

**ALPINE CITY PLANNING COMMISSION MEETING at
Alpine City Hall, 20 North Main, Alpine, Utah
January 5, 2016**

I. GENERAL BUSINESS

A. Welcome and Roll Call: The meeting was called to order at 7:00pm 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:

Staff: Jason Bond, Jed Muhlestein, Marla Fox

Others: Andy Diamond, Bonnie Diamond, Morale Lind, Adam Lind, Jeff Lind, Quayle Dutson, Kimberly Huish, Michael Huish, Scott Schauerhamer, Gale Rudolph, Ed Gifford, Ramon Beck, Sheldon Wimmer, Loretta Stevens, Chris Johnson, Will Jones, Ed Fechner, Sherry Mont

B. Prayer/Opening Comments: Steve Swanson

C. Pledge of Allegiance: Jason Thelin

II. PUBLIC COMMENT

Andy Diamond said he was upset about the deer being killed. He proposed deer crossing signs be posted on all major roads to make drivers aware and to charge a fine to distracted drivers. Steve Cosper advised Mr. Diamond to come to City Council to express this concern. Jason Bond said the deer are a hot topic and will be an agenda item on the next City Council.

III. ACTION ITEMS

A. PUBLIC HEARING – Fort Creek Riverbottom Concept Plan – Quayle Dutson

The Planning Commission will review a concept plan for the proposed Fort Creek Riverbottom subdivision which is located north of Whitby Woodlands Drive and West of Main Street. The proposed subdivision consists of 9 lots on 8.63 acres. The site is located in the CR-20,000 zone. The development is proposed to include 2.16 acres of private open space. The applicant is requesting that the subdivision be developed as a Planned Residential Development (PRD).

In the fall of 2013, the Planning Commission and City Council reviewed a previous concept plan and it was determined that the subdivision should be developed as a PRD. The process for this development didn't go any further at that time.

Jason Bond said we are right at the beginning of the subdivision process with the Concept Plan. He said the process could take a couple of months to complete with the Preliminary Plan and the Final Plan. He showed on a map where this proposed subdivision will be located which is just west of Main Street and an extension of Whitby Woodlands Drive. He said the City Council has to approve the PRD before approval of the Concept Plan.

Quayle Dutson said it has taken two years to work with FEMA on creek bed and flood plain issues. He said the creek has been narrowed and boundaries changed. Jason Bond said the proposed private open space would be the flood plain area of Fort Creek. Steve Cosper asked if some of the lots were in the flood plain and Jed Muhlestein said by ordinance, they can't have any lots in the flood plain.

Jane Griener asked if this subdivision was approved as a PRD the last time it was proposed. Jason Bond said it was approved as a PRD but because of the time that has passed and a few changes made, we are starting over with the Concept Plan. He also showed on the map a little sliver of land that will not be part of the subdivision, but will be part of a future single family lot and said some sort of lot line adjustment will need to be done. The Planning Commission discussed a secondary access road. Jason Bond said the subdivision doesn't require a second access road because it's not in the wildland interface zone and will have a stub street.

Steve Cospers opened the Public Hearing.

Ed Gifford is the Engineer for the Fort Creek subdivision. He said he engineered Whitby Woodlands and said the open space is private open space. He showed on a map where Fort Creek runs through the property. He showed where the roads will connect in the future with an agreement to make a turnaround at the end of the gravel road. He said the plan is to have private open space and the open space will exceed the requirement. Mr. Gifford said he has worked with the engineers on the slope because some of the bench area goes in and out of the 25% requirement. He said they have to come up with a line that would be in the lot and which would be in open space.

Mr. Gifford said Mr. Dutson decided to have bigger lots because they would fit in better with what is already to the south and also be more marketable. Mr. Gifford showed on the map three lots that have slope issues and said they may have to be combined into two lots. He said all of the lots will exceed the minimum lot size requirement of 10,000 square feet.

Mr. Gifford said the Westfield Ditch is being maintained by Whitby Woodlands and they have agreements with Central Utah Water. He said he worked with the city staff and based on the location and topography it is proposed to pipe a section of the ditch and then put it back into the existing drainage.

Mike Huish said his concern is the traffic on Main Street because Heritage Hills and Fort Canyon all feed onto Main Street. He said there needs to be a plan for those homes on Main Street by making the road wider or reducing speeds to protect the children who live on that street.

Gale Rudolph said there are 59 homes going in up Fort Canyon that will increase the traffic.

Ed Fechner said his concern is with traffic and the speed coming out of Fort Canyon. He feels a stop sign is needed at the intersection of Fort Canyon and Heritage Hills. He also said he doesn't want a road being built next to his home because it would increase traffic of people taking a short cut to Main Street. He said he understands the developer has a right to develop his property, but it's going to change the feel of what he thought he purchased. He said if a road has to be built, he would like a privacy wall built.

