

**ALPINE CITY PLANNING COMMISSION MEETING AT  
Alpine City Hall, 20 North Main, Alpine, Utah  
September 6, 2016**

**I. GENERAL BUSINESS**

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

Chairman: Steve Cosper

Commission Members: Bryce Higbee, Jason Thelin, David Fotheringham, Steve Cosper, Jane Griener, Steve Swanson, Judi Pickell

Commission Members Not Present: Jane Griener

Staff: Jason Bond, Jed Muhlestein, Marla Fox

Others: Mayor Sheldon Wimmer, Ramon Beck, Lon Lott, Loraine Lot, Roger Bennett, Will Jones

- B. Prayer/Opening Comments:** Steve Swanson

- C. Pledge of Allegiance:** Jesse Taylor

**II. PUBLIC COMMENT**

There were no public comments.

**III. ACTION ITEMS**

- A. Conditional Use Permit - Building Blocks Preschool of Alpine – Jenny Smith**

Jason Bond presented the staff report and stated that this item was brought before the Planning Commission to ensure that any potential concerns with the proposed preschool were addressed and mitigated. He presented an aerial map of the neighborhood and identified the applicant's home. The address is 395 E. Silver Leaf Drive.

Jenny Smith, the applicant, explained that there would only be eight cars coming to the home for drop-off and pickup. The parents would be asked to get out of their vehicles to pick up their child, and only one car could be loaded at a time. Mrs. Smith had spoken with her neighbors about the preschool and they were all supportive of it. She also confirmed that she will take no more than eight students. Mrs. Smith had worked with the Fire Marshal and her home meets all the code requirements. She had also obtained her license from the State.

Jason Thelin asked how much of the home would be used for the school. Mrs. Smith stated that the family room in her basement had been remodeled into the preschool area, and two smaller rooms would be used for preschool storage. The area was only one-third of the total basement. Mr. Thelin commented that the code limits the space used for the school to no more than 25% of the home or 500 square feet, whichever is smaller. Mrs. Smith was unsure of the actual square footage of the space.

**MOTION:** Jason Thelin moved to approve the conditional use permit for the proposed Building Blocks Preschool of Alpine with the following conditions:

1. The Building Official inspects the area of the home to be used for the preschool.
2. A Business License be obtained.

Steve Swanson seconded the motion. The motion was unanimous with 6 Ayes and 0 Nays. Bryce Higbee, Jason Thelin, David Fotheringham, Steve Cosper, Steve Swanson, and Judi Pickell all voted Aye.

### **B. Beck Pines Preliminary Plan – Dana Beck**

Jason Bond presented the staff report and stated that the proposed subdivision would consist of 19 lots ranging in size from 20,004 square feet to 23,903 square feet on 11.29 acres of property. The site is located in the CR-20,000 zone.

Jed Muhlestein presented the engineering report. He began by addressing the proposed street system of the subdivision and identified the access points on the map. A temporary turnaround would also be required until such a time that it can be connected to future roadways. Sidewalks would be required on both sides of the road throughout the development. Mr. Muhlestein addressed the existing sewer lines, culinary water requirements, and identified connections for the pressurized irrigation system. In regards to storm water drainage, he stated that engineering had asked the developer to include detention basins in the plans rather than the sumps that were originally proposed. He identified the detention basin area on the site plan.

The Planning Commission discussed the storm drainage requirements. Jed Muhlestein explained that the homes would still have adequate setbacks because the homes could be built right up to the edge of the detention pond. The detention pond would be an easement on the property.

Jed Muhlestein continued his report by stating that a Geotechnical Report had been conducted. The report found minor issues in a few areas with unstable soils, but these issues would be handled during construction. He then addressed the Westfield Ditch by stating that the developer is required to pipe it according to City ordinance.

Jed Muhlestein commented that restrictions would need to be placed on Lots 5, 12, and 13 to ensure that their driveways do not have access onto Westfield Road.

Jason Bond added that the name of the subdivision, Harvest Meadows, would need to be changed because there was already a subdivision in the area with that name.

Bryce Higbee was concerned about potential parking issues associated with Timberline Junior High School. Jed Muhlestein stated that Canyon Crest Road was identified as a collector street on the master plan, so it would be widened to 60 feet. This would accommodate on-street parking. All residential streets surrounding the school would be 30 feet wide, which could also accommodate on-street parking, preferably on only one side of the street. The Planning Commission had a discussion about the parking issue.

