

**ALPINE CITY PLANNING COMMISSION MEETING at
Alpine City Hall, 20 North Main, Alpine, Utah
March 04, 2014**

I. GENERAL BUSINESS

A. Welcome and Roll Call: The meeting was called to order at 7:00pm by Chairman Jannicke Brewer. The following commission members were present and constituted a quorum.

Chairman: Jannicke Brewer

Commission Members: Bryce Higbee, Steve Cospser, Jason Thelin, Jannicke Brewer, Chuck Castleton, Steve Swanson, Judi Pickell

Commission Members Not Present:

Staff: Jason Bond, Marla Fox

Others: Michelle O, Charles Fox, Eleonore Fox, Martha Johnson, Alex Broughton, Megan Broughton, Jeffrey Lewis, Kathleen Lewis, Louise Innocenti, Mike Innocenti, Joseph Moffat, Landon Wallace, Rod Haskins, Robert Patterson, Craig Stidmore, Will Jones, Scott Sweeney, Andrew Diaz, Norine Garrett, Jane Griener, Sherrol Danielson

B. Prayer/Opening Comments: Chuck Castleton

II. PUBLIC COMMENT

No comment

III. ACTION ITEMS

A. Eastview Plat F – Approx 800 North Patterson Lane – Patterson Inc

The proposed Eastview Plat F Subdivision consists of 9 lots on 4.15 acres. The lots range in size from 10,000 to 58,806 square feet with an existing home to be left on lot 9. The development is located south of East View Drive and west of Quincy court. The proposed development is in the TR-10,000 zone.

Jason Bond said this is all on one parcel with one existing home on the plat. There is a requirement for properties to have 90 feet and the existing home does not meet that requirement. There is an issue with lot number 4 on the property line and the homeowner is working with Patterson Construction to come up with a solution.

Maurice Patterson is dedicating a piece of his property to add to the subdivision so there will be enough property for the road and comply with the 54 foot width. Steve Cospser asked about the irregular lot line bordering the Fox property. Bobby Patterson said they will take the subdivision to the fence line because he knows Patterson Construction does not own that property. Jason Bond said this is a concept plan only and the preliminary and final will be done at a later date. This is just the beginning and it will go on to the City Council.

Charlie Fox lives at 372 E Eastview Drive. He said 30 years ago Robert Patterson was constructing a fence and Charlie Fox said he paid Patterson Construction \$1000 for the little slice of land behind his home. Steve Cospser asked if this land was recorded. Charlie Fox said it was recorded and resurveyed at the time and he has all the paperwork.

Charlie Fox asked if the road would continue south through to Patterson Lane. Jannicke Brewer said she didn't know how the problem of Patterson Lane would be solved and she didn't think the road would go through at this time. Charlie Fox asked if a wall would be build between the old subdivision and the new subdivision.

Charlie Fox asked about the 30 large pine trees planted along his back property line. He wanted to know if they would be taken out and requested that they be removed when the irrigation ditch if filled. He also asked about the irrigation easement and wanted to know what would happen with it. Charlie Fox asked about the grade of the new subdivision. Bobby Patterson said his subdivision will contain the drainage and it will not drain into Mr. Fox's yard. Mr. Fox also addressed the storm drain and said it is a nuisance and always plugs up with debris and causes potholes.

Louise Innocenti said she purchased her home in 2009 and thought her property went to the fence line. She said she is working with the Patterson's to purchase the extra land that they have already landscaped. The Planning Commission discussed the setbacks of this home.

Joseph Moffat said he is not opposed to the development. He said there is a major concern with the length of the cul-de-sac. He said the Patterson's should not get approval until the road is dedicated and approved because that is an ordinance of the City.

Alex Broughton asked about the existing fence line and what the little sliver of land is behind his house. Jannicke Brewer said it could be a derelict piece of property and some research would have to be done to find out who owns it. Mr. Broughton also asked about lighting in the subdivision.

