



ALPINE CITY PLANNING COMMISSION MEETING

NOTICE is hereby given that the **PLANNING COMMISSION** of Alpine City, UT will hold a **Regular Meeting** at **Alpine City Hall**, 20 North Main, Alpine, Utah on **Tuesday, May 1, 2018 at 7:00 pm** as follows:

I. GENERAL BUSINESS

- | | |
|-----------------------------|--------------------|
| A. Welcome and Roll Call: | David Fotheringham |
| B. Prayer/Opening Comments: | John McKay |
| C. Pledge of Allegiance: | By Invitation |

II. PUBLIC COMMENT

Any person wishing to comment on any item not on the agenda may address the Planning Commission at this point by stepping to the microphone and giving his or her name and address for the record.

III. ACTION ITEMS

- A. Introduction of New Planning Commission Member
- B. Selection of Vice Chair
- C. Concept Plan Review – Lambert Park Bowery
Review concepts for the Lambert Park Bowery and make a recommendation to City Council.
- D. Parking and Signage – Lambert Park
Review Lambert Park Master Plan and discuss parking and signage needs.
- E. Development Code Review – Section 2.03 Appeal Authority
Discuss and review the Development Code for updates and/or corrections.

IV. COMMUNICATIONS

V. APPROVAL OF PLANNING COMMISSION MINUTES: April 17, 2018

ADJOURN

Chairman David Fotheringham
May 1, 2018

THE PUBLIC IS INVITED TO ATTEND ALL PLANNING COMMISSION MEETINGS. If you need a special accommodation to participate in the meeting, please call the City Recorder's Office at 801-756-6347 ext. 5.

CERTIFICATION OF POSTING. The undersigned duly appointed recorder does hereby certify that the above agenda notice was posted at Alpine City Hall, 20 North Main, Alpine, UT. It was also sent by e-mail to The Daily Herald located in Provo, UT a local newspaper circulated in Alpine, UT. This agenda is also available on the City's web site at www.alpinecity.org and on the Utah Public Meeting Notices website at www.utah.gov/pmn/index.html.

ALPINE PLANNING COMMISSION AGENDA

SUBJECT: Selection of Vice-Chair

FOR CONSIDERATION ON: 1 May 2018

PETITIONER: Staff

ACTION REQUESTED BY PETITIONER: Nominate and select Vice-Chair of the Planning Commission.

BACKGROUND INFORMATION:

Vacancy to be filled.

STAFF RECOMMENDATION:

Nominate and select a member of the Planning Commission as Vice-Chair.

2.02 Planning Commission

2.02.010 Establishment Of Planning Commission

2.02.020 Term Of Office

2.02.030 Organization

2.02.040 Duties And Powers

2.02.050 Additional Duties And Powers

2.02.010 Establishment Of Planning Commission

Pursuant to authority granted in Title 10-9a-301 UCA 1953, as amended, there is hereby created a Planning Commission. The Planning Commission shall consist of seven (7) members. The members shall be appointed by the Mayor with the advice and consent of the City Council.

Members shall be selected without respect to political affiliation. The legislative body may fix per diem compensation for the members of the Planning Commission, based on necessary and reasonable expenses and on meetings actually attended.

(Ord. 98-01:1/28/98, Amended by Ord. 2006-17, 11/14/06; Ord. 2009-03, 2/24/09; Ord. 2010-02, 2/09/10)

2.02.020 Term Of Office

Each member of the Planning Commission shall serve for a term of four (4) years or until his successor is appointed. The term of office for each member shall commence on the first day of January. The Mayor may remove any member of the Planning Commission for cause. The Planning Commissioner being removed may appeal to the City Council and may request a public hearing be held. Any vacancy occurring on said Commission by reason of death, resignation, removal or disqualification shall be filled in the same manner as an original appointment for the unexpired term.

(Ord. 98-01:1/28/98, Amended by Ord. 2006-17, 11/14/06; Ord. 2009-03, 2/24/09; Ord. 2010-02, 2/09/10)

(Amended by Ord. No. 2007-04, 4/10/07; Ord. 2010-02, 2/09/10)

2.02.030 Organization

1. At its first meeting in January of each odd year, the Planning Commission shall elect one of its members as Chair and a second member as Vice-Chair. The Chair shall serve for a term of two years and until a successor is chosen. A vacancy in the position of Chair or Vice-Chair shall be filled for the unexpired term by election at the next meeting of the Planning Commission. A person may be elected to serve consecutive terms as Chair.
2. The Chair shall preside at all meetings of the Planning Commission. In the absence of the Chair, the Vice-Chair shall preside. If both the Chair and Vice-Chair are absent, the Commission shall elect one of its members as Chair Pro-Tem to preside at that meeting.
3. Subject to the approval of the City Council, the Planning Commission shall adopt Rules of Procedure consistent with this Code for its own organization and for the transaction of business. Such rules shall not be inconsistent with any directive or instruction received from the City Council.
4. Meetings of the Planning Commission shall be held as frequently as the Commission deems advisable.
5. Reports of official acts and recommendations of the Planning Commission shall be made in writing to the City Council and shall indicate how each member of the Commission voted with respect to such act or recommendation. Any member of the Commission may also make a concurring or dissenting report or recommendation to the City Council whenever he or she so desires.