Ed Gifford said he feels bad that the neighbors didn't know there would be a street in that location but Mr. Dutson has been planning this area for over ten years and there has always been a plan to have a street there. He said the city could consider putting in a round-about at the intersection of Fort Canyon, Heritage Hills and Main Street for safety reasons.

Sherry Mont said her concern is the fire hazard because there is no fire access for a couple of the homes built in the gully and there is a huge risk of a fire taking out homes. She suggests a road be put in as a fire access. She also said there is heavy flood potential in the gully and is a danger to future homeowners. She said some of the private open space is land locked and not accessible to the other homeowners in the subdivision without trespassing on private property. She suggested adjusting some lot lines to make an access to this open space and to provide an access to the gully areas.

Ed Gifford said they can dictate where the houses are built and said he has never had a problem with runoff in all these years but will provide natural ways for water runoff to get to the street. He said they can also look into an easement access road.

Loretta Stevens said she is happy that Westfield Creek will be repaired so the ditch will once again have water running through it. Ed Gifford said they will have a retention pond holding water and then pipe the ditch. He showed on a map where water will flow. Loretta Stevens said her concern is that she doesn't want the water to flood on her property.

Steve Cospers closed the Public Hearing.

Judi Pickell asked how many lots could be built if the subdivision is not a PRD. Ed Gifford said there would be 7 or 8 lots because of the slope issues but would include property along Fort Creek as part of the lots. Jed Muhlestein

said the ordinance will not allow the flood plain to be included in the lots. Ed Gifford said there are other properties in the city that include the flood plain including Loretta Stevens's property. Jed Muhlestein said there was a change in the ordinance that doesn't allow any flood plain within the lot boundaries.

Will Jones said the ordinance states that the lot has to meet the lot size requirements first and then you can add flood plain area to it but the lot has to stand alone first. He said the best way to preserve and maintain the creek is to keep it in private open space and not in private ownership. He said once you cross the creek and include it in a lot, people think they own it and make changes to it just like what has happened up Fort Canyon. He said if you take a walk up the creek in Fort Canyon, you'll see ponds, bridges, diversions of water that has been taken out of where it originally was because people own both sides of the creek and want it brought into their yard.

Bryce Higbee asked if there was a concern with maintenance with private open space vs. public open space. Will Jones said if it's private open space, there are HOA fees that will help to maintain the creek and then the city doesn't have to maintain or pay for it. He said the HOA will have a requirement to maintain the creek and it has worked just fine in the Whitby Woodlands neighborhood and if there's a problem, we just call the HOA.

Steve Swanson asked if there is debris in the creek that has to be cleared. Will Jones said there is and the homeowners have to come in about every two years and clean it out. Jason Thelin asked if water runs down Fort Creek. Will Jones said water runs down Fort Creek all year long.

Jason Thelin said we need to see both options of a PRD vs. a non PRD so the Planning Commission can make a good decision. Will Jones said they only get 8 lots either way. Jed Muhlestein said the base density on the slope analysis is a 9 lot maximum. The Planning Commission said lot line adjustments will need to be made if this subdivision is not a PRD.

Jane Griener asked why the developer wanted a PRD. Ed Gifford said it benefits the homeowners by creating some amenities that would be really nice. He said by keeping private open space, it prevents any construction or changing of the slope. He said it protects the slope and the vegetation but if it's in a private lot, the homeowner can do whatever they want to with the property.

Quayle Dutson said a bridge will be put in over the creek with a park on the other side to be used by the homeowners. It would be maintained by the HOA. The Planning Commission had a discussion about the old Westfield irrigation ditch and David Fotheringham said the head gate would be improved so it becomes functional and the ditch will be piped.

Jane Griener said she thinks the Fire Marshall should take a look at this plan if there are safety concerns. Steve Cosper said the Fire Marshall will look at this at a future time.

Jason Thelin said we need to follow the ordinance and doesn't want to give a PRD unless it is consistent with the ordinance even if we only increase density by one lot. He said giving a PRD just to give one goes against the spirit of what the PRD is about. Quayle Dutson said he is concerned about build ability on the first three lots and having enough frontage. He said he would rather have two good buildable lots rather than three.

Judi Pickell said we can approve a PRD to increase variety and style and quality of residential dwellings available in the city. She said preserving the access to the creek does that. She said this preserves the recreational, scenic and public service needs required in a PRD.

Ed Gifford said they are trying to be consistent with all the other development that is already there and this is just a small piece they are trying to fit in. He said the biggest component to making this private open space is the creek area and they feel like a PRD is in the best interest of the city but if it's not, they will look at a standard subdivision.

Jason Thelin said he looks at the PRD ordinance as a benefit to the city and not just the few homeowners in a subdivision. Judi Pickell said by opening up that space, it creates value. She said she lives in a PRD and said she has a park which is private open space. She said this alleviates the use of other parks in the city because there's a park in her backyard. Steve Cosper said even if this area is private open space, it still keeps green views and aesthetics wise, it helps and the city won't have to maintain it.