Martha Johnson said she has a shed on the property line and pine trees on the other side of the property line. She said there is an exception because her mother had a verbal agreement with family members. She is concerned about what will happen with the property line in the future when her uncle Maurice Patterson dies.

Sherrie London said she is concerned about the drainage because she gets runoff in her backyard from this property. Jannicke Brewer said it will get better when the property is developed because the developer will be responsible to contain the drainage.

Bobby Patterson said when the development is done, they will put up berms or whatever it takes to keep the drainage contained. Jason Bond said storm drains will be put in place as well to service this area. Bobby Patterson said he spoke with the City Staff and it was decided to wait until the other Patterson property is developed to connect the road to Patterson Lane and make that a secondary access road. Bobby Patterson said that staff requested a 20 foot storm drain irrigation easement instead of 10 feet. Steve Cosper asked if this easement would be piped. Jason Bond said he didn't see anything in the Engineer Review and he would look into it.

Alex Broughton asked what an easement was. Jannicke Brewer said an easement is the part of the land that has utilities through it. You are not allowed to build on it so utilities can be accessible to be worked on and fix problems. Bobby Patterson said the subdivision will go to the fence line because that is what the surveyor recommended. He said he doesn't know what promises were made between his grandfather and the neighbors but said that County records don't show Mr. Fox's name on that piece of land behind his house. Charlie Fox said when the property was sold to him that parcel was attached to his property and was surveyed and on the County records. Jason Bond pulled up the County website and it did show that sliver of property is owned by Charlie Fox.

Bobby Patterson said he doesn't like to cut down trees because they take so long to grow, but if it's going to be a big issue and it will keep the neighbor's happy, he would cut them down. Jannicke Brewer said it will depend on the setbacks because some trees take up a lot of space. He also said he is not required to put up a fence and he can get with the neighbors and discuss whether they want the barbed wire fence removed. If the home owners building in the subdivision want to put up a fence, they can.

Bobby Patterson said that the DRC recommended an exception on the length of the cul-de-sac based on a secondary access being completed at a later date. This would create an intersecting road and the cul-de-sac will be less than 450 feet. Jannicke Brewer said we have to measure from the existing intersection because the secondary road is not going to be built now and that would make the cul-de-sac too long. Jason Bond said that our Engineer, Shane Sorensen, said the point of measurement will be at the future intersection because it will be treated like a stub street for the future road. Jannicke Brewer said it has never been measured like that in the last 20 years.

The Planning Commission talked about the stub street and the length of the cul-de-sac. Jannicke Brewer read ordinance 4.7.4 #9 where it states: Cul-de-sacs (dead end streets) shall be used only where unusual conditions exist which make other designs undesirable. Each cul-de-sac street shall have a minimum right-of-way width of fifty-four (54) feet and must be terminated by a turn-around having a radius of not less than sixty (60) feet to the property line. The maximum length of a cul-de-sac shall be four hundred and fifty (450) feet as measured from the center of the turn-around to the point of connection to the next intersecting street. Surface water must drain away from the turn-around along the street, due to grade, necessary catch basins and drainage easements shall be provided.

Joseph Moffat said in the future, a developer could plan a subdivision in this exact situation and name a road 300 feet in, create another intersection and create a new road and he could be 600 – 800 feet inside there under that interpretation. He said he strongly disagrees with that and we have to look at precedent of what the City has done because that is what the attorney's will look at. He said the Patterson's can say they are going to build a road, but you either build it or you don't. Jannicke Brewer said we have had this situation before and we denied it because it could be 50 years before the road is built. Mr. Moffat said this is not because he doesn't want Patterson's to develop. He said you get into a lot of different safety issues, public service issues when you start making these long cul-de-sacs and that is why we have the ordinance in place.