(Ord. 98-01:1/28/98, Amended by Ord. 2006-17, 11/14/06; Ord. 2009-03, 2/24/09; Ord. 2010-02, 2/09/10)

2.02.040 Duties And Powers

The Planning Commission shall:

1. make a recommendation to the City Council for:
 - a. a general plan and amendments to the general plan;
 - b. land use ordinances, zoning maps, official maps, and amendments;
 - c. an appropriate delegation of power to at least one designated land use authority to hear and act on a land use application;
 - d. an appropriate delegation of power to at least one appeal authority to hear and act on an appeal from a decision of the land use authority; and
 - e. application processes that:
 - i. may include a designation of routine land use matters that, upon application and proper notice, will receive informal streamlined review and action if the application is uncontested; and
 - ii. shall protect the right of each:
 - (1) applicant and third party to require formal consideration of any application by a land use authority;
 - (2) applicant, adversely affected party, or municipal officer or employee to appeal a land use authority's decision to a separate appeal authority; and
 - (3) participant to be heard in each public hearing on a contested application.
2. prepare and recommend a proposed ordinance to the City Council that regulates the subdivision of land; prepare and recommend or consider and recommend a proposed ordinance that amends the regulation of the subdivision of the land in the City.
3. have the authority to grant concept and preliminary approval for subdivisions that fully comply with Alpine City ordinances, and recommend final approval to the City Council for subdivisions that are in compliance.
4. review and make a recommendation to the City Council on site plans for buildings not located in an approved subdivision for compliance with Alpine City ordinances prior to the issuance of a building permit (see DCA 4.14 for more information).
5. as a land use authority, hear and decide applications for conditional use permits, other than administrative conditional uses (see DCA 3.23 for more information).
6. make a recommendation to the City Council for any extension and reconstruction of non-conforming buildings or buildings housing a non-conforming use (see DCA 3.22 for more information).
7. follow the appropriate procedures for public hearings and public meetings and shall give proper public notice as applicable.

(Ord. 98-01:1/28/98, Amended by Ord. 2006-17, 11/14/06; Ord. 2009-03, 2/24/09; Ord. 2010-02, 2/09/10)

2.02.050 Additional Duties And Powers

The Planning Commission:

1. May conduct hearings and meetings with interested property owners, officials and citizens in the process of carrying out its functions.

(Ord. 98-01:1/28/98, Amended by Ord. 2006-17, 11/14/06; Ord. 2009-03, 2/24/09; Ord. 2010-02, 2/09/10)

ALPINE PLANNING COMMISSION AGENDA

SUBJECT: Concept Plan Review – Lambert Park Bowery

FOR CONSIDERATION ON: 1 May 2018

PETITIONER: Staff

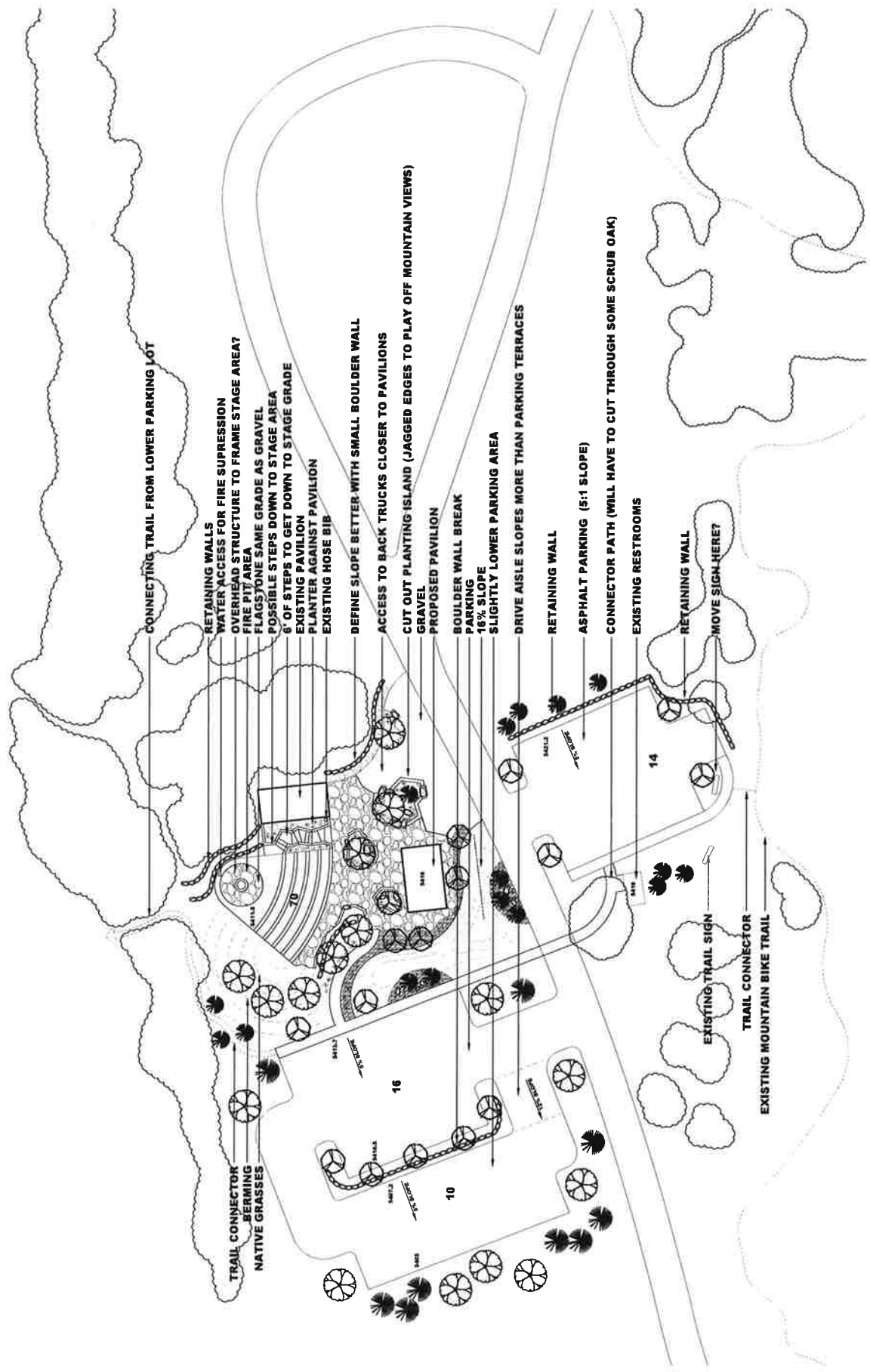
ACTION REQUESTED BY PETITIONER: Review concept plans and make a recommendation to City Council.

