

**ALPINE CITY PLANNING COMMISSION MEETING at
Alpine City Hall, 20 North Main, Alpine, Utah
Sept 16, 2014**

I. GENERAL BUSINESS

A. Welcome and Roll Call: The meeting was called to order at 7:05pm by Chairman Jason Thelin. The following commission members were present and constituted a quorum.

Chairman: Jason Thelin

Commission Members: Steve Cosper, Jason Thelin, Chuck Castleton, Steve Swanson, Judi Pickell

Commission Members Not Present: Bryce Higbee

Staff: Jason Bond, Marla Fox

Others: Juanita Nield, Troy Ellis, Kathleen Rasmussen,

Ron Rasmussen, Andra Ellis, Will Jones, David Fotheringham, Mr. Pierce

David Fotheringham, Roger Bennett

B. Prayer/Opening Comments: Steve Cosper

II. PUBLIC COMMENT

No Comment

III. ACTION ITEMS

A. Setback Exception Request

A request for an exception to setbacks is being requested for the property located at 121 North Main Street. This property is located in the Business Commercial Zone. The City Council may approve an exception with the approval from the Planning Commission where circumstances justify.

Jason Bond said there is an existing home on this site. The minimum frontage on a public street in this zone is 90 feet and this is ordinance 3.7.5 number 4 where it states: A lot occupying a dwelling structure shall comply with the setback requirements set forth in the TR 10,000 zone unless recommended by the Planning Commission and approved by the City Council where circumstances justify. Jason Bond said this property has the right amount of land to split this property in half and make two lots, but the issue is where the house is situated on the property which would make the setbacks under what is required. He said if the home was torn down, then two lots would fit no problem. The property owners are asking for 5 feet less than the recommended setback in order to not tear down the current home. Jason Bond said if the home is torn down for a commercial lot that would be no problem because we don't have a lot width requirement for a commercial use.

Chuck Castleton said he will not be voting on this issue tonight because he is a brother-in-law to the property owner. Judi Pickell asked what was stopping the property owner from subdividing this property regardless. She said he could subdivide the property and the existing house would then have the setback and he would just have to make sure the new home met the required setbacks. Jason Bond said in doing so, he can't make the current property illegal by lessening his current setbacks.

Jason Bond said there are setbacks in this area that don't meet the current ordinance. He said going forward, any new building has to conform to the current ordinances. Judi Pickell asked if the property line could be moved on that side of the property to fit the setbacks. Mr. Pierce said that is something they are looking at and would need approval for. He said they could move the new home fifteen feet from the property line making twenty feet in between the two homes.

Steve Cosper asked Mr. Pierce if he would build smaller, similar homes to fit in with what is currently on Main Street. Mr. Pierce said the whole block is residential homes and he didn't think a commercial building would look good right in the middle of it. He said he would like to build two homes on the property to fit in with the neighborhood. He said the current driveway for the existing home would have to be moved off of 100 North and a circular driveway be built to prevent backing out on Main Street. He said the plan for the new home would be the

same to prevent backing out onto the street which would improve the safety for access to Main Street. Jason Bond said the property line couldn't be moved because each property would need the 90 foot frontage.

Jason Thelin said this could potentially open up a can of worms in the city for others wanting exceptions with their setbacks. Jason Bond said this property is in the commercial zone and the legislative intent of this zone states that residential uses and other uses that are inconsistent with commercial activities are discouraged or not permitted with the zone. He said there's not as much control over residential lots in the Gateway Historic zone as far as architectural review as there is with a commercial building. The setbacks in this zone are controlled for commercial uses and not necessarily residential.

Mr. Pierce said they are not asking for a frontage exception and it is in an area that is already built out with homes that don't meet the current setbacks. He said he doesn't think the area would be a good fit for a commercial property and the residents would rather have it be residential. He said because of the historical nature and how close they were built to each other, what he is proposing to do would fit in with the look of the neighborhood and he feels that he would be a good candidate for an exception on the setbacks.

Judi Pickell said it is uncomfortable and awkward to offer exceptions without criteria listed in the ordinance. She said we are then making up criteria as we go along. She said wherever in our ordinance that we have exceptions, she would like to propose that there is some kind of standard to go by. She said especially in this area where the homes are close together, close to the road, and where there are commercial and home uses that are mixed. Judi Pickell said this property is in the Gateway Historical zone and we don't have any control over how residential homes look in this zone.

Steve Cospers said the lot could be improved with something on this property and make Main Street look better than it currently does now. Jason Thelin asked what happened if the Planning Commission doesn't approve this. Jason Bond said this would need approval from both the Planning Commission and the City Council. Jason Thelin said he thought this ordinance needs to be changed to a recommendation from Planning Commission and not approval. He said the Planning Commission should send their recommendation and the City Council can approve or not approve.

Judi Pickell asked if the Planning Commission could make it a condition to follow the Gateway Historic ordinance. Jason Bond said he didn't know if that would be legal and we would have to ask Counsel about it.

