

May 4, 2004

Minutes of Alpine City Planning Commission meeting held May 4, 2004 at Alpine City Hall. Chairman Jannicke Brewer called the meeting to order at 7:00 pm. The following commission members were present and constituted a quorum.

Chairman Jannicke Brewer

Commission Members: Dale Porter, Mike Mickelson, Steve McArthur, Phil Andrus, Thomas Whitchurch. Loretta Stevens was not present.

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

Others: Clair Bigler, Barbara Williams, Manase Fotu, Blaine T. Hudson, Max Pitcher, Charlie Emig, Craig Skidmore.

The prayer was offered by Steve McArthur.

**1. PUBLIC COMMENT:** None

**2. CONDITIONAL USE PERMITS FOR A HOME OCCUPATION**

**Rocky Mountain Education Consultants, LLC – 75 Allegheny Way – Dennis Bromley:** Mr. Bromley requested a permit for his consulting business for persons, organizations and entities who offered electronic educational instruction. No customers would visit the home.

**Carefree Travel and Tours, LLC – 838 S. Alpine Highway – Barbara L. Williams:** Mrs. Williams was a travel agent who would be working out of her home to put together travel packages and tours for different groups.

**3 MD Construction – 1251 N. Grove Drive – Manase Fotu:** Mr. Fotu was not present at the beginning of the meeting and this item was tabled until the Planning Commission could ask him questions about the nature of his business. He arrived later in the meeting and his permit was approved.

Mr. Fotu said he would be using his home for office work only. The equipment for the construction company was kept in Sandy. His company contracted with cable companies to lay cable lines underground. There was a discussion about the number of employees. Mr. Fotu said there were about 13 employees who worked laying the lines, but there were no employees used at the office in his home.

Jannicke Brewer said she felt that complied with the ordinance because the City's concern was with how many employees were at the residence. The ordinance dealt with businesses conducted on the premises. She said there were a number of contractors or other types of businesses in Alpine who used their homes for office work, and had employees that worked on job sites elsewhere.

**MOTION:** Steve McArthur moved to approve conditional use permits for home occupations to Dennis Bromley dba Rocky Mountain Education Consultants, LLC at 75 Allegheny Way and Barbara L. Williams dba Carefree Travel and Tours, LLC at 838 S. Alpine Highway, and table the application from 3MD Construction until the Planning Commission had more information about the business. Phil Andrus seconded. Ayes: 5 Nays: 0. Motion passed.

**MOTION:** Mike Mickelson moved to approve a conditional use permit for a home occupation to Manase Fotu dba 3 MD Construction at 1251 N. Grove Drive. Phil Andrus seconded. Ayes: 5 Nays: 0. Motion passed.

**3. GRANT PITCHER SUBDIVISION – CONCEPT – WILL JONES:** Ted Stillman said Grant Pitcher owned about 50 acres in Fort Canyon that he wanted to develop into a 3-lot PRD. Based on a slope analysis, the City Engineer found that the base density for the proposed

development would be 2.33 units. If a density bonus was merited, 3 units could be developed. However, the grade of the property exceeded the buildable slope allowed by the ordinance. Over 78% of the ground in lot #1 exceed 25%. Ted Stillman said some of the other numbers were not correct, and Shane Sorensen was not present to explain the engineering rationale.

Steve McArthur suggested they table this item until the next meeting when they had the correct numbers and the City Engineer was present.

Developer Will Jones said the water pressure would be a question. They would have to build a water tank to service the PRD.

Max Pitcher submitted written material to the Planning Commission which contained his thoughts on how the proposed development should be configured.

Blaine Hudson asked about the bridge on the east side. Dale Porter said that if another road were built, the bridge would have to be replaced.

**4. PARADISE COVE SENIOR HOUSING, PLAT B – LON NIELD:** Ted Stillman said that Lon Nield was out of the country, but this was relatively simple. Mr. Nield was adding two units to the previously approved project. The only comment from the engineer was some redlines on the plat that would need to be corrected.

Jannicke Brewer verified that the amendment of the original Paradise Lane Subdivision plat had already taken place. A portion of lot 4 in the Paradise Lane Subdivision was split off and included in the senior housing plat to create ground for two additional units. The existing home on lot 4 remained on a half-acre and conformed to the ordinance.

A zone change from CR-20,000 to BC was already granted.

