Lincoln Watkins said that according to the code, the school was supposed to coordinate the location of the charter with the city. He wanted to know how much coordination had taken place.

Ted Stillman said they had submitted a letter, then came to the meeting two weeks ago.

Lincoln Watkins asked if other sites had been suggested or if the school had asked the City for an opinion on a site.

Ted Stillman said coordinating was the ideal. The reality was that the school came to the city and showed them where they wanted to put the school.

Lincoln Watkins said the concept plan for the school should be tabled until the school complied with the law and brought in suggestions for other sites in North Utah County.

Ted Stillman pointed out that the citizens had been told there would be a public hearing on April 4. He added that David Church had already advised them on what they should do regarding the charter school and the state law, and he had indicated that it was in compliance.

Lincoln Watkins said he did not think it was in compliance.

MOTION: Lincoln Watkins moved to table the Mountainville Academy site plan until the school complied with the Utah Municipal Code which required coordinating the location of the site with the municipality. If David Church determined that the charter school had complied with the law regarding coordination with the City, a public hearing would be held April 4, 2006. The coordination should include a comparison with other lots in Alpine and other parts of north Utah County. Jim Tracy seconded. Ayes: 4 Nays: 1. Jannicke Brewer voted nay. Motion passed.

Ted Stillman said he would try and get in touch with David Church that evening regarding the site plan.

Later in the meeting, Ted Stillman said he had talked with David Church and he stood by his original opinion that the charter school application complied with the state code.

5. MARK WALKER SMITH PHOTOGRAPHY SITE PLAN – 242 SOUTH MAIN: Shane Sorensen said that the proposed photography studio would be occupying the building which had previously been an antique shop. The site plan already had an asphalt parking area. Mr. Smith would be adding two more spaces.

Jannicke Brewer asked about trash storage. Mr. Smith said they would be using residential type dumpster.

Jim Tracy asked about parking lot lighting. Mr. Smith said there was extra lighting on the building on a motion sensor. They could add more lighting if needed.

Regarding a cross easement agreement with the adjacent business, Shane Sorensen said the buildings had been there a long time and shared a common driveway. There was probably some kind of prescriptive use, and an agreement would not be granting any more use than was already there.

In regard to landscaping, Mark Smith said some of the rose garden would be taken out for more parking. There was already lawn on the site. He said the studio was small and would not be used for large groups. Much of his work was done on location. There would be no lab, no darkroom or chemicals.

MOTION: Jim Tracy moved to approve the Mark Walker Smith Photography site plan at 242 South Main with the condition that the parking lot be lit and paved and striped with 4 parking stalls, and the storm drainage contained on site. Steve McArthur seconded. Ayes: 5 Nays: 0. Motion passed.

6. McNEIL SUBDIVISION #2 – 550 N. ALPINE BOULEVARD - CONCEPT REVIEW – LON NIELD: Ryan Nield and Will Jones represented Lon Nield in the application for a two-lot subdivision at the north end of Alpine Boulevard. Ted Stillman said the two lots were included in a larger piece of property, 7.44 acres, that was in the process of annexation. He showed the proposed road layout which would provide a connection to Country Manor Lane and an opportunity to connect to Bald Mountain Drive. A small piece of ground belonging to Weidners would also be annexed.

Jannicke Brewer said that since Alpine Boulevard was an arterial road, the half street would result in 33 feet of pavement.

Steve McArthur said that if it was an annexation, they could require the full-width of the road. The Planning Commission agreed.

Jannicke Brewer said the Eastfield Ditch would need to be piped.

MOTION: Steve McArthur moved to grant concept approval to McNeil Subdivision #2 subject to the annexation of the property including the Weidner property, and with the conditions that the Eastfield Ditch be piped, and the extension of Alpine Boulevard be a full-width road. Lincoln Watkins seconded. Ayes: 5 Nays: 0. Motion passed.

7. HERITAGE HILLS SUBDIVISION – REVISED PLAT A – DOWNING AKIN: Shane Sorensen said the revision of plat A was the result of shifting the open space from one place to another. The amount of open space exceeded the requirement for the number of lot. The lot lines and the number of lots remained the same.