Bobby Patterson said Patterson Construction will improve both sides of the road as requested by the City. He said there are other roads in the City like in Bennett Farms where the road is long and stubs at the end but an exception was granted because of future plans to put the road through.

Louise Innocenti asked about the slope grading easement on her property. Bobby Patterson said Patterson Construction would have to control the slope and it all has to be on the individual's parcel, which means that lot #4 would have to control the slope just like you would have to control the slope of your lot. Jannicke Brewer said these problems will be taken care of by the engineers at the preliminary stage.

Steve Swanson asked why the Easement by the fence line for the storm drain was not shown. Bobby Patterson said he showed on the map the wrong lot. He said it is actually on lot 5 down by the Innocenti's property.

Jannicke Brewer asked about the culinary water line and asked if the 6 inch line would have to be changed to an 8 foot line because it shows that an 8 inch line will be required throughout the development. Bobby Patterson said an 8 inch line would be hooked into the 6 inch culinary water line and that meets all requirements for PSI and the elevation of the subdivision.

Judi Pickell asked why the City is putting in a storm drain for a development. Jason Bond said the City will be involved in putting in the storm drain for the property outside of Patterson's subdivision and Patterson's will put in the storm drain on their side of the property. Judi Pickell said this should come out of the Patterson's impact fees.

Judi Pickell said down where Patterson Lane stubs into lot #9, she doesn't like where it states that it will be deeded to the City with the second phase. She said we need to clean that up before that lot takes possession by someone else or gets sold; it should be done now. She asked if we are offering an exception or are we giving a variance for the frontage requirement. She said we need to clean up messes now instead of letting them continue. Judi Pickell said she would like Patterson's to go through the proper channels and ask for a variance instead of the City giving them an exception. Jason Bond said there is a way for Patterson's to ask for an exception in the ordinance and that is what we will be recommending. Bobby Patterson said Patterson Construction will ask for a variance when the road comes through and the gate that is currently there will come down.

Steve Swanson asked how the road will be designed with the Blackburn property and the narrow lane. He said we are talking about this cul-de-sac being developed and is dependent on a future road that he said he is not sure can be accomplished.

Martha Johnson said pine trees will have to be taken out and part of her property will be taken to put in the road. Jason Bond said the future road would have to be 54 feet to meet ordinance but it will have to taper down to meet up with Patterson Lane. Steve Cospers asked Martha Johnson if she would be willing to give up some of her frontage to put in the road. Martha Johnson said she has a problem with it because it will affect her developing in the future.

Chuck Castleton said the Patterson Subdivision is dependent on this future road going through. Jannicke Brewer said this subdivision only has 9 lots so it does not require a second access, however, there is still the question about the length of the cul-de-sac. She said we will not make a motion on this until we can get more information from our engineer to make sure we interpreted it the right way.

Bobby Patterson asked which issues need to be resolved. Jannicke Brewer said the length of the cul-de-sac. Judi Pickell said she would be interested in deeding the property on lot 9 to the City. Jannicke Brewer asked Jason Bond

to bring this up to David Church. Judi Pickell asked if this property had to have a coordinate address or can it just be called Robert Circle. Jannicke Brewer said the Police and Fire Departments would check to see if all addresses can be found by emergency vehicles and they will decide if something more is needed and give an address to each street lot.

IV. COMMUNICATIONS

Jannicke Brewer said last week at City Council the Planning Commission's recommendation for Auto Repair in the Business Commercial zone was not received well and the issue was tabled. Several property owners showed up and said they didn't know anything about it and they all received anonymous phone calls the night before City Council and showed up to protest. Jason Bond said it is on the next City Council agenda. Judi Pickell asked on what grounds was it tabled. Jannicke Brewer said because it was in the backyard. Jason Bond said neighbors said they didn't know about it and it would affect their property values.

