

May 18, 2004

Minutes of the Alpine City Planning Commission meeting held May 18, 2004 at Alpine City Hall. Chairman Jannicke Brewer called the meeting to order at 7:10 pm. The following commission members were present and constituted a quorum:

Chairman Jannicke Brewer

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

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

Others: Art Billings, Jim Tracy, Gary Web, George Dunnigan, Debby Dunnigan, John Gardner, Laura Jarman, Sharon Haddock, Rod Miller, Rob Clausen, Marilyn Kofford, Lew Kofford, David Fotheringham, Tom Andra, Jerry McGhie, Daniel Henley, Melanie Henley, Downing Akin, Debbie Simmons, Mardi Horton, Quinn Edwards, Dennis Asay, Sharon Asay, Roger Whitby, Mark Wilkinson, Mitch Mortensen, Jim Bishop, Jennifer Bishop, Willard Heaps, Merlynn Heaps, Pat Tanner, Aaron Robertson, Janice Brown, Blaine T. Hudson, Matt Chipman, Charlie Emig, Craig Skidmore, Will Jones, Randy Beck, Taylor Smith, Juanita Nield, Sandra Ktzanbach, Brent Knapp, Steve Sowby

PUBLIC HEARING – ALPINE COMMONS PRD CONCEPT PLAN

Ted Stillman said the PRD Ordinance required a public hearing on proposed planned residential developments (PRDs). The proposed subdivision consisted of 7 lots with a park on the south end. Mr. Stillman said neighboring residents in the South Point Subdivision had objected to the proposed development because of the smaller frontages on the proposed lots. Developer Rob Clausen had reconfigured the subdivision so that there were three lots on the east side of the subdivision, and they lined up with the existing lots in South Pointe.

Rob Clausen showed a rendering of the proposed park. It would include a basketball court and tot lot with a walking trail. There would still be a field but not necessarily a soccer field, and it would be bermed to prevent balls from rolling into the street. The parking lot had been increased to accommodate 16 parking stalls. The detention basin would be gravel and lined with grass.

Shane Sorensen showed a possible alignment for the connection of Allegheny Way to Alpine Highway.

Jannicke Brewer opened the meeting to public comment:

Art Billings said he had met with the developers of Alpine Commons and discussed his concerns. He was satisfied with the redesign of the development and was no longer opposed to it, but he felt they could reconfigure the entrance and exit in the parking area.

There were no other comments.

The prayer was offered by Loretta Stevens

1. PUBLIC COMMENT: None

2. CONDITIONAL USE PERMITS FOR HOME OCCUPATIONS:

Chase Media, Inc.- 736 E. Canterbury Lane – Michael C Chase: Michael Chase requested a permit for his advertising and marketing business. There would be no other employees and no customers would visit the home. .

Holly Berry Place – 1221 E. Oakwood Circle – Hollysue Cotton-Betteridge: Hollysue Cotton-Betteridge requested a permit for her pre-school. It would operate between 9 am to 11:30 am,

Monday through Friday. She planned on having two classes with six children in each class. On the application she indicated she would be using 1000 sq. ft. The ordinance limited home occupations to 500 sq ft. Dale Porter noted that the parking was limited. He said they could maybe get four cars in driveway. Since Mrs. Cotton-Betteridge was not present to respond to the concerns of the Planning Commission, this item was tabled.

Gardner Investigations, LLC – 83 S. Country Manor Lane – John Gardner: Mr. Gardner requested a permit for his investigating business. He did criminal and civil investigations and background checks. No customers would visit the home.

MOTION: Dale Porter moved to approve conditional use permits for home occupations for Michael C. Chase dba as Chase Media at 736 E. Canterbury Lane and John Gardner dba as Gardner Investigations, LLC at 83 S. Country Manor Lane, and table Holly Berry Place until the applicant was present to answer questions. Steve McArthur seconded. Ayes: 5 Nays: 0. Motion passed.

3. HERITAGE HILLS SUBDIVISION: Ted Stillman said they had received the preliminary drawing for Heritage Hills, but it wouldn't be discussed until the next meeting. That evening they would be discussing the future of Elk Ridge Lane.

Jannicke Brewer asked if Bill Moeller was participating in development. Ted Stillman said he was not at that point.

Ted Stillman said the Planning Commission needed to decide if Elk Ridge Lane should be a cul-de-sac or a through street. City staff proposed that it remain a through street because additional circulation was always desirable. Head Acres Subdivision had anticipated that Elk Ridge Lane would be a through street. Building a cul-de-sac would have a dramatic effect on the properties whose land was taken to construct the cul-de-sac. If Elk Ridge Lane remained a through street, staff recommended that it be a narrower road with 26 feet of asphalt to encourage only local traffic. The intersection with Grove Drive needed to be realigned as a ninety-degree intersection.