BACKGROUND INFORMATION:

Two concept plans for the Lambert Park Bowery have been prepared for review by the Planning Commission.

STAFF RECOMMENDATION:

Review Concept Plans for the Lambert Park Bowery and make a recommendation to the City Council.



ALPINE PLANNING COMMISSION AGENDA

SUBJECT: Parking and Signage – Lambert Park

FOR CONSIDERATION ON: 1 May 2018

PETITIONER: Staff

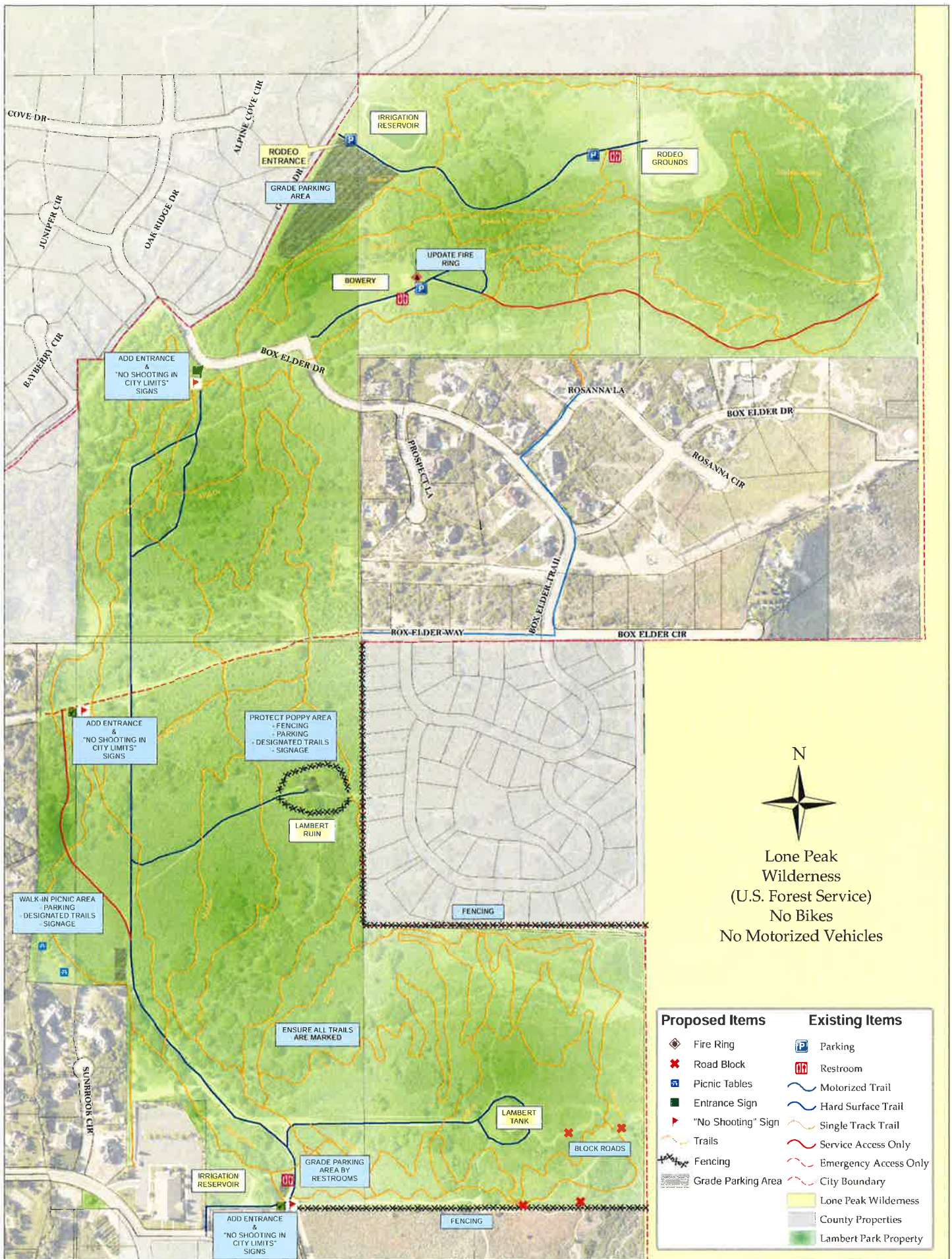
**ACTION REQUESTED BY PETITIONER: Discuss needs for parking and
signage in Lambert Park.**

BACKGROUND INFORMATION:

The Lambert Park Master Plan is set to be reviewed by the Mayor and City Council at an upcoming meeting and they are requesting feedback regarding parking and signage needs in Lambert Park.