Jason Bond passed out a schedule of topics for the General Plan discussions. He said the first committee meeting will be on March 12, 2014 at 10:00 am. The topic will be on Lambert Park and Open Space. This meeting will be detailed and focused so we have something prepared to bring to Planning Commission to be discussed. Jannicke Brewer said if we have a plan and alternatives to discuss, then hopefully we can get more input that way.

Steve Cospers said the process of the Planning Commission is to go through the hard knocks to get the end result because that is their job. He said if it goes through the committee he is afraid the Planning Commission will get a watered down, sanitized version by the time it gets back to them. Jannicke Brewer said she agreed that the job of the Planning Commission was to go through the General Plan. Jason Bond said that the Planning Commission was invited to come to the committee meetings. The purpose of the meetings is to get into smaller groups, roll up our shirt sleeves and come up with some different ideas and alternatives. We want to have something for the public and the Planning Commission to work off of instead of just coming once a month and not having time to talk about it.

Steve Cospers said this is not part of the charter and as hard as it may be, it is up to the Planning Commission to plan. Jannicke Brewer said one of the assignments of the Planning Commission was to propose the General Plan and if the Mayor is in on the meetings, she said he should wait until the plan comes to City Council and he can look at it there. Steve Cospers asked why the Planning Commission is even here if the Mayor and the City Council are going to do the General Plan.

Jason Thelin said someone on the committee or on the City Council, who wants condos for example, could influence ideas to go their way. Steve Cospers said if you have developers who are also on the committee driving the meeting, you've got motivation there. The Planning Commission said the committee meeting should be led by a citizen and not the Mayor or a developer. Steve Swanson asked if these meetings are even legal. If elected officials are making decisions without citizens input, is that the process that we're suppose to follow?

Jason Bond said these meetings will not be closed door and some citizens have expressed interest in coming. Jason Thelin said it's not for the citizens to create the General Plan. The Planning Commission develops and writes the plan and then there is a vote. Bryce Higbee said if anyone was there for the Charrette for Creekside Park, there were a lot of crazy ideas suggested.

Jason Thelin said he would like to know why we are changing the Master Plan from what it was when the citizens did the last survey. Chuck Castleton asked when that survey was taken and Jason Thelin said seven years ago. Jason Bond said a lot has changed in seven years and things need to be updated. He said we don't need to scrap the whole General Plan and start over, but updates do need to be looked at and considered. Jason Bond said the General Plan will be the first item on the agenda on the third week of the month so the Planning Commission can devote their time to it and make it a priority.

Jason Bond said the City will get a bid for an Economic Development Analyst to look at the property at the south end of town. The bid will be brought to the Planning Commission to be reviewed and then passed to the City Council. Jannicke Brewer said we need to look at the whole Business Commercial area to see what the potential is. Jason Bond said he submitted a Public Hearing for an amendment to the home occupation so that will be on the agenda next time. Jannicke Brewer said she received a call from James Lawrence and he wants the Planning Commission to look into Dana Becks Property and find out what they are running on their property and also the

Devey property on 100 south as well as the Carlton's. Jason Bond said James Lawrence was told he needed to bring a formal complaint to the City and then the City would look into it.

Jason Thelin asked about the subdivision monument on the corner of Canyon Crest Road and Allegheny Court. They were told they could not put it up and then they did. They said they would take it down and they haven't. Jason Bond said it is not legal and he will look into it. The Planning Commission talked about code enforcement and all the illegal signs in the City.

V. APPROVAL OF PLANNING COMMISSION MINUTES OF: February 18, 2014

Motion: Steve Cosper moved to approve the Planning Commission minutes for February 18, 2014 subject to changes.

Chuck Castleton seconded the motion. The motion passed unanimously with 7 Ayes and 0 Nays. Bryce Higbee, Steve Cosper, Jason Thelin, Jannicke Brewer, Chuck Castleton, Steve Swanson and Judi Pickell all voted Aye.

Jannicke Brewer stated that the Planning Commission had covered all of the items on the agenda and adjourned the meeting at 8:50pm.