Jannicke Brewer summarized the Planning Commission's motion from the meeting of March 16, 2004, which stated that Elk Ridge Lane should be a through street unless the residents on Elk Ridge Lane could acquire land for the cul-de-sac. Jannicke Brewer said that if the residents had new information, they were welcome to present it.

Lew Kofford said he had submitted a number of options at the meeting of March 16, 2004. He said that according to the study done by two experts, one of which was Horrocks Engineers, Elk Ridge Lane would become a collector road by default if it became a through street. It was the shortest distance going south and that was the road people would take. Even if the road was narrowed, there would still be safety issues. The report from Horrocks stated that vehicles would have to travel 15 mph on Elk Ridge Lane and 20 mph on Grove Drive in order for it to be a safe intersection. Mr. Kofford stated that no one was going to travel that speed on Grove Drive. The average speed was 45 mph. He read the ordinance, which stated that minor streets were to be laid out to encourage circulation. Only four homes were serviced by Elk Ridge Lane and it made sense for it to be a cul-de-sac. Mr. Kofford said had not understood that they were supposed to talk to landowners about acquiring land for the cul-de-sac.

Shane Sorenson clarified the memo from Horrocks Engineers dated March 16, 2004. It said that the speed limit for Elk Ridge Lane with the current alignment should be 15 mph for optimum safety. They would be improving the vertical alignment of the road however. Regarding the speed limit on Grove Drive, it listed a speed of 25 mph, not 20. The radius would be 100 feet.

Shane Sorensen went on to say that the City proposed Elk Ridge Lane be classified as a rural road with 26 feet of asphalt and two chokers narrowing the pavement to 20 feet. In combination with

signage designating the road for local traffic only, and improving the intersection with Grove Drive, he felt it could be a safe road.

Lew Kofford asked if there would be curb, gutter and sidewalk along the road. Shane Sorensen said they planned a 5 ft. sidewalk on each side of the road.

Jerry McGhie said he lived on the other side of town, and he knew that the only ones who would pay attention to the "Local Traffic Only" signs would be strangers. Everyone else would use that road if it were the shortest distance.

Shane Sorensen said that there would be a connection to Main Street and the majority of the traffic going to Timberline or to Salt Lake would go that way.

There was a discussion about children walking to Alpine Elementary. Marilyn Kofford said it was within walking distance, but the buses made a courtesy stop at Apple Tree Drive because the buses from the Cove were not full.

Jannicke Brewer stated that it had been her observation that when there were more roads to chose from, traffic spread out. She doubted that there would be that many people driving down Elk Ridge Lane because there would be other roads available to get places.

Lew Kofford said that if Elk Ridge Lane was left open, it would become a primary collector when the Pack and Grant properties were developed. Jannicke Brewer said she believed Alpine Boulevard would become the road of choice in those cases.

Steve McArthur said it made sense to have a cul-de-sac for four residences, but the City was not going to condemn land for a cul-de-sac when they were recommending a through street. He said that if the residents on Elk Ridge Lane could work something out with their neighbors and acquire the land, he would support the cul-de-sac. The problem was that the people whose land they needed for the cul-de-sac would not benefit from it because they had access on Grove Drive.

Lew Kofford said he'd met with Thomas Whitchurch who said he was in favor of the cul-de-sac.

Loretta Stevens said she was in favor of a cul-de-sac, but she agreed with Steve McArthur that the property owners needed to acquire the land for it.

Marilyn Kofford said they had not understood the motion from the earlier meeting saying that they residents on Elk Ridge Lane had the option of a cul-de-sac if they could acquire the land.

Phil Andrus said he would personally like to see a cul-de-sac but he did not feel it was the City's responsibility to plan the acquisition of the land. The property owners should work it out.

There was a question about the cost of constructing the through street versus the cost of the cul-de-sac. Dale Porter said the City should cover the cost of the through street. Any construction costs for a cul-de-sac above the cost of the through street should be covered by the residents using the cul-de-sac.

Craig Skidmore suggested there be a walking easement to Grove Drive for children if the cul-de-sac was constructed so they didn't have to walk all the way up and around.

MOTION: Dale Porter moved to recommend Elk Ridge Lane be a through street as drawn by staff unless the citizens were able to acquire land for a cul-de-sac at no cost to the City. The City would pay for the cost of constructing the through street. Any excess cost for a cul-de-sac would be covered by the citizens. Steve McArthur seconded Ayes: 5 Nays: 0. Motion passed.

