

November 30, 2004

Minutes of the Alpine City Planning Commission meeting held November 30, 2004 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: Dale Porter, Thomas Whitchurch, Phil Andrus, Loretta Stevens, Steve McArthur. Mike Mickelson was not present.

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

Others: Janice Ann Brown, Wayne Pack, Myrna W. Grant, Mark Grant, Craig Skidmore, Stan McShank, Rick Chesnut, Downing Akin, Will Jones, Blaine Hudson – *ALWF*, Tim McGraffin – *New Utah*, Kay Van Buren, Don Rogers, Marla Rogers, Kristen Rogers, Roger Whitby, Bill Crockett, Max Pitcher.

The prayer was offered by Dale Porter.

Jannicke Brewer said Max Pitcher had asked her if he could bring some wildlife people to the next meeting to talk about preservation of wildlife in Fort Canyon. Also he suggested they have the Forest Service manage some of the steeper areas in the Three Falls development.

**1. PUBLIC COMMENT:** None

**2. CONDITIONAL USE PERMITS FOR HOME OCCUPATIONS:** None

**3. HERITAGE HILLS – PRELIMINARY – KAY VAN BUREN:** Rachel McTeer said a new preliminary plat for Heritage Hills had been submitted. The number of lots on the Moeller property had decreased from 5 to 4, but the overall number of lots in the development had increased from 61 to 62. The Moeller property was included in the preliminary plat but would be developed as a future phase.

There were a number of issues. 1) The location of Elkridge Lane was dependent on negotiations with Dr. Grant. 2) The hazards had been submitted with the Terracon Study and were evaluated by the Utah Geological Survey. 3) Drainage specific sediment and specific water volumes were needed for the debris basins. 4) Areas below small drainages and steep slopes that were not protected by debris basins should be evaluated for flood hazard. 5) Slopes steeper than 3:1 should be evaluated for stability and if development induced ground water would affect stability. 6) The existence of the Terracon report should be disclosed to potential buyers. 7) It was recommended that streams be piped and directed to the storm drain system.

Downing Akin said that both of the streams were piped. The State Engineer did not have a detailed map and was not aware of it.

Dale Porter asked who would build the trail and whether or not it would be hikable. The developer would build the trail. Craig Skidmore said there were several steep areas that would need modification.

Downing Akin said the trail was designed closely to the one the Planning Commission had approved except it was moved farther away from the Grant property.

Dr. Grant said the trails did seriously impact him. Most of the trails stubbed into the ravines on his land. He said he would like assurances from the Planning Commission that the trail would not extend onto his property and the end of the trail would be posted.

Jannicke Brewer said the City would not build the trails and would not direct trail users onto the Grant property.

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Thomas Whitchurch asked about the ravines on lots. Shane Sorensen said there was a ravine between lots 14 and 15 and a small ravine between lots 15 and 16. They were not included in the lots.

The Planning Commission discussed building envelopes on the lots. It was decided that envelopes should be shown on all the lots to make sure the homes were located lower on the lot and that the homes would fit.

Thomas Whitchurch asked about the driveways fronting on Alpine Boulevard and suggested they encourage people to have their driveways front on less busy local roads.

Kay Van Buren said it was their intent to design the subdivision in a way that would make the homeowner happy.

Dr. Grant said there was a misconception about the location of Elkridge lane. It did not include the lane up to his property. The road was shown on his private property.

Ted Stillman explained that the best alignment for Elkridge Lane was on the east property line, but if the developer didn't have agreement with Dr. Grant, they would slide the road to the west and have a partial width street. The remainder of the road would be built if Grant developed his property.

Shane Sorensen said the road was moved to the east to accommodate a concern voiced by Dr. Grant about having two parallel streets.

Downing Akin said Dr. Grant had failed to recall their discussion when they asked him if he wanted them to move the road and he said no. They designed the shown alignment so it could actually benefit him, but they would move it to the west.

Blaine Hudson asked if they could get a copy of the Environmental Impact Study. Jannicke Brewer said they would make him a copy.

Will Jones asked if the one-acre lot behind Moellers could get a building permit.

Ted Stillman said it did not have access. The property owner had sold the front portion of the lot and in doing so gave away the access. He had an easement. If the owner wanted to develop that lot they would have to resolve the access issue. The Heritage Hills development did not help or hurt the existing situation.

Dr. Grant said he had an exclusive and enforceable contract with the Lindsey's that they would not develop their ground.

Jannicke Brewer asked what the justification was for the extra lot. Downing Akin said Shane Sorensen had run a new density calculation that increased the density to 62 lots.

Thomas Whitchurch asked if the detention basins would be mowed. Shane Sorensen said they would be.

Regarding the sewer system, Shane Sorensen said the plan showed the preferred alignment but if an agreement could not be reached with adjacent property owners, there was an alternate route.

The plans showed a combined storm drain and irrigation system which allowed normal flow from the irrigation ditch to pass through the pipe. Higher flow during storms would enter the detention basin and be slowly released over a period of time. When the master storm drain plan was completed to Fort Creek, storm drainage would be conveyed into it.