**MOTION:** Steve McArthur moved to grant final approval to Paradise Cove Senior Housing, Plat B subject to the redlines on the plat being corrected. Mike Mickelson seconded. Ayes 5 Nays: 0. Motion passed.

**5. LOVELAND SUBDIVISION – CONCEPT – JAMES LOVELAND:** Ted Stillman said this was not planned as a real subdivision. James Loveland lived on the property. He had re-platted Holly View Subdivision into three lots, and he owned all three. Then he purchased the adjoining Marshall property and wanted approval for a PRD consisting of 17 lots on 35.77 acres. Ted Stillman said Mr. Loveland did not plan to go beyond concept approval because he said this was not going to be a real subdivision. He wanted to plat the ground in order to assess the value, then get a conservation easement for tax reasons.

Ted Stillman said the main issues were the length of cul-de-sac, the number of lots, and the excessive slope of the ground.

Mike Mickelson asked if Loveland could sell the conservation easement. Jannicke Brewer said conservation easements were held in perpetuity. Will Jones said there were certain ways to sell the tax benefit from a conservation easement.

Thomas Whitchurch asked if the neighboring property owners had been notified. They had not.

Mike Mickelson said he didn't understand how they could give approval if it was phony. Ted Stillman said the landowner could move forward with concept according to the ordinance, then no farther. The appraiser needed to have a concept approval in order to ascertain the value of the land.

**MOTION:** Mike Mickelson moved to deny concept approval to the Loveland subdivision because the cul-de-sac too long, the High Bench Trail was shown through lots 5 through 11, and the neighbors had not been notified. Steve seconded. Ayes: 5 Nays: 0. Motion passed.

Jannicke Brewer noted that everything above the High Bench Ditch was in the fault zone. According to procedure, the Planning Commission needed to hold a public hearing before giving concept approval on a PRD.

**6. GEOLOGIC HAZARD ORDINANCE:** Ted Stillman said Max Pitcher had written a letter to Alpine City suggesting they enact a Geologic Hazard Ordinance. Copies of such ordinance from Draper City and Salt Lake City were included in the packet.

Ted Stillman said Alpine's ordinance had some provisions that governed geologic hazards. He asked the Planning Commission to review the existing ordinance in conjunction with the ordinances from other cities, and see what changes needed to be made to strengthen Alpine's ordinance.

Rachel McTeer was assigned to do a point by point comparison of Alpine's existing ordinance and Draper City's ordinance.

**7. SUBDIVISION and ZONING ORDINANCES:** The Planning Commission reviewed the proposed amendments to the following sections in the ordinances.

Section 3.1.11.15. Fences. (no motion.)

Section 3.21.6.4 Fences on Corner Lots (no motion)

Section 3.21.6.5 Fences in Excess of Six (6) Feet (no motion)

Section 4.7.10 Sidewalks, Curbs, Planter Strips and Gutters

**MOTION:** Steve McArthur moved to approve Section 4.7.10 as proposed with noted changes. Mike Mickelson seconded. Ayes: 5 Nays: 0. Motion passed.

Section 4.7.18. Storm Drainage and Flood Plain. (no motion)

Section 4.7.19 Irrigation Systems:

**MOTION:** Steve McArthur moved to approve Section 4.7.19 as amended. Phil Andrus seconded. Ayes: 4 Nays: 0. Motion passed. Mike Mickelson was not present at the time of the motion.

Section 3.23.7.1 Accessory Apartments. There was a lengthy discussion about whether or not an annual fee should be assessed for accessory apartment. There was also a discussion about making sure that accessory apartments conformed to the Uniform Building Code.

Section 4.6.3.5 Monuments (no motion)

Section 4.6.3.7 Supporting documents:

**MOTION:** Dale Porter moved to approve Section 4.6.3.7 as proposed. Mike Mickelson seconded. Ayes: 5 Nays: 0. Motion passed.

Section 4.6.3.10 City Council Review and Approval:

**MOTION:** Mike Mickelson moved to accept Section 4.6.3.10 as rewritten. Steve McArthur seconded. Ayes: 5 Nays: 0. Motion passed.

**8. APPROVE MINUTES OF APRIL 20, 2004**

**MOTION:** Steve McArthur moved to approve the minutes of April 20, 2004 as amended and adjourn. Mike Mickelson seconded. Ayes: 5 Nays: 0. Motion passed.

The meeting was adjourned at 9:20 pm.