Jannicke Brewer said this item would be on the agenda again for June 15.

Heritage Hills Plat: The developers of Heritage Hills had turned in the preliminary plat the day before the meeting and the engineer had not had a chance to review it. Copies were given to the Planning Commission members so they could look at it but no action would be taken.

Jannicke Brewer said the trails were not marked on plat. There needed to be an environmental impact study. Debris flow and fault lines needed to be indicated. .

Downing Akin said that Terricon was accumulating the report.

Steve McArthur asked about the City cut and fill standards, noting that there were some rather steep roads. Jannicke Brewer said the fill areas would need to be re-vegetated.

Downing Akin said they had met with Dr. Grant and came to an agreement on the road. Dr. Grant proposed to donate the lane to the City. The developers of Heritage Hills would make the improvements so it would be a finished road. Shane Sorensen said there would be curb on both sides with a sidewalk along the west side.

4. WHISPERING PINES SENIOR HOUSING – MICHAEL PORTER: Ted Stillman said City Council made a motion that the Planning Commission proceed on the process for the senior housing project. Jannicke Brewer recalled that the City Council had said they would like to see the projects that were already underway completed before any new projects were presented.

5. ALPINE COMMONS – PRD EXCEPTION – ROB CLAUSEN: Ted Stillman had reviewed the new layout for Alpine Commons in the public hearing held at the beginning of the meeting. He said the developers needed to finalize their agreement with the Bureau of Reclamation. They anticipated a 25-year lease since the park would become City property.

David Church had recommended that the City Council reconsider approving an exception to the required acreage for a PRD in the CR-40,000 zone since exceptions did not run with the land.

Jannicke Brewer pointed out that Section 3.4.3, paragraph 2 of the Development Code stated that the City may designate that a subdivision be developed under the provisions of Article 3.9 (Planned Residential Development) if they felt it was a better plan.

Dale Porter said that they could also consider rezoning it since the property to the east was zoned CR-20,000.

MOTION: Dale Porter moved to recommend to the City Council that they approve an exception to the acreage requirement in the PRD Ordinance, and allow Alpine Commons to move forward as a PRD. Loretta Stevens. Ayes: 5 Nays: 0. Motion passed.

6. TAYLOR SMITH SITE PLAN – STEVE SOWBY: Ted Stillman said they had seen this piece of ground a lot of times in a lot of different configurations. The most recent one was a plan for Falcon Ridge PRD, which was approved for 5 lots but never recorded.

Taylor Smith was proposing one home on approximately 11 acres, but there were a number of issues including: 1) Slope and lot size. As the slope increased, the size of the lot had to increase; 2) There needed to be a temporary turn-around on Lakeview Drive; 3) Did there need to be an extension of Lakeview Drive? 4) The driveway had cuts and fills that exceeded 5 feet; 5) There needed to be a right-of-way dedication on 600 North along with improvements; 6) The sewer lateral was in the wrong place; 7) There was a question about inadequate fire flow; 8) Letters of concern had been received from neighbors Jordan Tanner and Glenn Simmons.

Shane Sorensen said the building pad was at the top of the water zone. The ordinance required 40 psi of static pressure, which they had, but they were concerned about fire flow. They needed a

minimum of 1700 gallon per minute. Steve Sowby said he was waiting for the model on fire flow and he estimated they would need only 1500 gallons per minute because the home was under 3500 square feet. They would provide an 8-inch line.

Dale Porter said that since the site was located in sensitive lands, there needed to be a second access. If a fire truck or other emergency vehicle was going up the driveway, a car wouldn't be able to get down. Steve Sowby said that technically they met the requirement because there were two accesses to the parcel - - 600 North and Lakeview Drive.

Regarding the other issues, Steve Sowby said they would provide a turn-around at the end of Lakeview Drive, either gravel or paved as desired by the City. The sewer location was a mistake they could correct. In relation to slope and lot size, Steve Sowby said they would extract the steepest part of the 11 acres and attach it to another parcel with a quit claim deed, which would make the remaining lot conform to the ordinance.

Ted Stillman said that the proposed development should be considered a subdivision rather than a site plan because there would need to be street improvements and a portion of the lot would be split off.

Jannicke Brewer asked if there had been off-site storm drainage issues when Falcon Ridge was approved. Shane Sorensen said there were some off-site improvements for which they were responsible.

Steve Sowby said they were hopeful that the City would not yet require off-site storm drain improvements, but if the City required it, they would do them. He said the last concern was the access road. They had designed the long driveway with a 14-ft surface with only one place where the cut and fill exceeded five feet. He felt it would be preferable to have a 9-ft fill on one side of the road but he could redesign it if necessary. The driveway met the 12% grade.

