

**ALPINE CITY PLANNING COMMISSION MEETING at
Alpine City Hall, 20 North Main, Alpine, Utah
Aug 19, 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 Cospers, Jason Thelin, Chuck Castleton, Steve Swanson, Judi Pickell

Commission Members Not Present: Bryce Higbee

Staff: Jed Muhlestein, Jason Bond, Marla Fox

Others:

Craig Chagnon, Win Rasband, Kelley Rasband, Michelle Schirmer, Kay Holbrook, Kevin Galbraith, Elizabeth Galbraith, Dale Merrill, Debbie Merrill, Janet Butler, Lavar Butler John Macay, Kathleen Macay, Aaron Day, Lychelle Day, Ari Monkarsh, Lon Lott, Doug Malm, Kristin Malm, Kevin Melnig, Austin Curtis, Nancy Judd, Julie Day, Steve Day, Michelle Delatorre, Frank Delatorre, Joe Fetters, Lisa Monson, Taylor Jamison, Jodie Jamison, Justin Mitchell, Vanessa Sutton, Thomas Sutton, Terra Harvey, Bruce Harvey, Daniel Rapp, Barbara Melendez-Rapp, Ron Gillespie, Stephen Crain, Paul Kroff, Den Berg, Jordan Melendez, Antonio Melendez, Janis Fetters, Maryann Casto, Lisa Galindo, Kim Topham, Cami Smith, D Akin, Diane Lavin, Rick Helstrom, Heather Groom, Tami Hirsh

B. Prayer/Opening Comments: Chuck Castleton

II. PUBLIC COMMENT

No Comment

III. ACTION ITEMS

A. PUBLIC HEARING – Sprint Tower Site Plan

Sprint has submitted a site plan for review that would include the installation of (2) antennas, (2) power junction cylinders, (2) fiber junction cylinders, (1) filter and (2) RRH. The site is located at 694 Rocky Mountain Drive (Shepherd's Hill).

Craig Chagnon said he works for Crown Castle and his company leases space from Clyde Shepherd for the Sprint Cell Tower. This will be the second phase for the towers and there will be no additional changes to the tower. The structure is sound and the visual impact will be minimal. There will be no expansion of the compound and no height increase. Landscaping has been done and improved and a watering system added for the trees. He said they put in excess of what was approved.

Chuck Castleton asked if antennas were being added or just replaced. Mr. Chagnon said two new antennas are going to be added for better coverage. Steve Crane said he appreciates Sprint for bringing the antennas in and providing a close mount. He also appreciates Sprint planting four new trees and improving the landscaping. He asked the Planning Commission to uphold conditions placed on other Cell Towers in the area.

Michelle Schirmer said the neighborhood was promised that there would be a meeting by Sprint. She said it was set up and then cancelled. She said the neighborhood wants to make sure things are done as promised. Lyn Stubner said she would like to see some pictures of what's actually going to happen. She said the Planning Commission should oversee the installation to make sure it is put in exactly as the Cell tower companies said it will be. Janet Butler said she was concerned about the health risks of the cell towers. She said some people in the neighborhood have cancer and autoimmune disorders and other health problems which may be related from these towers. She would like to see some studies done on this subject.

Steve Swanson asked Mr. Chagnon if he would provide some pictures of what this tower will look like when completed to ease the minds of the residents. Jason Thelin said Sprint is not required to go to neighborhood

meetings. Jason Bond said a meeting is not required by ordinance but would go a long way to have good neighborhood relations. Chuck Castleton asked if this change would be considered a substantial change or just a modification. Jason Bond said he has asked David Church about and it did not look like a substantial change to him. He said the Planning Commission can't require conditions on this but can ask for improvements.

Judi Pickell said she doesn't want to give the residents false hope that the Planning Commission is going to put conditions on the cell towers when legally our hands are tied. Michelle Schirmer said this is not a modification because Sprint is doubling the antennas. Mr. Chagnon said this tower can hold up to six antennas. Lyn Stubner asked if we have weak ordinances. Steve Swanson said it is the Federal Law and not something the Planning Commission came up with. Chuck Castleton asked if this requires a motion from the City Council.