MOTION: Steve Cospers moved to recommend approval of the proposed setback exception to the property located at 121 North Main Street with the following recommendations:

1. The new home meets the aesthetics of the Gateway Historic overlay guidelines.
2. Planning Commission justifies the setbacks because they are similar to current homes on Main Street.

Steve Swanson seconded the motion. The motion did not pass with 3 Ayes and 1 Nays. Steve Cospers, Steve Swanson and Judi Pickell all voted Aye. Jason Thelin voted Nay. Chuck Castleton abstained. The motion failed for lack of a majority vote.

Jason Thelin said he is not for setback changes especially since we have declined other applicants on similar grounds and made them tear down structures in order to meet all the ordinances. He said he feels like we should follow our ordinance.

Judi Pickell said our ordinance allows for exceptions. Jason Thelin said just because the ordinance allows for exceptions, doesn't mean the City Council has to approve the exception. Judi Pickell said that exceptions need a list of criteria and then somebody has to meet that list of criteria. She said that legally, that's what needs to happen and in the future, we need to add that to our ordinance.

Steve Cospers asked what the process would be going forward since the motion failed. He asked if the Planning Commission should work on getting the list of criteria in place for these exceptions and then ask Mr. Pierce to come back. Jason Bond said that would be one option or he said he could take the recommendation that failed to the City Attorney and ask him to clarify if it is only a recommendation that was needed or a positive recommendation that was needed in order for the City Council to approve it.

B. Moyle Park Master Plan

The future of Moyle Park has been discussed over the past several months by a Moyle Park Committee. A master plan has not been formally adopted. The purpose of this master plan is to create a vision for the historic park. Implementation will be a lot easier with an organized master plan and it will provide Alpine City the opportunity to better pursue additional funding.

Jason Bond said that Moyle Park is a historical piece of property that needs some work from the caretakers, Alpine City, and volunteers for maintenance and enhancement. There are a lot of opportunities for people to do projects that would help the park immensely. He said the Master Plan shows some of those opportunities that the city and volunteers can take to start the process of revitalization and improvement. Basic property cleanup and trail maintenance is the first task that can be done and should be periodically done as needed.

Jason Bond showed a map with a key that describes what the map represents and the numbers indicate the priority each project has according to the Moyle Park Committee. He said if done right, this park will not only better reflect its historical significance but it will draw people in to take advantage of the recreational amenity and educational tool that it can be.

Kathleen Rasmussen said she knows there is no budget for these projects and knows the money is going to have to come from volunteers, Eagle Scout projects and family donations.

Jed Muhlestein put together a cost estimate of what he thought each of these items would cost.

Jason Bond said the priorities are as follows:

Drinking Fountain

The location of the drinking fountain would be south of the home. It will be a pipe off the water line with gravel around it. It was discussed that this could be an Eagle Scout project and possibly put some stone around it like the one on Main Street. Steve Cosper said if we wanted it to look historical, we should make it be a hand pump. Steve Swanson thought \$1000 was too much for a drinking fountain. Jason Bond said these figures are only rough estimates. Jason Thelin said this would be good for walkers and runners who don't like to carry water bottles and would like somewhere to stop and get a drink.

Public Restroom

Grant money has been saved for this project in the amount of \$17,000. The cost of the restroom would be \$45,000 in total. Jason Bond said the location of the restroom would be offset from the road on the south end of the park. There are many school children who visit this park throughout the year and need a restroom.

Entrance and West Fence Line Cleanup

Jason Bond said it was discussed to move the old farm equipment and to widen the entrance into Moyle Park to make room for a snow plow. He said trees could be planted to dress up the entrance and make the area look nice. Kathleen Rasmussen said there are old railroad ties bordering the entrance, but she said they are falling apart. Jason Bond said we need to take a look at what is historic and what is a maintenance problem for the caretakers and the public works department. Steve Cosper said he didn't like the idea of cement borders around the trees or farming equipment. He said it didn't look very historic. Judi Pickell asked if there would be a walkway to the side of the road to the entrance of the park. Kathleen said there is not that much room so people will have to walk up the road.

Shade Trees

Jason Bond said shade trees would be planted to provide some buffering from neighbors and to provide shade to the area next to the existing buildings on the west side of the park. He said he realizes that it will take a few years for the trees to grow to provide that shade.

Plaques at the Entrance

Move the existing plaques to the entrance of the park to create some more room for parking.

Build Bridge and Acquire Easement

Jason Bond said the city would need an easement from existing property owners in order to put a bridge in over the Dry Creek River. He said it would be a nice steel bridge like others in the city built by our Public works. The bridge would provide access from the east side of the park.

Build Public Parking Areas

Jason Bond said we would put in designated parking spaces by adding painted lines. A couple of small trees may have to be removed to acquire the needed parking. The plan shows an addition of 19 parking spaces and possible some bus parking.

Obtain New Swing Set

Jason Bond said the current swing set does not meet the safety requirements and the swings have been removed. Steve Swanson said rubber chips are better than wood chips around the swings. Will Jones said wood chips are actually better for the environment because the rubber chips get onto the grass and kill it. Steve Cosper asked why we were putting in a swing set if we wanted to keep the park historical; he said the kids can go down to another park to play. Will Jones said they would like to put in old fashioned tire swings to fit in with the historic nature of the park.