Jannicke Brewer invited the neighbors to comment.

George Dunnigan said he lived on Lakeview Drive. He asked if the curb and gutter would extend to the turn-around and if the rock embankment on the north would continue. Shane Sorensen said that based on the previous plan, there would be a rock retaining wall. The temporary turn-around would be paved but wouldn't have curb. On the Falcon Ridge plan it had curb because it was felt to be somewhat permanent.

Pat Tanner asked if there would be a place for emergency vehicles to turn around. Jannicke Brewer explained that there would be a turn-around at the end of Lakeview Drive then the driveway would extend off from it.

Pat Tanner said she was concerned that a torrential rainfall would bring gravel down the driveway to Lakeview Drive. Shane Sorensen said he expected the drainage would flow west to the ravine because of the topography of the land.

There was a question about off-road vehicles. Jannicke Brewer said it was private land and the homeowner would need to enforce the restriction. Taylor Smith said he would put up a sign.

Debbie Simmons said they always thought the land across the street was owned by the City. Jannicke Brewer said there was about 20 acres to the north that was public open space. The remainder was private land.

Debbie Simmons said she was concerned about the noise that would come down the hill when the home was built. To have another road up there would contribute to ATV traffic and increase noise. They paid a fortune for their lot and brought in 200 loads of dirt. They moved to that location for

the quiet and the view and now the City was introducing more problems. There would be mud and erosion above them.

Jannicke Brewer explained that the ground being developed was private property and the owners had certain rights including developing their ground. The gravel driveway was the owner's option since it was not a public road.

Glen Barker said he owned 60 acres to the west, previously known as Summit Hills, and he wanted to insure that the right-of-way extended to this property. He expected they would someday tie into the west and develop the area.

Dale Porter told Taylor Smith that the Planning Commission needed to see a revised plan that conformed to the ordinance. They needed to address the improvements, the water model for fire flow, off-site storm drainage, and an exception for the driveway.

Steve Sowby asked the Planning Commission to instruct the building department to accept Taylor Smith's house plans so they could proceed simultaneously. Ted Stillman said there was not enough information for the building department to review the plans.

Steve McArthur asked Taylor Smith if there were plans to further subdivide the property or if he would just be building one home. Steve Sowby said they were preserving the option of further development.

7. WHITBY WOODLANDS SUBDIVISION – CONCEPT PLAN – ROGER WHITBY:

The Whitbys proposed a PRD consisting of 60 lots on approximately 40 acres with about 10 acres of private open space. Letter of notification had been sent to property owners within 500 feet of the property. A public hearing would need to be scheduled for June 15th.

Ted Stillman said the plan showed non-contiguous parcels that comprised the same subdivision. They would need to ask David Church about that. Another issue was street circulation. The internal circulation within the subdivision was lacking. There needed to be a design on the intersection of the proposed road with Westfield road. Continuation of the trail in Alpine Cottages needed to be discussed.

Shane Sorensen said there were some lots that had slope issues. He hadn't done a detailed analysis as yet.

Willard Heaps said he lived on 400 North (Strong Lane). He was concerned about overloading the road with traffic from the east side of town when Alpine Boulevard went through and the proposed developments on the east side were constructed in addition to the proposed development on the Whitby property. They had an autistic child in the neighborhood and two other children with problems. He said he didn't care to see all the trees cut down to put a road through.

David Heinz wanted to know what would happen with the trees and if they would be chopped down.

Roger Whitby said they planned to save as many trees as possible.

A member of the audience said they owned a lot on Deerfield Road, and wanted to know how traffic would be dispersed.

Jannicke Brewer said they needed to talk about circulation. There was no interaction between two sides of subdivision. They needed to have circulation between the neighborhoods.

Will Jones suggested a walking connection between the phases of the development rather than connecting them with roads. The developer wanted to avoid making a through street in a residential area. He said there didn't need to be a second Main Street.

Merlynn Heaps said she thought a footbridge would be an ideal way to get children to their friend's houses. She wanted to see the beauty of the area preserved.

Rod Miller said he lived in Alpine Cottages and didn't want to see the beauty of the area ruined.

Sandra Ktzenbach said her biggest concern was that kids were expected to walk to school, and there were no safe ways for them to walk. She said she thought it would be great to have connecting walkways and bridges between neighborhoods because people loved to walk. That was part of the reason people came to Alpine.

Ted Stillman said they would be putting in a sidewalk on 200 North as part of the Downtown Improvement Project.

Thomas Whitchurch said all the kids in the area would be expected to walk to school. There needed to be access route.