Steve Crane said the Planning Commission can impose conditions like landscaping and asking them to close mount the antennas for visual effect. He said there are legitimate concerns about health when you have seven towers on one hill. Clyde Shepherd said twenty years ago he required that the towers were not higher than thirty five feet, landscaping, hidden units, no co-location. He said AT&T, Digis and Sprint have spent a lot of money to put in an irrigation system and landscaping to provide large trees to make this accommodating to everyone. He said he has followed all the recommendations that have been asked of him and still be able to provide the service and the speed the residents want. He said he has tried really hard to stay within the law and to make the area attractive with trees.

Steve Cosper said he would like to see the approval of this type of application be given back to the DRC in absence of any substantial change because State Law has outlined what needs to be done. Jason Bond said at a later time we need to address our ordinance and amend the ordinance as you would like to see it.

MOTION: Steve Swanson moved to recommend to City Council that the proposed Site Plan for Sprint 2.5 Equipment Upgrade go forward with the following recommendation:

1. Request that Sprint work with the residents to keep the site well maintained and landscaped.

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

B. PUBLIC HEARING – Questar Property Purchase and Conditional Use Site Plan

Questar Gas has approached the city with an offer of \$120,000 dollars to purchase 0.13 acres of land and 0.35 acres of easement for the purpose of installing a natural gas metering facility and line in conjunction with their pipeline replacement project. Both pieces of property are Open Space land where an existing Questar Gas Easement exists. The City Council approved the idea of a potential sale July 8th, allowing the process to move forward. The facility is proposed at 600 North Pfeifferhorn Drive on a 2.37 acre piece of Alpine City owned Open Space. The property is in the CR-40,000 zone.

The proposed building is 8' x 8' in length, width and height. It will be located on the piece of property proposed To be bought. An 8' tall solid concrete fence is proposed to enclose the property. Improvements to the property would be a small section of paved driveway and graveled landscaping to cover the site (75' x 75' in total). These improvements would be within the 8' tall fenced area.

Jason Bond said this would be a Conditional Use and has to go before the Planning Commission, and notification letters be sent to surrounding neighbors which has been done. Questar has asked that the Conditional Use Permit and Site Plan be concurrent with the purchase of this property. The purchase of the property requires a recommendation from the Planning Commission and then a super majority vote from the City Council which would be four votes. The City Council will have final say on whether this property will be sold.

Rick Helstrom with Questar Gas Company said they are doing a pipeline replacement of aging infrastructure and at the same time looking at loads on their system and future development. The project for 2014-2015 will be to replace about 40 miles of 12 inch, high pressure gas main starting in Salt Lake City and coming down to Alpine, continuing south into Provo. Rick Helstrom said much of the project is in city streets, but there is also a lot in private easements. He said these pipes were installed in 1947 and are sixty to seventy years old and need to be replaced.

The pipeline needs to be replaced in the easements that were required back in the 40's and he showed on the map an existing easement here in Alpine. Today, many subdivisions have been developed over the top of the lines. The corroder has been maintained but we have a lot of homes that have been built 8 to 10 feet from the existing pipeline. The new pipeline has a lot of safety built into it and it's made of better material which is welded steel and is better technology than was available seventy years ago. There are better coatings that protect it from corrosion and the wells are x-rayed to guarantee their integrity.

Rick Helstrom said Questar is just trying to make sure the city has a safe, reliable supply of gas. The meter station is to measure and monitor the flow of gas through the pipeline to ensure that minimum gas flow requirements are being sustained in this part of our distribution system. He said on this Site Plan there is a proposed future regulator station where they take the gas from the high pressure pipeline and run it through a series of regulators and reduce the pressure down to about 45 pounds of pressure. That is what then goes into the distribution system that feeds the homes and businesses in Alpine and Highland. That regulator station will be needed in the next couple of years because of growth in this area; all the extra subdivisions and commercial buildings that are being built and will need to get the natural gas feed from this part of Alpine and Highland down into our system.

Mr. Helstrom said this site was chosen because of the existing easement and pipeline that runs through that particular parcel, it happens to be very close to the midpoint of our existing pipeline which is where we need the meter, and it also has vehicular access to it. This site will be very low impact as far as traffic and the site would be visited at most once a month or once a week by technicians who would come to see if things are operating properly. This is also a property where it may be possible to get it under a Permitted or Conditional Use. Mr. Helstrom said the building would be an 8' by 8' by 9' tall steel building and the meter would be located in that. He said they will bring the pipeline down through that meter and back over to the existing easement. He said these lines run about 300 pounds of pressure even though they are tested to run at a much higher level. Steve Swanson asked how large of an area this would supply gas to. Mr. Helstrom said this is all part of a network of gas and will be a distribution center for Salt Lake county and Utah County.