Ken Berg, the applicant, commented that parking will always be an issue for residents who live near a school. Staff clarified that the City can choose to mitigate parking issues in the future by striping and installing signage.

Judi Pickell wanted to be sure that crosswalks were installed for the children who walk to school. It was confirmed that this was the responsibility of the School District.

**MOTION:** David Fotheringham moved to approve preliminary plan for the Beck Pines Subdivision with the following conditions:

1. At Final, the Developer clearly labels Westfield Road access restrictions for Lots 5, 12, and 13 on the plat(s).
2. Removal of accessory buildings in the development.

Judi Pickell seconded the motion. The motion passed but was not unanimous with 5 Ayes and 1 Nay. Jason Thelin, David Fotheringham, Steve Cosper, Steve Swanson, and Judi Pickell all voted Aye. Bryce Higbee voted Nay.

### **C. PUBLIC HEARING – Alpine Ridge PRD Subdivision Concept Plan – Paul Kroff**

Jason Bond explained that the proposed Alpine Ridge Planned Residential Development (PRD) consists of two parts: the recently annexed property (Oberre Annexation) and property that was already located within Alpine City. This distinction needs to be made due to a development agreement between the City and the developer which will affect the lots that were part of the Oberre Annexation. Lots that were already located within Alpine City limits are proposed to be developed as a PRD. Since this area of the proposed development does not fall under the terms of the development agreement, the City Council, with a recommendation from the Planning Commission, will need to determine whether or not this area will be developed as a PRD.

The subdivision as a whole consists of 69 lots ranging in size from 20,276 square feet to 2.94 acres on a site that is approximately 189.5 acres. The applicant has proposed to include 125.8 acres of private open space. Approximately 68.9 acres of that open space has already been recorded as a conservation easement. This site is located in the CR-40,000 Zone. This subdivision is planned to be done in three phases.

Jason Bond explained that the development agreement for the annexed property limits the number of lots to 60, which is what is being proposed for that portion of the subdivision. Another stipulation of the agreement is that no more than 20% of those lots can be smaller than 30,000 square feet, with no lots being smaller than 20,000 square feet. The application meets those requirements. Also included in the development, agreement is language requiring the developer to put in an access from Elk Ridge Lane once 30 lots have been developed. He identified this and other access points on the aerial map.

Jason Bond explained that the remaining nine lots are part are being proposed as a PRD (Planned Residential Development). This designation needs to be determined by the City Council before the project can continue beyond the concept plan.

The Planning Commission discussed the open space that would be provided as part of the PRD. Jason Bond explained that the applicant had proposed private park space. Some of the Planning Commission Members preferred that the parks either be dedicated to the City as public parks or be proposed as private parks with public access.

The Planning Commission had a discussion about the layout of the subdivision if the PRD were approved. Jason Bond noted that the applicant would need to address a few issues and possibly rearrange the lots to provide adequate open space square footage to meet ordinance requirements. They also discussed the applicant's intention to add to the public trail system. Jason Bond explained that the trail has to be located in the conservation easement that had been previously established. The applicant was currently working on a proposal for that trail location, but ultimately the City would decide the best place for that trail.

Jason Bond addressed the Grove Drive access and explained that the developer would be required to improve that street as part of the development. However, the development agreement did give the developer the option to install Elk Ridge Lane prior to the Grove Drive improvements.

Jason Bond explained that staff found significant issues with Lot 69 and would prefer that the lot be eliminated altogether. Some of the issues involved fire access, problems with the Hillside Development

Overlay, lack of sufficient water pressure, and the grade of the driveways. He also noted that the private road that would provide access to this lot would run through the conservation easement.

Staff recommended that the proposal be postponed until some of these issues were addressed, including the City Council's decision on whether the nine lots would be approved as a PRD or not.

Jed Muhlestein presented the engineering report and addressed the Grove Drive. The right-of-way needed for construction must be given to the City, whether the developer chooses to improve Grove Drive or install Elk Ridge Lane first. There was a discussion regarding eminent domain, and Jason Bond presented the ordinance language. He stated that the City would rather have the developer work out any issues than use eminent domain.

Jed Muhlestein addressed the sewer system and explained that the Master Plan shows the sewer line running through the Towle's private property in order to connect to Elk Ridge Lane. A sewer easement through this property would need to be acquired before final approval. In regards to pressurized irrigation, Mr. Muhlestein reported that the six inch line would need to be upgraded to a 12 inch line, and the City would use capital improvement funds for this. He noted that this upgrade would help all of the homes in this high zone area of the City. The development agreement also states that the developer is responsible for installing a variable speed pump at the mouth of Fort Canyon and Main Street.