Build Amphitheatre

Jason Bond said it is proposed to use the area at the northeast of the park (currently a volleyball court) for an amphitheatre to hold community events. Jason Thelin said this park doesn't get used very much so he thought an amphitheatre would be a good idea to utilize the park. Peter Hart said the park has been very busy with tours almost every night. He said this is not a play park but a destination park from groups from all over the state. Kathleen Rasmussen said there are school buses, family reunions, scouts, church groups and other visitors coming in on a regular basis. She said the pioneer activities are very popular and draw a lot of people from all over the state during the summer months.

Build Fence for Buffering

Jason Bond said it was discussed to put a fence along the south end of the park to buffer the horse property. The property owner, Troy Ellis said he doesn't want a fence if he will lose his access to the park. There is currently a chain link fence there that belongs to Troy Ellis.

Clear Area and Plant Grass

Jason bond said it was proposed to clean out the east end of the park and plant some grass and have some picnic area and an open area for kids to play or for reunions and other activities. David Fotheringham said he likes the buffer of the trees so they're not looking out into the street. He said he agrees to clean it up, but to not make it into a grass field. Jason Bond said it wouldn't just be an open field; vegetation would still be preserved with trees, bushes and flowers. Jed Muhlestein said the area is approximately 7800 feet. Judi Pickell asked if we could have an architect come in and plan this. Steve Cosper said he got shot down last time he brought this up because it was not in the budget. Judi Pickell said we need to make this place special. She said we should incorporate plants and flowers there that have meaning to this area.

Acquire Property to Add to Park

Jason Bond said it is proposed to acquire the property and home at the southeast end of the park to include it into the park. This home was a second Moyle home and is significant to the area and would be an important part of the park.

Juanita Nield said we need to identify what the purpose of the park is. Is it for the children to play, is it for educational purposes, is it to reflect of the historic value? She said once we identify what we want it to be then we can plan from there. She said this park is a pearl for the city; she doesn't want it to be like all the other parks in Alpine. She said there is a reverence there and doesn't want to see it be used for just playing and exercising.

Jason Thelin wanted to know if Alpine Residents are utilizing this park or would we be putting a lot of money into something that more people from out of town use. Steve Cosper said we would be maintaining a historical part of Alpine that is unique to our area. Jason Bond said this park would be paid for with grants and donations and not out of the city budget. Kathleen Rasmussen said money for this park has come from family donations. Roger Bennett

said we have a limited amount of money but this does not all have to be done in one year. He said he appreciates that we have different parks and they are not all for sports and children playing.

MOTION: Chuck Castleton moved to recommend to the City Council that the Moyle Park Master Plan be adopted with the following modifications:

1. Utilize a landscape architect to plan the layout of the park.
2. Recommend against the building of the concrete buffer fence on the south end of the park.

Judi Pickell seconded the motion. The motion passed with 4 Ayes and 1 Nay. Steve Cosper, Jason Thelin, Chuck Castleton, and Judi Pickell all voted Aye. Steve Swanson voted Nay.

IV. COMMUNICATIONS

Chuck Castleton said he noticed some 4way signs at the stop signs are missing. He said someone put up a barbed wire fence up hog hollow and wanted to know if that was legal. Jason Bond said this area is farm area and they would be allowed to have this type of fencing. Chuck Castleton said residents are dumping grass clippings in open areas and on the trails. Jason Bond said he wished Alpine residents would take more pride in their open space and take better care of it. He said it is hard to regulate because the city doesn't know who is doing the dumping.

Judi Pickell said she didn't like the tone at the Questar meeting and said the Planning Commission needs to be addressed properly. She said that a resident took a couple of shots at Jason Bond and that was not appropriate and the Planning Commission should not have stood for it. She said the public should not be allowed to treat staff like that. Steve Cosper said he agreed and that's why he voted Nay. Jason Thelin said people have a lot of emotions and unfortunately, the city gets treated poorly and that's just part of the job. Steve Cosper said he would like to see a time limit set on these issues because it creates frenzy.

Judi Pickell said she would like to see the Planning Commission have some work sessions to see some progress made with the codes and the ordinances so we don't react when applicants come in. Jason Bond said it's hard to work on these ordinances during Planning Commission meetings because they are so full with other issues. He agreed that they need to be worked on and said the Planning Commission needs to designate a specific time to dedicate to it. Judi Pickell said we need to make some goals for next year of what the Planning Commission wants to accomplish and then set up a time to work on those goals.

V. APPROVAL OF PLANNING COMMISSION MINUTES OF: Sept 2, 2014

MOTION: Steve Swanson moved to approve the Planning Commission Minutes for Sept 2, 2014 subject to changes.

Steve Cosper seconded the motion. The motion passed unanimously with 5 Ayes and 0 Nays. Steve Cosper, Jason Thelin, Chuck Castleton, Steve Swanson and Judi Pickell all voted Aye.

Jason Thelin stated that the Planning Commission had covered all of the items on the agenda and adjourned the meeting at 9:16pm.