

October 2, 2007

Minutes of the Alpine City Planning Commission meeting held October 2, 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: Steve McArthur, Jannicke Brewer, Jason Thelin, Steve Cosper.

Commission Members not present: Lincoln Watkins, Kent Hastings.

Staff: Charmayne Warnock, Shane Sorensen, April Riley

Others: Raymond Kahn, Ryan Casperson, Casey Harris, Brian Gabler, Caleb Warnock, Troy Stout, Amanda Fenton, Brad Bender, Bradley Reneer, Chris Wilson.

**PUBLIC HEARING: CONRAD'S LANDING SUBDIVISION – 750 S. ALPINE HIGHWAY (TEICHERT PROPERTY)**

April Riley said the proposed concept plan was located at approximately 750 S. Alpine Highway in the CR-20,000 zone. A portion of the property was previously zoned CR-40,000 but had recently been rezoned to CR-20,000. The proposed development consisted of 14 lots and would connect Braddock Lane to Sunset Drive.

Justin Thorne said he lived on Sunset Drive and his main concern was the amount of traffic already existing on Sunset Drive. He said he was in favor of the development, but wondered if there was some way to design the subdivision to alleviate traffic on Sunset Drive. He said there were five access points in that area of town including Bateman Lane (a one-way road) and Sunset Drive out to Alpine Highway on the west and three roads onto Canyon Crest on the east. But that was deceptive because two-thirds of the traffic used Sunset Drive. He said Sunset Drive was a straight road and sloped down to Alpine Highway so traffic went really fast. There was an accident where a car went out of control and ended up on someone's lawn. He suggested that aligning the road with Bateman Lane would help so an additional road wouldn't be coming out on Sunset. He asked if it would have reduced the cul-de-sac length if the zoning had remained at one-acre.

Shane Sorensen said that relocating the road wouldn't change the volume of traffic. He said that Sunset was used as a residential collector road even though it was only 30 feet wide and technically not a collector road. He added that connecting the road to Bateman Lane would exceed the allowed length for a cul-de-sac.

It was suggested that a four-way stop be put in. Jannicke Brewer said they were a nuisance but they did slow traffic.

Justin Thorne said he was hoping this would be an opportunity to do something about the traffic on Sunset Drive.

There were no more comments and the hearing was closed.

The prayer was offered by Steve McArthur.

**1. PUBLIC COMMENT:** Jason Thelin asked what the process was when people had a complaint about potholes in the street. Shane Sorensen said they usually just called City Hall.

Jannicke Brewer asked about the recently adopted General Plan and said they'd like copies of it and the Rodeo Master Plan.

Jim Tracy said the agenda for that evening had not been posted on the City's website. April Riley said Annalisa Thomas was the one who posted it and she had been gone off and on the day it was to be posted.

## **2. CONDITIONAL USE PERMITS FOR HOME OCCUPATIONS**

**Kahn's Connection, LLC – 307 S. Alpine Drive – Raymond Kahn:** Mr. Kahn said he basically worked as a middleman, providing clients with household goods and supplies such as furniture, ATVs, etc. He didn't keep an inventory and customers did not visit his home.

**Patent Performance Co. – 135 N. 200 E. - Casey Harris:** Mr. Harris said he was a licensed patent attorney who provided a legal service for people obtaining patent registrations. He visited clients at their homes rather than his home, but there would be off-street parking available if they did come to his home.

**The Pedestal Company – 561 Wilderness Drive – Pike Goss:** Mr. Goss was not present but his application said he operated a business that marketed steel gooseneck pedestals for security distributors nationwide. Sales were 99% outside Utah. Customers would not visit the home.

**MOTION:** Steve McArthur moved to approve conditional use permits for the following home occupations:

Kahn's Connection, LLC – 307 S. Alpine Drive – Raymond Kahn  
Patent Performance Co. – 135 N. 200 E. - Casey Harris  
The Pedestal Company – 561 Wilderness Drive – Pike Goss

Steve Cosper seconded. Ayes: 5 nays: 0. Motion passed.

**3. CONRAD'S LANDING, 757 S. ALPINE HIGHWAY – CONCEPT PLAN – DIANE TEICHERT:** April Riley said the proposed subdivision consisted of 14 lots on approximately 8.72 acres in the CR-20,000 zone. The power line easement and the aqueduct easement ran through a portion of the property. Ownership of the property where the aqueduct was located had yet to be determined. Brad Bender, a representative from the Salt Lake Metropolitan Water District was present at the meeting.