Judi Pickell asked what the area would look like. Mr. Helstrom said they would put gravel down as a base with a French drain to handle any water runoff. He said they will put in an asphalt driveway and a decorative post and panel eight foot concrete wall. The wall would be for security as well as for aesthetics. Steve Swanson asked what would be housed in the steel building. If someone broke in and took a sledge hammer to it, would we have 300 pounds of gas going off? He asked what emergency procedures are in place if there was a leak of some sort. Mr. Helstrom said he doesn't know what the construction of the meter is but said there are ways to shut the gas off. Steve Swanson said this building with 300 pounds of gas coming out of it doesn't look all that secure. Steve Cosper said we currently have 300 pounds of gas running through 70 year old pipes.

Jed Muhlestein said we already have a regulator station in the city on 100 West with only a chain link fence around it and we haven't had any issues with it. Mr. Helstrom said it would be pretty difficult for someone to damage the new pipelines. He said they keep the property locked, the buildings locked and do all we can to keep them secure. The Brad Freeman said he has been asked to look at this issue and asked if the Planning Commission table this issue until the Fire Department can make sure it is safe. He said he has had a request by Public Safety Board to take a look at this and have our Fire Marshall go through everything with Questar and the different type of wildland issues in that area. Jason Thelin said the Planning Commission could also make a recommendation with a condition of approval from the Fire Marshall.

Dan Rapp said when he moved to Highland he didn't realize his backyard neighbor would be Questar. He said the neighbors feel like they haven't been given insufficient time to research the issue and give a response. He said concrete wall has a significant aesthetics impact. He said other cities have put these types of structures in and require three hundred feet away from a residence and a thousand feet away from churches and schools. Mr. Rapp asked about the noise level and asked that these considerations and impacts be looked into. He asked the Planning Commission to table this until this can be looked into further.

Justin Mitchell said the homes behind this property drop down off the hill and anything built on the Open Space property is going to be very visible. He asks that if this goes through, the applicant be required to put in landscaping to make it look more appealing. He also said once the gas is brought out of the ground it is going to be more vulnerable to attack and can blow up the whole community. Thomas Sutton said his children play in the backyard

right next to where this station would be built. He said if the land were flat, then an eight foot wall might hide the building, but where it is on a hill, it will be quite visible. He said if this land is sold he is worried that Questar would do what they want on the property. Judi Pickell said that is not true because they would have conditions put on the use.

Bruce Harvey said he is upset that he was not notified about the sell of this land. Jason Bond said the ordinance requires residents within five hundred feet being notified. Bruce Harvey also said when he bought his home, he was told he would have access to this open space and he doesn't think the city should sell his open space. He said we need to tell Questar we don't want what they are proposing in our city and in our neighborhood. He said this issue does not need to be tabled; we just need to say no. He said we don't need to listen to big dollar corporations like Questar, but we need to listen to the residents.

Jason Thelin asked if they have other options to put in this station. He said Questar has the right to maintain their equipment and other options can be less expensive if Questar puts up chain link fence instead of concrete walls and no driveway or gravel.

Steve Swanson asked what Questar will do if this site is not approved. Mr. Helstrom said we need a station here in this area to serve these homes. Going a mile away doesn't help us to serve this area. He also said that ultimately, Questar has the right of eminent domain in order to make the system work. He said Questar doesn't like to do that but rather work with neighbors and cities to make it work. He also said that Questar has to find some way to get this from Salt Lake County to Utah County. Steve Swanson asked if Questar has had any problems with other sites like the one being proposed. Mr. Helstrom said they try to work through construction issues and noise issues.

Frank Delatorre asked what will be the minimum limit of decibels from equipment. Mr. Helstrom said there will be insulation and they have to stay within the noise level. Mr. Delatorre said he is worried that this will become a compressor facility or a boost turbine facility in the future that produces hazardous situations. Mr. Helstrom said Questar would have to come back for Conditional Use if they wanted to do anything different.