STAFF RECOMMENDATION:

Review the Lambert Park Master Plan and discuss parking and signage needs.



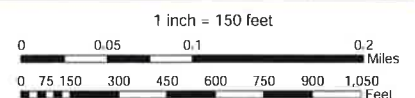
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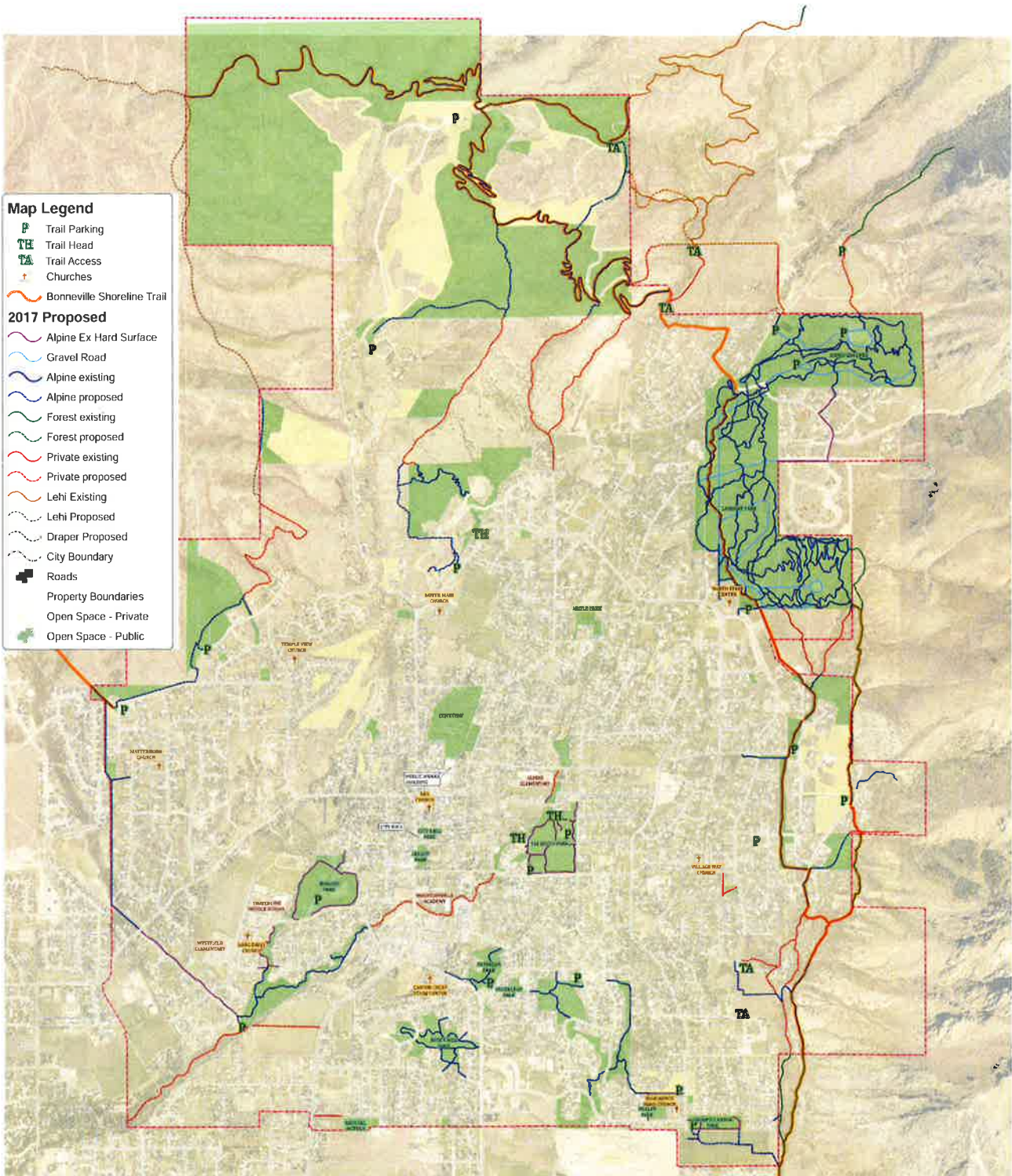
Lone Peak
Wilderness
(U.S. Forest Service)
No Bikes
No Motorized Vehicles

SEPTEMBER 2017



Lambert Park Master Plan





Trail Master Plan

0 0.125 0.25 0.5 0.75 1 Miles



Proposed Oct 2017

ALPINE PLANNING COMMISSION AGENDA

SUBJECT: Development Code Review – Section 2.03 Appeal Authority

FOR CONSIDERATION ON: 1 May 2018

PETITIONER: Staff

ACTION REQUESTED BY PETITIONER: Recommend updates and/or corrections.

BACKGROUND INFORMATION:

The Alpine City Planning Commission has decided to review the Development Code in 2018. The purpose is to 1) be better familiar with the city code, and 2) to review the code for errors, inconsistencies, needed updates.

STAFF RECOMMENDATION:

Review Section 2.03 of the Development Code and recommend needed updates and/or corrections.

2.03 Appeal Authorities

2.03.010 Appeal Authority

2.03.020 Hearing Officer

2.02.030 Variances

2.02.040 Appeals From Land Use Decisions

2.02.050 District Court Review Of Appeal Authority Decisions

2.03.010 Appeal Authority

There is hereby created Appeal Authorities, consisting of an appointed Hearing Officer, which shall act in a quasi-judicial manner to hear appeals regarding the interpretation or application of Alpine City land use ordinances.