Steve McArthur said he had been involved with the Diane Teichert property as a consultant on the proposed subdivision, but he wasn't being paid for it and he didn't perceive that there was a conflict of interest so he planned to vote.

Steve Cosper said he was curious about the zone change since it happened before his time on the Planning Commission. April Riley explained that a portion of the property had already been zoned CR-20,000 and in July 2007 the entire property was rezoned to CR-20,000.

Jason Thelin said he understood that Mayor Willoughby had some concerns about rezoning the property because of increased density. April Riley said there had not been a unanimous vote from the City Council.

Jannicke Brewer said the adjacent South Pointe subdivision had half-lots and open space and was zoned CR-20,000. Alpine Commons which was adjacent to the Teichert property was zoned CR-40,000, but it was a PRD and had half-acre lots and open space. The lots on the north side of Sunset were in the CR-40,000 zone but they were half-acre lots because they had been approved before that general area was rezoned to CR-40,000.

Steve Cosper said he understood it was a touchy situation because other rezoning requests had been denied, particularly the one for the Patterson property along Canyon Crest Road, and he wondered what the rationale was.

Jason Thelin said that originally all the Teichert property was zoned CR-40,000, but an earlier Council had voted to rezone a strip of ground along Sunset Drive to CR-20,000.

Regarding ownership of the aqueduct easement, Brian Gabler from LEI Engineering said there shouldn't be a problem because the lots on which the easement was located were still large enough for building lots even if the easement was owned by Salt Lake Metropolitan Water District. They would still meet the building pad and setback requirements for lot 4 even if they had to take the easement out of the subdivision.

Jannicke Brewer asked about the length of the cul-de-sac. Shane Sorensen said it was less than 400 feet and met the ordinance.

Jim Tracy asked if there would be sidewalk along both Sunset Drive and Alpine Highway. Shane Sorensen said it would need to be a 5-foot sidewalk since it was shown as a trail on the trail map. They would most likely make the park strip narrower.

Jannicke Brewer said that since lots 4 and 5 had double frontage, there would need to be a fence along Alpine Highway. Steve McArthur asked if fences were allowed on the aqueduct easement.

Brad Bender from the Salt Lake Metropolitan Water District said they allowed fences as long as they were not concrete. They could be vinyl, chain-link or wrought iron. They needed something they could remove in order to do maintenance work on the aqueduct.

Jim Tracy asked about the irrigation that came through the Teichert property. Shane Sorensen said it came through South Pointe. They might have to weld a plate over the pipe to restrict the water from going south onto the Teichert property.

Diane Teichert said the Cliff Christensen property had abandoned their ditch, but they were supposed to put in a culvert so she could still irrigate. However they just filled in the ditch and she hadn't been able to get her water.

Shane Sorensen said the subdivision on the Christensen property (Canyon Crest Estates) had bonded for the culvert and it was shown on the plans. He said he didn't know it had been filled in.

Jannicke Brewer suggested they require a letter from Lehi Irrigation Company so they knew exactly what to do with the ditch.

Jim Tracy asked if sidewalk would be extended alongside the existing Teichert home since it was not included in the subdivision.

Shane Sorensen said there was already sidewalk along Alpine Highway, but not on the north. He said sidewalk should be required as it had been in Moyle Park Estates.

Steve McArthur questioned if they could require sidewalk because the existing Teichert home was on a separate parcel.

Diane Teichert said it would make sense to finish out the sidewalk.

Steve Cospers said he was concerned about driveways accessing onto a busy street.

Steve McArthur said they'd looked at a number of concepts with the road coming out on Bateman Lane for a 4-way stop, but there wasn't enough depth for a lot.

Justin Thorne suggested there could be a narrow soccer field.

Jason Thelin asked if they'd given any thought to putting in a soft trail. He said no one used sidewalks to run or bike because it was too hard on the knees.

Jannicke Brewer said there had originally been an asphalt trail along Sunset Drive and the residents hated it so the City put in a regular concrete sidewalk.

Jason Thelin said he hoped to see some soft trails in subdivisions. There were some nice trails on the east side of Alpine but not on the west.

Shane Sorensen said most of the open space was on the east and soft trails were generally in subdivisions that had open space. Every time they put in a soft trail in front of a lot they ended up spending money to replace it with sidewalk.

Jason Thelin said the frustrating thing was that most subdivisions got extra density because they gave open space and trails. The Teichert subdivision gave nothing in exchange for increased density.