Doug Malm asked if the facility could be moved a mile to the north and away from residents. He said we don't want to sell our Open Space and we don't want to look at a large concrete wall. He said all the residents have spent millions of dollars to live here and have high property taxes. He said Alpine City doesn't need to sell property to get money because taxes pay enough. He said the residents want to say no to this project and he asked the Planning Commission to reject this proposal. Mr. Malm said it's ridiculous that Alpine is even entertaining this idea. He said our homes are our biggest investment and this facility can be moved somewhere away from residential homes.

Jason Thelin said the city is not selling this property to collect fees. He asked if there was someplace this station could go where it didn't butt right up against residential houses. Mr. Helstrom said in 1947 when this pipeline was built, there were no houses. He said they try to avoid them when they can but the fact is that the regulator station is because of the growth in this area. Mr. Helstrom said the reason the pipeline is there is to serve these million dollar homes here in Alpine and Highland and they have a huge gas load. It will become an issue when the regulator stations can't handle these huge loads. Mr. Helstrom said he understands that nobody wants this in their backyard, but it is going to be needed in this area. He said we can't push it to Draper, because they don't know what they want to do with their property in the future; it may become a park. He also said moving this line a mile up the road doesn't get us a gas line here where it is needed in Alpine and Highland and it also needs to be close to a regulator station in order to serve these homes.

Brad Freeman said he doesn't like the idea of this structure being that close to homes and said he will have to look at the regulations. Mr. Helstrom said they do comply with Federal and State codes. Brad Freeman said in a stiff wind, the gas will go horizontal.

Joe Fetters said he realizes that things must go forward and we have to have facilities like this but not next to children's trampolines and swing sets. Put this somewhere where it can be planned around and not next to someone's home with an eight foot concrete wall. Steve Marks said gas is good and is needed and wanted to know if there were other options for Questar to build this site that would be more suitable. He said he purposely bought his property because it was next to open space and it is wrong to sell it when the neighborhood thought this would

stay open space. He said he actually tried to buy this open space and was told that Alpine does not sell their open space.

Barbara Rapp asked questions about the accessory building as written in the ordinance. She said this is not an accessory building because it is not going to be connected to any main building. She wanted to know at what time were the ordinances changed to allow this accessory building to be built on this property when there is no main building to connect to. She said she had fundamental rights and asked how fair it is when you have other areas to build this to put it next to residential homes. She said it is an insult when she is told this is no big deal, or it is a tuff shed, or it's going to be okay by staff. Mrs. Rapp said she hopes the Planning Commission can see beyond that.

Steven Day said the thought of a high pressure gas line underground is a little bit scary but necessary because we all use natural gas. He said this same line above ground that vents gas into their neighborhood is terrifying. It's a safety issue and because of that, it shouldn't go any further. Any chance of gas leaking is a deal killer and we don't want this next to our children or homes. He said he does not want this issue tabled, but to say no to it now.

Heather Groom said there are plenty of areas in Draper City where this facility could go but they do not want it because Draper wants to sell it to a developer. She said she would like to meet with neighbors to get a conservation easement for part of this Draper property. Ms. Groom said it is un-neighborly to put this station in a place where most of the neighbors can't vote when it is two feet off their property line. She said the Planning Commissions hands are not tied on this issue and she asks that this location is denied. Tami Hirsh is concerned about putting a gas facility in an area with high winds and she is also concerned about radiation.

Jason Thelin asked the Planning Commission if they wanted to table this issue to give time to find other options. Steve Swanson asked about the accessory building definition in the ordinance. Jed Muhlestein said this term was used in order to find a setback. The rest of the ordinance also stated an accessory building for the main use of the land. Judi Pickell said she didn't think we were at the point to define any points of real estate for the sale of this property. Jason Bond said that Questar is requesting concurrent approval of the Conditional Use Permit, Site Plan and the sale of the land. He said if the Planning Commission doesn't approve the Conditional use or Site Plan, then you don't have to address the sale of the land. Jason Bond said if the Planning Commission feels that it meets the ordinance and the Conditional Use Permit and the Site Plan should be approved, then you need to make is as a condition of approval the sale of the land and make that recommendation to the City Council.