(Ord. 98-02, 1/13/98. Amended Ord. 2006-17, 11/14/06; Ord. 2013-03, 3/12/13; Ord. 2015-01, 02/10/15; Ord. No. 2017-10, 06/13/17)

2.03.020 Hearing Officer

1. **Establishment and Appointment of Hearing Officer.** There is hereby created the officer of Land Use Hearing Officer. The Alpine City Hearing Officers shall be appointed by the Mayor with the advice and consent of the City Council. The individual appointed as a Hearing Officer shall be a person who is trained in or familiar with the disciplines of planning or law.
2. **Term of Office.** The Hearing Officer shall serve at the pleasure of the City for an indefinite term. The Land Use Hearing Officer may be dismissed from office by the Mayor, with the advice and consent of the City Council, with or without cause at anytime.
3. **Duties and Powers.** The Land Use Hearing Officer, as the Appeal Authority, shall
 - a. hear and decide appeals from decisions granting or denying reasonable accommodations for persons with disabilities from land use regulations; and
 - b. hear and decide appeals from land use decisions applying or interpreting the land use ordinances.

(Ord. 98-02, 1/13/98. Amended Ord. 2006-17, 11/14/06; Ord. 2013-03, 3/12/13; Ord. 2015-01, 02/10/15; Ord. No. 2017-10, 06/13/17)

2.02.030 Variances

1. Any person or entity desiring a waiver or modification of the requirements of a land use ordinance as applied to a parcel of property that he owns, leases, or in which he holds some other beneficial interest may apply to the Hearing Officer for a variance from the terms of the ordinance.
2. An appeal for a variance shall be filed with the Zoning Administrator.
3. The Hearing Officer shall fix a reasonable time for the hearing of the appeal, and give at least ten (10) days public notice thereof, as well as due notice to the parties in interest and adjacent property owners within 300 feet, and shall decide the same within a reasonable time. Upon the hearing, any party may appear in person, by agent, or by attorney.
4. The Hearing Officer may administer oaths and compel the attendance of witnesses.
5. The Hearing Officer shall cause minutes of his/her proceedings to be kept indicating such fact, and shall cause records or his/her examinations and other official actions; all of which shall be immediately filed at Alpine City Hall and shall be public record.
6. Decisions of the Hearing Officer regarding variances become effective at the meeting in which the decision is made, unless a different time is designated in the Hearing Officer's rules or at the time the decision is made.
7. The Hearing Officer may grant a variance only if:

- a. Literal enforcement of the ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the land use ordinances;
 - b. There are special circumstances attached to the property that do not generally apply to other properties in the same zone;
 - c. Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone;
 - d. The variance will not substantially affect the general plan and will not be contrary to the public interest; and
 - e. The spirit of the land use ordinance is observed and substantial justice done.
8. In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship under Part 7, the Hearing Officer may not find an unreasonable hardship unless the alleged hardship:
- a. Is located on or associated with the property for which the variance is sought; and
 - b. Comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood.
9. In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship under Part 7, the Hearing Officer may not find an unreasonable hardship if the hardship is self-imposed or economic.
10. In determining whether or not there are special circumstances attached to the property under Part 7, the Hearing Officer may find that special circumstances exist only if the special circumstances:
- a. Relate to the hardship complained of; and
 - b. Deprive the property of privileges granted to other properties granted in the same zone.
11. The applicant shall bear the burden of proving that all of the conditions justifying a variance have been met.
12. Variances run with the land.
13. The Hearing Officer may not grant a use variance.
14. In granting a variance, the Hearing Officer may impose additional requirements on the applicant that will:
- a. Mitigate any harmful effects of the variance; or
 - b. Serve the purpose of the standard or requirement that is waived or modified.

(Ord. 98-02, 1/13/98. Amended Ord. 2006-17, 11/14/06; Ord. 2013-03, 3/12/13; Ord. 2015-01, 02/10/15; Ord. No. 2017-10, 06/13/17)

2.02.040 Appeals From Land Use Decisions

1. **Standards for Review of Appeals.** The Land Use Hearing Officer shall hear and decide appeals from land use decisions applying or interpreting the land use ordinances, and shall comply with the following standards:
- a. The applicant, a board or officer of the City, or any person adversely affected by the Land Use Authority's decision administering or interpreting a land use ordinance may appeal that decision to the Land Use Hearing Officer by alleging that there is error in any order, requirement, decision, or determination made by the Land Use Authority in the administration or interpretation of the land use ordinance.
 - b. The appeal must be filed within ten (10) days from the date of such decision by filing with the Zoning Administrator and with the Land Use Hearing Officer a written notice of appeal specifying the grounds thereof.
 - c. An appeal filed in accordance with this section stays all proceedings in the appeal action, unless the Zoning Administrator certifies to the Hearing Officer, after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate a stay would,

in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by restraining order which may be granted by the Hearing Officer or by the district court on application and notice and on due cause shown.