Steve McArthur asked Brad Bender what would be done with the Alpine City sign since it appeared to be on property belonging to the Salt Lake Water District

Mr. Bender said the District was very concerned about preserving their rights-of-way since the aqueduct pipe was a vital part of the Salt Lake Valley water supply. He said he wasn't sure how the sign was put there because they typically would not allow such a sign because it was made of concrete. He said at some point they would probably want to replace the water line because it was 60 years old. They would either need to dig it up or replace it with a parallel line. He said the inside diameter of the pipe was 69 inches and it was probably five to ten feet deep. Trees or deep-rooted shrubs would not be allowed in the easement. Small shrubs, grass and sprinkler lines would be okay. He said they wanted to review landscaping plans before people put them in. They didn't like to see things like sports courts.

Jim Tracy asked if the District would be amenable to allowing a homeowner to landscape and maintain the easement.

Brad Bender said it would be to their benefit to enter into such an agreement, but the District needed to approve the landscaping. He said one thing they'd like to see was a trail along the aqueduct.

**MOTION:** Jannicke Brewer moved to grant concept approval to Conrad's Landing subdivision subject to the following:

1. Determine the ownership of the property where the aqueduct is located, and if necessary, obtain an agreement with the Metropolitan Water District of Salt Lake.
2. A 5-foot sidewalk be constructed along Sunset Drive since it is part of the trail system.
3. Construct a fence along Alpine Highway on the double frontage lots in accordance with the requirements of the Metropolitan Water District of Salt Lake.
4. Obtain a letter from Lehi Irrigation Company.
5. Adjustments be made along Alpine Highway as needed when the ownership of the aqueduct property is determined.
6. Request that sidewalk to be completed along Sunset Drive on the north side of the Teichert home.
7. Avoid constructing driveways out to Sunset Drive unless that is the only option.

Steve McArthur seconded. Ayes: 4 Nays: 1. Motion passed. Jannicke Brewer, Steve McArthur, Jim Tracy and Steve Cospers voted aye. Jason Thelin voted nay.

Steve McArthur questioned whether or not the City could require sidewalk along Sunset Drive north of the existing Teichert home. Shane Sorensen said such a requirement had been made on other subdivision such as Moyle Park Estates.

**4. DEVELOPMENT CODE – FARM ANIMAL REGULATIONS:** April Riley said she had looked for some general standards issued by a livestock/agricultural agency relating to how much ground would be needed per animal but couldn't find anything.

The Planning Commission again discussed whether or not perimeter fencing should be considered an animal enclosure. If perimeter fencing around a pasture was considered an enclosure under Section 3.21.9 of the Zoning ordinance, a pasture fence would need to be at least 75 feet way from a neighboring dwelling. City attorney David Church said he would interpret the current ordinance to include perimeter fencing as an enclosure. He had said that if the City didn't want to include perimeter fencing as an enclosure, they should just say it.

After more discussion, Jason Thelin made a motion that would exclude perimeter fencing from the definition of an enclosure.

**MOTION:** Jason Thelin moved to amend Section 3.21.9 Farm Animal and Agricultural Regulations of the Zoning Ordinance to recommend approval of the first example labeled #5 which contained the sentence: "A fence around the perimeter of the parcel is not considered an enclosure." Steve McArthur seconded. Ayes: 2 Nays: 3. Motion failed. Jason Thelin and Jim Tracy voted aye. Steve Cospers, Steve McArthur and Jannicke Brewer voted nay. Jannicke Brewer said she voted nay because she preferred the wording in the other example "existing dwelling on an adjacent lot."

The Planning Commission discussed the issue further and agreed that they were at a stalemate and probably would not reach enough of a consensus to pass any kind of a recommendation that evening. Since the City Council would ultimately make the decision on perimeter fencing anyway, they agreed to make a motion to send it on to the City Council for a decision.

**MOTION:** Steve McArthur moved to ask the City Council if a fence around the perimeter of the parcel is or is not considered an enclosure as it relates to Section 3.21.9 on Farm Animal Regulations. Jannicke Brewer seconded. Ayes: 5 Nays: 0. Motion passed.

Jim Tracy said he would like to discuss the amount of ground allotted to each animal at a later meeting.

**5. CONTINUING EDUCATION:** April Riley reviewed Chapter 11 of The Complete Guide to Zoning. She said the content generally applied more to the developer, but it did say the city should show respect to the applicant and refrain from doing things that violated open meeting laws such as whispering and passing notes.

#### **6. APPROVE MINUTES OF SEPTEMBER 18, 2007**

**MOTION:** Steve McArthur moved to approve the minutes of September 18, 2007 as amended and adjourn. Steve Cospers seconded. Ayes: 5 Nays: 0. Motion passed.

The meeting was adjourned at 9:00 pm.