MOTION: Steve McArthur moved to approve the revised plat A for Heritage Hills subdivision subject to the following conditions:

1. The annexation of the property be finalized.
2. All rights-of-way for Alpine Boulevard be obtained and conveyed to the City concurrent with finalizing the annexation.
3. Construction of the south portion of Elk Ridge Lane be addressed in the development agreement.
4. Deeds be provided for right-of-way extensions through future phases of the development.
5. Temporary turnaround easements be provided.
6. A copy of the UPDES permit be submitted to the City.
7. A geologic engineering consultant review the on-site construction.
8. The water policy be met for the development.
9. Letters be provided from the utility companies stating that they can and will serve the development.
10. A construction cost estimate for both on and off-site improvements be provided.
11. A determination be made of which trails will be constructed with this phase of the development.
12. The redlines be addressed on the plat.

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

8. HUNTERS RIDGE CIRCLE SUBDIVISION, FINAL PLAT – 300 N. MAIN – GARY WEBB: Shane Sorensen said all the conditions of preliminary plat approval had been addressed. Ted Stillman said the fire chief had approved the location of the fire hydrants. An additional street light was shown on the new drawings as requested by the Planning Commission. Gary Webb said the type of street light would be whatever the City wanted to have in that location.

MOTION: Steve McArthur moved to grant final approval to Hunters Ridge Circle subdivision subject to the following conditions:

1. The City and the developer work out the costs of the storm drain extension.
2. A UPDES permit be obtained and provided to the City prior to construction.
3. A boundary line agreement be entered into with the City.

Brian Baxter seconded. Ayes: 5 Nays: 0. Motion passed.

9. LYE SUBDIVISION – 660 NORTH MAIN – MARK & MICHELLE LYE: Ted Stillman said the proposed subdivision consisted of 6 lots and was located north of Pioneer Drive/600 North on Main. He said the biggest issue was whether or not a road should be stubbed to the property to the east.

A public hearing needed to be scheduled for April 18, 2006.

MOTION: Steve McArthur moved to set a public hearing for April 18, 2006 on the Lye Subdivision. Lincoln Watkins seconded. Ayes: 5 Nays: 0. Motion passed.

10. GENERAL PLAN: Ted Stillman said the draft discussed the historic element of the general plan. It was suggested that the website contain a list of historic homes. It was suggested that where the General Plan referenced tax credits, they use the words “federal” and “may” since the City did not have the authority to give tax credits.

11. DEVELOPMENT CODE

MOTION: Jim Tracy moved to table the Development Code since it had just been received that evening. Steve McArthur seconded. Ayes: 5 Motion passed.

12. TELECOMMUNICATION ORDINANCE: Ted Stillman said the Planning Commission had approved the ordinance on March 7, 2006. A clean copy was in their packet for review. The Planning Commission had further discussion on the ordinance and made additional changes.

MOTION: Steve McArthur moved to set a public hearing on the Telecommunication Ordinance for April 18. Jim Tracy seconded. Ayes: 5 Nays: 0. Motion passed.

13. PRD ORDINANCE: The Planning Commission discussed the ordinance and made some additional changes. Both Jim Tracy and Lincoln Watkins proposed a method for rounding the number of lots when it was an uneven number.

MOTION: Steve McArthur moved to accept Jim Tracy’s definition on rounding the number of lots with the following modification: replace the numbers 2.4 and 2.5 with 6.4 and 6.5 respectively, but keep the 20% limit. Lincoln Watkins seconded. Ayes: 4 Nays: 1 Lincoln Watkins voted nay, stating that the method of rounding was too generous to developers who had already ready received additional lots for doing a PRD and a density bonus for open space. Motion passed.

Steve McArthur said he had reservations about requiring a PRD when a proposed development contained sensitive lands. He said he understood that it was David Church’s recommendation that the developer be able to choose whether or not to do a PRD. If a developer chose to do a PRD, the City was more justified in requiring public open space.

Ted Stillman said he would provide a clean draft of the ordinance for the next discussion.

14. CONTINUING EDUCATION: Ted Stillman said to read Chapter 4 which discussed updating land use ordinances and the general plan process.

15. APPROVE MINUTES OF MARCH 7, 2006

MOTION: Steve McArthur moved to approve the minutes of March 7, 2006 as corrected and adjourn. Brian Baxter seconded. Ayes: 5 Nays: 0. Motion passed.

The meeting was adjourned at 10 pm.