- d. The Hearing Officer shall fix a reasonable time for the hearing of any appeal within forty (40) days of the date of filing such appeal with the Zoning Administrator.
- e. All appeals including appeals of conditional use decisions rendered by the Planning Commission shall follow the review procedure outlined below.
 - i. Upon scheduling a hearing date, the Land Use Hearing Officer shall notify the City's Zoning Administrator at least two weeks prior to the hearing to allow preparation of the record of proceedings.
 - ii. The Zoning Administrator shall prepare a copy of the record of the proceedings, which shall be a complete record from the date of application to the date of the decision appealed from, and provide a copy to the Land Use Hearing Officer and to the person or entity filing the appeal at least one week before the date of the hearing.
 - iii. All appeals on decisions applying a land use regulation to a specific application or parcel of land shall be on the record only and not de novo. In appeals from decisions applying the terms of the land use regulation the Hearing Officer shall review the record, and may not accept or consider any evidence outside the record unless the Zoning Administrator fails to provide a record of proceeding.
 - iv. The Hearing Officer shall conduct a hearing on each appeal with respect for the due process rights of each of the participants. Notice shall be given of all hearing dates and times. Parties shall be given the right to be heard and present argument. Parties shall be allowed to offer written and oral argument as they desire, in conformance with reasonable rules for such procedure adopted by the Hearing Officer.
 - v. The Land Use Hearing Officer shall review the decision of the Land Use Authority that involves a determination of factual matters on the record, and not de novo, and determine whether the decision was arbitrary, capricious, or illegal. A decision is considered arbitrary or capricious only if the Hearing Officer determines that there was not substantial evidence, as that term has been defined by Utah courts, found in the record to support each essential finding of fact of the Land Use Authority.
 - vi. The Land Use Hearing Officer shall interpret and apply the plain meaning of the land use regulation; and interpret and apply a land use regulation to favor a land use application unless the land use regulation plainly restricts the land use application.
 - vii. After review of the record and written and oral argument on both sides, the Hearing Officer may affirm, reverse, or remand to the appropriate Land Use Authority for further review and consideration the action taken by the Land Use Authority.
- f. The appellant has the burden of proving that the Land Use Authority erred.
- g. The Hearing Officer shall presume that the decision of the Land Use Authority that is being appealed is correct, and shall only modify the decision if the appellant meets its burden of showing that the Land Use Authority erred in its application or interpretation of the land use ordinances.
- h. Only decisions applying and interpreting the adopted land use ordinances of the City or requesting reasonable accommodations for persons with disabilities may be appealed to the Hearing Officer. A person may not appeal, and the Hearing Officer, in his/her duties as an Appeal Authority, may not consider, any appeal of a legislative decision of the City Council, such as a decision to adopt or amend any land use (zoning or subdivision) ordinance of the City.
- i. Appeals may not be used to waive or modify the terms of requirements of the land use regulation or ordinance, except as specifically allowed by the land use regulation or ordinance.
- j. The Hearing Officer shall render his/her decision on the appeal within thirty (30) days from the date that the hearing is held. The Officer may affirm, wholly or partly, or may modify the order, requirement, decision or determination of the Land Use Authority.

- k. A decision of the Hearing Officer takes effect on the date when the Officer issues a written decision, or as otherwise provided by ordinance. A written decision, or other event as provided by ordinance, constitutes a final decision under Subsection 10-9a-802(2)(a) or a final action under Subsection 10-9a-801(4) of the Utah State Code.

(Ord. 98-02, 1/13/98. Amended Ord. 2006-17, 11/14/06; Ord. 2013-03, 3/12/13; Ord. 2015-01, 02/10/15; Ord. No. 2017-10, 06/13/17)

2.02.050 District Court Review Of Appeal Authority Decisions

1. Any person adversely affected by any decision of the Land Use Hearing Officer or the Board of Adjustment may petition the district court for a review of the decision. However, no person may challenge in district court the City's land use decision until that person has exhausted the person's administrative remedies as provided in Utah State Code Title 10, Chapter 9a, Part 7, Appeal Authority and Variances, if applicable.
2. In the petition, the petitioner may only allege that the Land Use Hearing Officer's or the Board of Adjustment's decision was arbitrary, capricious, or illegal.
3.
 - a. The petition is barred unless it is filed within 30 days after the Land Use Hearing Officer's or the Board of Adjustment's decision is final.
 - b.
 - i. The time under Part 3,a to file a petition is tolled from the date a property owner files a request for arbitration of a constitutional taking issue with the private property ombudsman under Utah Code Annotated 13-43-204 until 30 days after:
 - (1) the arbitrator issues a final award; or
 - (2) the private property ombudsman issues a written statement under Utah Code Annotated 13-43-204(3)(b) declining to arbitrate or to appoint an arbitrator.
 - ii. A tolling under Part 3,b,i operates only as to the specific constitutional taking issues that are the subject of the request for arbitration filed with the private property ombudsman by a property owner.
 - iii. A request for arbitration filed with the private property ombudsman after the time under Part 3,a to file a petition has expired does not affect the time to file a petition.
4.
 - a. The Land Use Hearing Officer or the Board of Adjustment shall transmit to the district court the record of its proceedings including its minutes, findings, orders, and if available, a true and correct transcript of its proceedings.
 - b. If the proceeding was taped, a transcript of that tape recording is a true and correct transcript for purposes of this Part.
5.
 - a.
 - i. If there is a record, the district court's review is limited to the record provided by the Land Use Hearing Officer or the Board of Adjustment.
 - ii. The court may not accept or consider any evidence outside the Land Use Hearing Officer or the Board of Adjustment record unless that evidence was offered to the Hearing Officer or the Board and the court determines that it was improperly excluded by the Hearing Officer or the Board.
 - b. If there is no record, the court may call witnesses and take evidence.
6. The court shall affirm the decision of the Land Use Hearing Officer or the Board of Adjustment if the decision is supported by substantial evidence in the record and is not arbitrary, capricious, or illegal.
7.
 - a. The filing of a petition does not stay the decision of the Land Use Hearing Officer or the Board of Adjustment.
 - b.
 - i. Before filing a petition under this section or a request for mediation or arbitration of a constitutional taking issue under Utah Code Annotated 13-43-204, the aggrieved party

- may petition the Land Use Hearing Officer or the Board of Adjustment to stay its decision.
- ii. Upon receipt of a petition to stay, the Land Use Hearing Officer or the Board of Adjustment may order its decision stayed pending district court review if the Land Use Hearing Officer or the Board of Adjustment finds it to be in the best interest of the City.
 - iii. After a petition is filed under this section or a request for mediation or arbitration of a constitutional taking issue is filed under Utah Code Annotated 13-43-204, the petitioner may seek an injunction from the district court staying the Land Use Hearing Officer's or the Board of Adjustment's decision.