**MOTION:** Dale Porter moved to approve revised concept and preliminary approval for Heritage Hills with 62 lots with the following conditions:

1. Commitments be obtained for necessary easement and street rights-of-way.
2. The recommendations of the geological engineering report be incorporated into the design.
3. The recommendations of the Utah Geological Survey's review of the geologic engineering report be addressed.
4. The trail alignment be agreed upon by all involved parties.
5. The minor redlines be addressed on the plan.
6. The Moeller property would be rearranged showing proper building envelopes and frontages on all lots.
7. Show building envelopes and frontages on all lots.
8. Identify all lots with ejector pumps.
9. Identify all lots with possible hazards.

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

**4. WHITBY WOODLANDS – PRELIMINARY – ROGER WHITBY:** Rachel McTeer said the developers had submitted a new layout for Whitby Woodlands but they did not have complete construction drawings so it was not ready for preliminary approval that evening.

The current plat showed what open space would be dedicated to the City and what would be private. The Planning Commission would review the trail layout and get feedback from the Trail Committee. Staff recommended the trails be asphalt, and the lots by the public open space be fenced. Any landscaping would be low maintenance.

Will Jones said they were trying to make the open space natural and a strip of asphalt would not work. A dirt trail would be better. Plus, when an asphalt trail did not have an edge, it began to crumble.

Roger Whitby said an asphalt trail would destroy the natural beauty of the area. There was already a natural trail there.

Loretta Stevens said that people with strollers could use the sidewalk.

Shane Sorensen pointed out an area where it might be too tight for a trail and suggested staking it.

Steve McArthur suggested the area by the picnic tables and next to the sidewalk be grass. The remainder of the open space would be natural.

Jannicke Brewer asked about piping the irrigation ditch on lot #23. If it were part of the lot it would have to be piped. If it were outside the lot, it would not. It was suggested the lot be shrunk so the ditch would be outside the lot.

There was a discussion about cleaning the irrigation ditch. The ditch was considered a riparian area and was one of the ditches that was to be left open according to the agreement entered into when the City received a grant from CUP for the pressurized irrigation system. Maintenance of the ditch was a problem. Historically it had been done by hand because it was so narrow. Staff suggested that the homeowners association in Whitby Woodlands assume responsibility for the maintenance and liability.

Lots in the existing Deerfield Subdivision backed up to the ditch and there had already been problems with lot owners intruding on the easement.

Shane Sorensen said that if the City assumed responsibility for the ditch, Ron Devey had suggested it be lined with rocks to reduce the maintenance.

Jannicke Brewer asked if they could get a recommendation from the irrigation company on what to do with the ditch.

Loretta Stevens said she had helped clean the ditch before and it was done by hand. She didn't want to see the wild atmosphere around the ditch changed.

Will Jones said the irrigation company had a 20 feet easement along the ditch with 10 feet on either side of the center line.

Regarding trails, Craig Skidmore said there were two areas to consider. The upper area would need approval from the homeowners association of the adjoining subdivision (Mountainville Heights) in order to get access into the open space. They would use the pioneer road. He suggested a footbridge be built across the stream.

Shane Sorensen noted that one cul-de-sac exceeded the maximum length 465 feet.

Will Jones said he would rather ask for an exception than change the cul-de-sac. The reason for the design was to preserve a small area of wooded open space along the road.

The Planning Commission discussed it and decided they would rather recommend an exception on the cul-de-sac length.

**MOTION:** Steve McArthur moved to recommend an exception of 15 feet on the cul-de-sac length in Whitby Woodlands because the Planning Commission preferred the natural open space and felt it was more attractive. They also accepted the improvements in the landscaping plan as designed in order to satisfy the density requirements. In addition, the trail on the east would be dirt and the trail on the west would be a 4-foot concrete trail with the interior to be improved with grass and sprinklers. The Planning Commission recommended that lot #23 be shrunk so that the creek lay outside the lot. Loretta Stevens seconded. Ayes: 5 Nays: 0. Motion passed.

**5. THREE FALLS – CONCEPT – WILL JONES:** Rachel McTeer said that at their meeting of October 19, 2004 the Planning Commission requested a plan that met the existing ordinance. Will Jones brought back a plan showing a layout that was designed according to existing Alpine City Ordinances.

The Planning Commission had briefly reviewed the plan at their previous meeting and discussed modifying the slope restrictions in the CE-5 Zone to allow for more regularly shaped lots.

Dale Porter submitted a written proposal on amending Section 3.9.7 paragraph 3 in the Planned Residential Development Ordinance to allow up to 15% of a lot in the CE-5 Zone to have a slope of more than 25%.

The amended section would read: An exception may be made that up to 5% of an individual lot may contain ground having a slope of more than 25%, and that in the CE-5 Zone up to 15% of an individual lot may contain ground having a slope of more than 25% upon recommendation of the DRC and the Planning Commission and with the approval of the City Council.

Jannicke Brewer said she liked the suggestion. Other members of the Planning Commission agreed.

Jannicke Brewer asked the developer to show the Planning Commission their latest thinking on the trail and have the Trail Committee look at it.