Brad Chipman said he was concerned with open space. There needed to be a pedestrian thoroughfare along Fort Creek. The trails needed to be public and open and connected to the trail system that was already in Alpine Cottages. He said he would like to see an integrated trail plan for that area, and hoped the City had a master plan for a pedestrian thoroughfare.

Dale Porter said the City did at one time have a master plan for that area, but it was taken off the plan.

Roger Whitby said he was planning on private open space.

Jannicke Brewer noted that the building lots went right up to the stream and there was no access to it and no connections. She said the City had sole discretion on determining whether or not open space should be public or private.

Will Jones said they were requesting private open space. He expected the sidewalks to be all tied together. They didn't want trails in backyards and they didn't want kids along Fort Creek. There were times during the year when there was a lot of water running in it. They didn't want a child to drown.

Sandra Kzatenback said there was a river in Burgess Park and the kids handled it just fine. There was a child almost hit by a car everyday. She said you could tell your children to stay out of the water, but you couldn't protect them from a car that was out of control.

Shane Sorensen said the plan showed 35 lots on a single access. He said he didn't think it would create a dangerous situation to connect the areas with a road. He wouldn't be able to recommend moving forward on subsequent phases without a second road.

Willard Heaps said that all the traffic would be coming out through 400 North. Traffic from the east would compound the problem.

Steve McArthur said he didn't see a problem with breaking the development into two separate PRDs.

Dennis Assay said he lived on Hillside Circle. He went up Hog Hollow every day and saw a lot of people walking in the road. He asked if there would there be a sidewalk along Hog Hollow Road (400 West).

Thomas Whitchurch said he would like to see public open space. It would prevent problems down the road.

Dale Porter agreed that it should be public open space.

Jannicke Brewer said there needed to be more circulation. The developer needed to show that they could have 60 lots and that they could maintain private open space. The Planning Commission needed to consider some issues related to small lots. There had been a number of applications to the Board of Adjustment for variances because people had purchased a small lot and were unable to fit their home on the lot. She recommended there be a building envelope designated on the lot and the purchaser of the lot would know that was where they could build. In addition, they needed to make sure the CC&Rs of a development did not require homes that would not fit within the required setbacks.

Will Jones said there was a problem meeting setbacks on small corner lots.

Blaine Hudson asked about the setback from the creek. Jannicke Brewer said there was a letter from FEMA defining the flood plain, and the homeowner could build next to the flood plain.

Blaine Hudson asked who actually owned the creek. Ted Stillman said the property owner did. Will Jones said they could fence up to the flow of water.

Phil Andrus said he didn't want to see the subdivision plan again until there were specific recommendations on the open space, the number of PRDs and cross-over issue.

Steve McArthur said those items could be a basis for a public hearing.

MOTION: Steve McArthur moved to extend the meeting to 10:30 pm and set a public hearing for Whitby Woodlands for June 15, 2004. Phil Andrus seconded. Ayes: 5 Nays: 0. Motion passed.

8. GROVE COURT: Ted Stillman said the City Council approved the exception on the distance between the two intersections at their meeting of May 11, 2004. There was no new information on the subdivision and no action was required.

9. SUBDIVISION AND ZONING ORDINANCES: The Planning Commission reviewed the proposed amendments to the ordinances.

Section 3.1.11.15 Definition on Fences

Section 3.21.6.4 Fences on Corner Lots

Section 3.21.6.5 Fences in Excess of Six (6) Feet

MOTION: Steve McArthur moved to accept Sections 3.1.11.15 and 3.21.6.4 and 3.21.6.5 as written. Phil Andrus seconded Ayes: 5 Nays: 0. Motion passed.

Section 4.7.18 Storm Drainage and Flood Plains

MOTION: Steve McArthur moved to approve Section 4.7.18 with reworking of last sentence. Phil Andrus seconded. Ayes: 5 Nays: 0. Motion passed

Section 4.7.19 Irrigation Systems

MOTION: Steve McArthur moved to approve Section 4.17.19 as written Phil Andrus seconded. Ayes: 5 Nays: 0. Motion passed.

Section 3.23.7.1 Accessory Apartments. (Continue working on this.)

Section 4.6.3.5 Monuments

MOTION: Steve McArthur moved to approve Section 3.6.3.5 as written. Dale Porter seconded. Ayes: 5 Nays: 0. Motion passed.

10. APPROVE MINUTES OF MAY 4, 2004

MOTION: Steve McArthur moved to extend the meeting to 10:32 pm, approve the minutes of May 4, 2004 as corrected, and adjourn. Dale Porter seconded. Ayes: 5 Nays: 0. Motion passed.

The meeting was adjourned at 10:32 pm.