(Ord. 98-02, 1/13/98. Amended Ord. 2006-17, 11/14/06; Ord. 2013-03, 3/12/13; Ord. 2015-01, 02/10/15; Ord. No. 2017-10, 06/13/17)

ALPINE PLANNING COMMISSION AGENDA

SUBJECT: Planning Commission Minutes April 17, 2018

FOR CONSIDERATION ON: 1 May 2018

PETITIONER: Staff

ACTION REQUESTED BY PETITIONER: Approve Minutes.

BACKGROUND INFORMATION:

Minutes from the April 17, 2018 Planning Commission Meeting.

STAFF RECOMMENDATION:

Review and approve the Planning Commission Minutes.

**ALPINE CITY PLANNING COMMISSION MEETING AT
Alpine City Hall, 20 North Main, Alpine, Utah
April 17, 2018**

I. GENERAL BUSINESS

- A. Welcome and Roll Call:** The meeting was called to order at 7:00 pm by Chairman David Fotheringham. The following Commission Members were present and constituted a quorum:

Chairman: David Fotheringham

Commission Members: David Fotheringham, Jane Griener, John Gubler, Sylvia Christiansen

Staff: Austin Roy, Jed Muhlestein, Marla Fox

Others: Ed Bush, Breezy Anson, Bob Chatfield, Paul Watson, Matt Watkins, Jeremy Ainsworth

A. Prayer/Opening Comments: David Fotheringham

B. Pledge of Allegiance: John Gubler

II. PUBLIC COMMENT

There were no comments.

III. ACTION ITEMS

A. Introduction of New Planning Commission Member

This item was postponed until the next meeting.

B. Selection of Vice Chair

This item was postponed until the next meeting.

C. Major Subdivision Final Plat Review – North Point Plat C – Marcus Watkins

Jed Muhlestein explained the petitioner, Marcus Watkins, submitted the final plat for Plat C of the North Point Subdivision, located at approximately 1115 North Heritage Hills Drive. The proposed site included three lots on 1.83 acres, with lot sizes ranging from 0.57 acres to 0.64 acres. The development was in the CR-20,000 zone.

Mr. Muhlestein said North Point was given preliminary approval as a PRD back in 2004 and as part of a development agreement; they were given no expiration on when they had to finish their phasing. Plat A was developed in 2007, and they received final approval in 2016 for Plat B. Plat B was developed in 2017. They were now asking for Final approval on Plat C and the only area not developed was Plat D on the east side of the development.

Mr. Muhlestein said the sewer was already in Eastview Lane and the only thing they need to add to Eastview Lane was the road. The storm drain, water and pressurized irrigation were already fitted. Mr. Muhlestein explained how the storm drain system would connect from this subdivision to the City's storm drain and showed where the irrigation ditch was located. He explained how the irrigation ditch had a 30 inch pipe that ran from the drainage basin to Eastview Lane. He noted a storm drain retention pond would be required for this subdivision.

Mr. Muhlestein said this subdivision was part of a PRD and all the PRD requirements were met with Plat A and B. They were required to have 25% open space and all the open space requirements were platted with Plat A and Plat B.

Mr. Muhlestein said the Developer had credits on file in the application to show they would meet the Water Policy. He said they needed to provide a storm drain easement for the retention pond, and the Developer had already provided a cost estimate. He noted the Fire Chief reviewed and approved the plan.

Commissioner Christiansen asked when the development would begin and she was informed that construction would begin this summer.

MOTION: Jane Griener moved to recommend Final approval of North Point Plat C with the following conditions:

1. Developer provides as storm drain easement for the retention pond in Plat D
2. Water policy be met

John Gubler seconded the motion. The motion passed with 4 Ayes and 0 Nays. David Fotheringham, Jane Griener, John Gubler, and Sylvia Christiansen all voted Aye.

D. Major Subdivision Concept/Preliminary Plan Review – Alpine View Estates – Griff Johnson

The petitioner, Griff Johnson, submitted a concept plan for the Alpine View Estates Subdivision and received approval from the Planning Commission on May 6, 2017. The concept had since been revised, with changes to lot locations, lot lines, and the proposed route of Blue Spruce Road.

Austin Roy said the proposed subdivision included 19 lots on 19.30 acres. The lot sizes ranged from 0.46 acres to 0.88 acres, and approximately 5.05 acres were being dedicated as open space. The development was located in the CR-40,000 zone. The previous plan was to dedicate 5.1 acres of open space but had since been reduced to 5.05 acres and was still above the open space requirement for a PRD.

Mr. Roy identified a section of the map on the west side where the previous plan had six lots, and said the area in question was now being changed to five lots. He also showed changes to the layout of the road and said this change would free up a little more space. They will still have nineteen lots, but one lot would be moved from the west side to the east side.