Jed Muhlestein said this project fits from an engineering standpoint with landscaping, setbacks, and storm drains. Steve Swanson asked what the City gains by selling this property to Questar. Jed Muhlestein said the money from the sale of the property could go back into parks and maybe replace the tennis courts at Burgess Park. Jason Thelin said it is beneficial to Questar because it has easy access off the main road. Mr. Helstrom said the City benefits by providing gas to the community to have a warm shower and a warm house and this area needs this station. He said if we don't have a place to put this type of infrastructure, then it is a detriment to the city. He said just like sewer and water, you have to plan for the growth and development in the area. Judi Pickell said she didn't know how the Planning Commission can approve a Site Plan when we don't have a site. We can't make conditions and mitigate issues without the site. Chuck Castleton said this open space is very valuable and he doesn't like the idea of an eight foot fence and industrial buildings on this property.

MOTION: Chuck Castleton moved to recommend to the City Council to deny the sale of Open Space for the Questar Gas Conditional Use Permit and Site Plan.

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

C. PUBLIC HEARING - Sign Ordinance Amendment

Jason Thelin opened the Public Hearing. He said we will table this issue until Teri Nitta can be here to address the issues she had. Judi Pickell said our ordinance is not very useful to residents. Jason Bond said the ordinance should be revisited.

D. David's Court Final Plat F – Patterson Construction

The proposed David's Court Subdivision consists of 15 lots on 16.42 acres. The lots range in size from 40,000 to 62,792 square feet. The development is located north of Healey Blvd and east of Canyon Crest Road at approx. 355 East Healey Blvd. the proposed development is in the CR-40,000 zone. This plan will require the vacation of David's Court Plats A, B, & C to allow property lines to be adjusted to the current plan. The development is not located within any sensitive lands overlay zone. The developer is proposing to phase the project for construction. Plat F will consist of the easterly cul-de-sac and lots 1 thru 8. The remaining 7 lots will be phased in the future.

Jed Muhlestein said this subdivision would like to bring this as two phases starting with the west cul-de-sac as Plat F. He said the developer has decided to upsize the size of the water lines. The west cu-de-sac has the capacity to build up to 7700 square foot homes. The east cul-de-sac will be allowed to build 6200 square foot homes. If the homes are built any bigger than that, they will be required to have fire sprinklers. He said we need a construction cost estimate to prepare a bond, a driveway design needs to be provided, water policy be met, utility notification form and redlines on the plat. Jed Muhlestein said the developer has met the water policy with Bush Well credits, which are one acre feet per right.

MOTION: Steve Cosper moved to recommend final approval of the proposed David's Court Subdivision Final Plat F with the following conditions:

1. The Planning Commission recommend a circular driveway design for Lot 3 to prevent backing out onto Canyon Crest.
2. The Developer meet the water policy.
3. The Developer acquire approvals for the Utility Notification Form.
4. The Developer address some redlines on the construction drawings and plat.
5. The Developer provides a construction cost estimate to access the bond.

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

E. Heritage Hills Final Plat C Revisions

Heritage Hills Final Plat C has already received final approval from the City Council. However, it has not been recorded yet and the developer is requesting that some minor modifications be made to the plat that adjust some lot lines but does not alter or change what was part of the final approval.

Jed Muhlestein said modifications changed the open space by one percent but still meets the requirements. He also said they need to balance the water policy. Jason Thelin asked what happened to the trails that run through this property. The developer said they are still there, they just forgot to put them on their drawing. Jason Thelin if retaining walls will be built. Jed Muhlestein said that is part of them providing a cost estimate and it has been added into the bond. Judi Pickell said she does not want the city to have the liability and responsibility for more open space. She said she would rather see the developer put that into an HOA or a conservation easement. Jason Bond said this plan has already been approved and can't be changed. He said you could ask the Developer if he would be willing to change his plan for the open space. The Planning Commission had a discussion about city open space and what we want it to be intended for. Jason Bond said we need to spend some time going over each open space in the city and define what we want the use to be and if we want it to be maintained or left natural.

MOTION: Judi Pickell moved to recommend approval of Heritage Hills Final Plat C with the revised lot lines with the following conditions:

1. The Developer meet the water policy.
2. The Developer provide a construction cost estimate.
3. Include the trail that was omitted

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

IV. COMMUNICATIONS

V. APPROVAL OF PLANNING COMMISSION MINUTES OF: July 15, 2014

MOTION: Steve Swanson moved to approve the Planning Commission Minutes for July 15, 2014 subject to changes.

Steve Cospers seconded the motion. The motion passed unanimously with 5 Ayes and 0 Nays. Steve Cospers, 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 9:55pm.