Jed Muhlestein explained that a 10 inch culinary water line in order to handle fire flow. In Section 3.12.9 it outlines the hillside protection and indicates that no portion of the lots can be above a certain line because the system wasn't designed to go beyond that point. Staff recommends that some sort of deed or agreement be made stating that the upper portions of these lots remain without landscape. He reiterated that no water can be used above that line.

Jed Muhlestein said there were two irrigation ditches that run through the development and the developer is required to pipe all ditches. However, it has been confirmed that the northern irrigation ditch can be abandoned because it is not being used. The supplemental ditch is currently being used and a 30 inch pipe would need to be installed.

Jed Muhlestein noted that there are new storm drain requirements and said the developer will have to take a look at these.

Jed Muhlestein reported that the development does lie within the geotechnical hazard overlay zone. A geotechnical report has been completed, and it requires further research be done in regards to the geotechnical hazards within the development.

#### **Steve Cospers opened the Public Hearing.**

Craig Skidmore, 13447 Alpine Cove Drive, gave a brief history of the subject property and stated that the developer and City should examine all of the previous documentation for the property so they can understand what happened in the past. He was concerned about the properties that abut the subject property, as some of those parcels will lose access to any main road. Mr. Skidmore also addressed the trail system, stating that many of the trails that previously existed have disappeared from the master plan. He identified these trails on the aerial map. He was also concerned that the proposed configuration of the roads would promote all traffic down Grove Drive, which is already an unsafe area in regards to traffic flow. Mr. Skidmore expressed a concern that a 30 inch pipe in the irrigation ditch would not be able to handle the amount of runoff they get in the springtime. Mr. Skidmore felt that the previous proposal for this property, known as the Roberts Plan, was superior to the current one.

Robin Towle, 1360 Elk Ridge Lane, stated that the proposed sewer easement would run through her private property. She was concerned that she and her neighbors had not received notice of the annexation of the subject property, as the change directly affects her property. Mrs. Towle was under the understanding that when Steven Zolman purchased the property that the sewer line would no longer be required in this location. However, she recently received a letter from the developer stating that she must agree to the sewer plan or the City would condemn her property. Mrs. Towle stated that this action would take away her property rights. She asked that the City consider an alternate route for the sewer line.

Kevin Towle, 1360 Elk Ridge Lane, expressed his concern about eminent domain. He also commented that the nine-lot portion of the property was not part of the development agreement, so the developer was not required to provide sewer through their property for those nine lots. Mr. Towle reported that he had spoken with the developer to discuss alternate options for the sewer line, but the developer did not agree to any other the suggestions. Mr. Towle did not want the City to force him to do something that is unfair to him and only benefits the developer. He explained that he previously had planned to subdivide his property and install a cul-de-sac on this property, and a sewer line would have been installed on the property. This plan was abandoned.

Mike Russon, 880 Grove Drive, stated that he was not opposed to progress and change, but new developments should not supersede the property rights of other residents. Mr. Russon expressed his concerns about the current traffic on Grove Drive, and worried about the potential increase with this development. He also did not want the 50 year old pine trees to be removed to improve the road.

Gale Rudolph, 257 International Way, was concerned that the traffic would bottleneck on both Grove Drive and Elk Ridge Lane in the event of an emergency evacuation. She also suggested that two new trailheads with parking be included as part of the development.

Scott Ross, 315 Wood Drive, was also concerned with the traffic issues. He was also opposed to the sewer line running through the Towle's property.

Shelly Butterfield, 1346 and 1360 Grove Drive, was concerned that the developer would be allowed to choose which road to develop. Jason Bond explained that both Grove Drive and Elk Ridge Lane would eventually be developed. The developer had the flexibility to choose which road to improve or install first.

Greg Butterfield, stated his address as 1346 and 1360 Grove Drive, and asked about the improvements and widening of Grove Drive. Jed Muhlestein explained that the street would be widened and the improvements would include sidewalks on the west side that would be up against the curb and gutter.

### **Steve Cospers closed the Public Hearing.**

Steve Cospers said he didn't think the Planning Commission was ready to make a recommendation because more information was needed. Jason Bond agreed and suggested that the item be continued. This would allow time for the City Council to make a determination on the PRD and it would allow the applicant time to address some of the issues, including those raised by the residents.

The Planning Commission discussed the sewer line location and asked if other options could be explored. Staff stated that they would prefer not to have a lift station installed.