Will Jones showed on the map where the horse trail would be located.

Craig Skidmore said he would like to add a trailhead and some kind of parking by the Sliding Rock area. He said he would also like to see a trail connection to the Hamongogs that started higher in the subdivision.

Jannicke Brewer asked if there would be improvements in the Sliding Rock area to justify the density bonus.

Will Jones said he had increased the open space by 100 acres when he eliminated the LODs, and that should justify the extra density.

Jannicke Brewer said that if the hazards reports were available by the next meeting, they would discuss them.

Max Pitcher said he would like to have some wildlife experts talk to the Planning Commission about preserving the wildlife in Fort Canyon and also he would like to see the Forest Service manage some of the high areas in Three Falls since they were experienced.

Jannicke Brewer noted that there had been a statement that Fort Canyon was bear habitat. She had asked a number of "old-timers" about bears in that area and the only one that knew of any bears was Rulan McDaniel. He said someone saw a bear in Box Elder shortly after WWII. Someone else said that someone had seen a bear and her cub in Fort Canyon two years ago.

Max Pitcher said he'd seen a moose up there. Dr. Grant said his grandfather had shot a bear up there and made it into a rug.

**MOTION:** Dale Porter moved to propose to the City Council that they amend Section 3.9.7 paragraph 3 of the Planned Residential Development Ordinance regarding the slope restriction as follows:

An exception may be made that up to 5% of an individual lot may contain ground having a slope of more than 25%, and that in the CE-5 Zone up to 15% of an individual lot may contain ground having a slope of more than 25% upon recommendation of the DRC and the Planning Commission and with the approval of the City Council.

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

Craig Skidmore commended developers of Three Falls on the realignment of the secondary access road to Alpine Cove on the west side of the hill. He said an even better route would be to continue it down to the draw

## **6. DEVELOPMENT CODE**

**Sign Ordinance:** Rachel McTeer said the Sign Ordinance had been passed at the previous meeting and sent on to the City Council, but some questions had been raised since then about where they could locate a community sign and what type of sign. Staff suggested only A-frame signs be allowed. They would need to be within the height restriction of 6 feet.

Jannicke Brewer said the Art Council used a permanent metal tube in the ground and inserted the post into it for their signs.

Rachel McTeer asked the Planning Commission if there were preferred locations for the community signs.

Thomas Whitchurch said he'd seen A-frame signs that were closer to 8 feet high. He said he would like to a place to locate signs on Canyon Crest near the Highland/Alpine boundary.

It was asked what would happen if there were more than one community event going on at the same time. Dale Porter suggested they come in and sign up on a first come, first serve basis. There were four locations available. They could also place a banner on the railing at City Hall.

Steve McArthur said he would prefer to leave the Sign Ordinance as amended at the previous meeting, and have Rachel McTeer evaluate the sign permit applications based on the discussion that evening.

**MOTION:** Steve McArthur moved to leave Sign Ordinance as written and let Rachel McTeer use her own discretion in approving signs based on the discussion that the signs be A-frame with a limited height. Dale Porter seconded. Ayes: 5 Nays: 1. Motion passed. Jannicke Brewer voted nay saying there should be specific guidelines on location and height and style.

Loretta Stevens recommended running an informative notice on signs in Newslines and on the Alpine City website.

**Fence Ordinance:** Jannicke Brewer said the City Council didn't like the requirement that side-yard privacy fences on corner lots be located at least 10 feet back from the property line because it took away too much property. She said she had driven around and looked at fences and saw fences that were 2 to 3 feet back from the sidewalk, and that seemed to eliminate the tunnel effect.

Steve McArthur said he preferred the privacy fence to be back at least 10 feet from the property line, but if they had to compromise, he would recommend the privacy fence on a corner lot be at least 15 feet from the back of the curb. If there was a full park strip, the fence would be 15 feet back from the road and the property owner would have only 5 feet of his property outside the fence. If it were a combination sidewalk and curb, it would still be approximately 10 feet back from the property line.

**MOTION:** Phil Andrus moved to extend the meeting to 9:45 pm. Dale Porter seconded. Ayes 5 Nays: 0. Motion passed.

**MOTION:** Steve McArthur moved to leave the Fence Ordinance as written. Phil Andrus seconded. Ayes: 3 Nays: 2. Jannicke Brewer and Loretta Stevens voted nay. Motion failed.

**MOTION:** Loretta Stevens moved to amend Section 3.21.6.4 in the Fence Ordinance to state that side-yard privacy fences on corner lots should be at least 15 ft. from the back of the curb and shall begin outside the sight triangle. Steve McArthur seconded. Ayes: 4 Nays: 1 Motion passed. Steve McArthur voted nay.

## **7. APPROVE THE MINUTES OF NOVEMBER 16, 2004**

**MOTION:** Steve McArthur moved to extend the meeting to 9:50 pm, approve the minutes of November 16, 2004 as written, and adjourn. Loretta Stevens seconded. Ayes: 5 Nays: 0. Motion passed.

The meeting was adjourned at 9:50 pm.