Mr. Muhlestein said there was a certain percentage of a steep slope permitted inside the lots in a PRD. He said a part of the approval would be to grant an exception to ten lots that contained a small percentage of steep slopes. The City code allowed up to 5% in the lot, but they needed an exception for that amount. Mr. Muhlestein said staff wanted to change the ordinances because it was superfluous to have a developer ask for an exception. He said every PRD had a percentage of steep slopes. They needed to grant an exception now because of how the ordinance was written.

Mr. Muhlestein said all of the lots but one was less than 5%. The one lot that was greater than 5% had a manmade hill that would be removed.

In addition to the revised concept plan, the petitioner had submitted preliminary plans and drawings for approval.

Mr. Muhlestein said the street system would connect from Blue Spruce Road to 400 West. The Fire Marshal approved the subdivision with the condition of a temporary turnaround. He noted there was a sewer in 400 West that could connect to the lots on the east side. On the west side, sewer, water and pressurized irrigation would connect to Blue Spruce Road. A condition of final approval would be to give the City an easement for the temporary turnaround and the utilities prior to plat recordation.

Commissioner Gubler asked Breezy Anson if there were plans to connect the roads in the future. Breezy Anson said his parents wanted to connect the road through this subdivision and possibly make two or three lots.

Mr. Muhlestein said there was an existing home at 391 North 400 West that would be demolished or moved. He noted there were already existing utility hookups at that home. The sewer hookup would need to be capped or reused. Pressurized irrigation lines would need to be dug up at the main and capped. He said it was possible to reuse the lines.

Mr. Muhlestein said culinary water had connection to all the roads. The Fire Chief had reviewed and approved the plans and hydrant locations. He explained that new laterals would be required throughout the subdivision. He said he put in the plans that the pressurized irrigation lines would need to match Horrock's water model.

Mr. Muhlestein said the developers took the idea of exchanging City property to the City Council for consideration. They wanted to exchange the property for open space and add it to Lot 19. He said the developers would then be eliminating the storm drain pipe and storm drain detention basin on the northern property line. The City Council approved this exchange with a condition the developer make the storm drain system work in their development. Mr. Muhlestein explained they had made the storm drain system work.

The storm drain system will be re-routed from Blue Spruce down through the subdivision to the east side and into a detention basin. Mr. Muhlestein said the water that was not being captured on the west side would be captured into two sumps, as well as a retention basin that had a sump.

Mr. Muhlestein said the property benefited from a ten to twelve foot tall natural retention basin. He said there was a large dyke that would capture water on the south side of the subdivision. A report done on the dyke stated it had enough capacity for a 100-year storm. He noted they would not include that in their storm drain infrastructure. A Geo-Tech report had been done and they found collapsible soils, so this will require an excavation report at each lot.

Mr. Muhlestein made a summary of the plan and the proposed conditions. It was discussed that the amendment did not change the minimum or maximum sizes of the lots.

MOTION: Jane Griener moved to approve the changes to the Alpine View Estates Concept Plan with the following conditions:

1. Red lines be addressed
2. Fire Chief approve the turn around
3. Exception be granted for slope greater than 5%
4. Developer finalize trail with Trail Committee

Sylvia Christiansen seconded the motion. The motion passed with 4 Ayes and 0 Nays. David Fotheringham, Jane Griener, John Gubler, and Sylvia Christiansen all voted Aye.

MOTION: Sylvia Christiansen moved to approve the Alpine View Estates Preliminary Plan with the same conditions as the Concept Plan.

John Gubler seconded the motion. The motion passed with 4 Ayes and 0 Nays. David Fotheringham, Jane Griener, John Gubler, and Sylvia Christiansen all voted Aye.

E. Presentation: Alpine City Tree Guidelines Book – Jeremy Ainsworth

The Street Tree Selection Guide had been created to help provide specialized information about trees and their specific properties, as well as classify them and create guidelines for where they should ideally be planted around the City based on tree type.

Mr. Muhlestein said the City had planted the wrong kind of trees in its park strips. The park strips had broken and been lifted as a result. Another problem was that the branches extending into the road and out over the sidewalk was making it difficult to use the sidewalk. He said they needed 12 feet of clearance under a tree when work was being done on the streets. He said that according to the Fire Chief, they need 13.5 feet of clearance for their trucks. He said this led to the creation of a tree guideline to mitigate these issues. He said their goal was to adopt the guidelines so as to be included in building permits and on the City's website.

There was some discussion about holding developers financially responsible for trees that were a nuisance. Mr. Ainsworth said their goal was to educate developers using the proposed Alpine City Tree Guidelines. If the booklet is adopted, he indicated that he would like to participate in the subsequent creation of an ordinance.

Mr. Ainsworth said he took a lot of his information from the Utah State University. He said the book categorized trees based on size. The book gave detailed instructions on how to plant, prune, and water the trees. Mr. Ainsworth said a root barrier should be added when planting a tree in the park strip to help roots go down instead of out. He outlined how they should take caution with power lines. Mr. Ainsworth said the guideline book would be a working document with examples, pictures, and additions and changes made over time.

There was further deliberation on the guideline book by the Commission.

IV. COMMUNICATIONS

There was none.

V. APPROVAL OF PLANNING COMMISSION MINUTES: March 20, 2018

MOTION: John Gubler moved to approve the Planning Commission Minutes for March 20, 2018, as written.

Jane Griener seconded the motion. The motion passed with 4 Ayes and 0 Nays. David Fotheringham, Jane Griener, John Gubler and Sylvia Christiansen all voted Aye.

ADJOURN

David Fotheringham stated that the Planning Commission had covered all the items on the agenda and adjourned the meeting at 8:15 p.m.