Paul Kroff, the applicant, reminded the Planning Commission that this was a concept plan, and the preliminary plan would address many of the issues discussed. He asked that the Planning Commission approve the concept plan with a condition that the PRD is approved by the City Council. This would allow them to continue with the process. Steve Cospers felt that the Planning Commission needed to have input

from the City Council on the PRD before the concept plan is approved. If the PRD is not approved, then a good portion of the concept plan would have to be altered. The Planning Commission discussed the best way to move forward with this application.

**MOTION:** Bryce Higbee moved to recommend to the City Council that the lower portion of the proposed Alpine Ridge Subdivision that is not a part of the Oberre Annexation be developed as a PRD and the proposed open space be dedicated to the public.

Steve Swanson seconded the motion. The motion passed but was not unanimous with 5 Ayes and 1 Nay. Bryce Higbee, David Fotheringham, Steve Cosper, Steve Swanson and Judi Pickell all voted Aye. Jason Thelin voted Nay.

#### **D. PUBLIC HEARING - Lone Pine Subdivision Concept Plan – Ivory Homes**

Jason Bond explained that the proposed Lone Pine Subdivision (formerly the Walters property) consists of 9 lots ranging from 20,563 square feet to 32,811 square feet on a site that is 5.68 acres. The site is located in the CR-20,000 zone. A concept plan for this subdivision was previously approved, but a few minor alterations have been made and the applicant is requesting approval of the updated plan.

##### **Steve Cosper opened the Public Hearing.**

Hunt Willoughby, 602 East 300 North, asked for clarification on the storm water drainage plan for the subdivision. Jed Muhlestein reported that the water from this development would be piped to Dry Creek. The development would also have catch basins on both sides of 300 North.

Wes Womble was concerned about flooding on his property, as he was at the lowest point in the subdivision. It was confirmed that the developer would follow all storm water drainage requirements, and the infrastructure would help to reduce flooding on Mr. Womble's property.

Peter Gamvroulas, a representative of Ivory Homes, explained that some lot line adjustments were made to accommodate the desires of the property owner to keep the existing shed on the Womble property.

##### **Steve Cosper closed the Public Hearing.**

**MOTION:** Jason Thelin moved to approve of the Lone Pine Subdivision Concept Plan.

Judi Pickell seconded the motion. The motion passed and was unanimous with 6 Ayes and 0 Nays. Bryce Higbee, Jason Thelin, David Fotheringham, Steve Cosper, Steve Swanson and Judi Pickell all voted Aye.

#### **E. Three Falls Subdivision Amendment Plat D – Will Jones**

Jason Bond explained that the plat was being amended because of some topographical discoveries made by the applicant. Jed Muhlestein noted that another reason for the amendment was to eliminate the previously proposed 30 foot retaining wall. Jason Bond stated that there were some minor issues with lot lines and adjustments were made so that the lots met frontage requirements.

Will Jones, the applicant, explained some of the issues found on the previous plat and how those were addressed on the proposed plat. The large retaining walls were a great concern for him, so he found a way to modify the plans to eliminate them.

**MOTION:** David Fotheringham moved to recommend approval of the proposed Three Fall Subdivision Amendment (Plat D) with the following conditions:

1. "Lot 55" and "Lot 56" as shown on the proposed amendment be changed to have the required frontage on a public street.
2. The lots be renumbered to show that the highest numbered lot is reflective of the total number of lots in the subdivision.
3. The water policy be met prior to recordation.

Judi Pickell Seconded the motion. The motion passed but was not unanimous with 5 Ayes 1 Nay. Bryce Higbee, David Fotheringham, Steve Cosper, Steve Swanson and Judi Pickell all voted Aye. Jason Thelin voted Nay.

#### **F. General Plan Update**

Steve Cosper postponed the General Plan Update.

#### **IV. COMMUNICATIONS**

No comments were made.

#### **V. APPROVAL OF PLANNING COMMISSION MINUTES: August 16, 2016**

**MOTION:** Steve Swanson moved to approve the Planning Commission Minutes for August 16, 2016 as written.

David Fotheringham seconded the motion. The motion passed with 6 Ayes and 0 Nays. Bryce Higbee, Jason Thelin, David Fotheringham, Steve Cosper, Steve Swanson and Judi Pickell all voted Aye.

#### **Adjourn**

Steve Cosper stated that the Planning Commission had covered all of the items on the agenda and adjourned the meeting at 10:10pm.