Steve Swanson said the creek will be in an area that is enclosed by homes and the public won't even see it or have much interest in.

Ed Gifford said the city needs to decide if keeping this area private open space has any value. Quayle Dutton said at one time about ten years ago, the Mayor and former Commissioners walked the property with him and he discussed selling the property to the city for a park. He said this area would have made a wonderful park and no other property compares to it until you get up to Will Jones property in Fort Canyon and that east side is phenomenal. He said the city wasn't interested in buying the property or bonding for it. He said it is gorgeous and should have been a park but that wasn't an option so they will develop it.

Steve Swanson said he agrees with Jason Thelin on PRD's but feels like this situation is different as both plans would have the same amount of lots. He said he likes the fact that the private open space will be maintained by the homeowners.

MOTION: Judi Pickell moved to recommend to the City Council, that the proposed Fort Creek Riverbottom be developed as a PRD with the finding that Private Open Space and access to the stream be a benefit to the City.

Jane Griener seconded the motion. The motion was unanimous with 7 Ayes and 0 Nays. Bryce Higbee, Jason Thelin, David Fotheringham, Steve Cospers, Jane Griener, Steve Swanson and Judi Pickell all voted Aye.

B. General Plan Update

The Alpine City Council and Planning Commission have made an emphasis on updating the City's General Plan. The City Planner has reviewed some other city's plans and looked closely at what could be done to improve Alpine's own plan. A time schedule has not been laid out with the hope that the focus will be put on the content of the plan rather than completing a task to update it. Hopefully, a discussion about what the plan should look like will make the process to update it easier. A process for completing an update should still be discussed at the meeting.

Jason Bond said the General Plan has served a purpose but said there are areas that need to be taken out or cleaned up to make it easier to read and use. He said language could be added for an Economic Development Element. He also said he liked language he found in other cities where they got right to the point of what they wanted. For example, the plan just didn't say they wanted their city to be beautiful, it said how they wanted it to be beautiful: trees lining the streets, trails, parks, etc.

Jason Bond said we need to come up with goals of what we want each of our zones to look like. Steve Cospers reminded The Planning Commission that the City Council asked them to review and revamp the General Plan and it is their responsibility to do so.

Jason Bond said a great start would be to tackle Land Use. He said we could read it together and have a work session format and red line it and come up with how we want it. He said once we are done with Land Use we move on to Transportation and so on.

Steve Cospers said he would like to take a look at our maps as well. Bryce Higbee said he likes this process vs. making decisions when the public is here. Jason Bond said we want the public to come and participate but said we don't have to have a Public Hearing when discussing the General Plan. He said we can choose to take public input if we like but it's not required.

Jane Griener said she would like to list supporting documents on the website that show how the General Plan was developed. She said she wants the public to know what guided their thoughts into the decisions that were made. Jason Bond said the recent survey is currently on the Alpine City website for the public to review; it doesn't need to be in the General Plan.

Jason Thelin said we have always used the General Plan to back up decisions that are made. He said if an applicant wants to put apartments in we go to the General Plan and it states that we want lower density and single family residents and then we tell them no and that's how it's used. He said if the applicant has a problem with that, we back

it up with the survey results that show the majority of the residents don't want apartments. He said his concern is how to make the determination to pull out certain parts of the General Plan. He doesn't want developers on the City Council or in the city to make these decisions. He said he wants to know what the criteria is going to be to make these decisions. Jane Griener said we need to do surveys. Jason Bond said we need to consider good planning and what is best for the whole city. He said public input can be good, but it is only one part of it because public input usually comes in when it pertains to something happening in someone's backyard and they are upset about it. He said that is why we have a Planning Commission; to come together to make these decisions. He said all the Planning Commissioners live in different parts of the city but come to the meetings to do what's best for the whole city.

Steve Swanson said he agrees because the Planning Commission has put in the time to understand what's going on and David Fotheringham said they have the background and the experience. Steve Swanson said surveys don't always paint the true picture because these things take time.

Steve Cospers said this Planning Commission is diverse and have different backgrounds opinions and he values that. He said we also have a good staff and Planner and Engineers and said we need to review the General Plan. David Fotheringham said he thinks the Plan needs to be looked at every ten years because things change in a city. Jane Griener said we can always do surveys with good questions on certain issues and Judi Pickell said we can review other cities plans to get ideas.

Sheldon Wimmer said you could bring in the public and scope what their feelings are on a certain subject and what their concerns are. He said you have to be careful to not to waste time on areas that nobody cares about. Steve Cospers asked Jason Bond to bring back some formatting ideas for the next meeting. Jason Bond asked the Planning Commission to look at the Plan and take a look at the Land Use. He asked them to red line things they want to change or have worded differently.

COMMUNICATION:

Jed Muhlestein said he has a clarification about the flood plain. He said the wording about not having flood plain in a lot is only mentioned in the PRD ordinance. He said in the PRD ordinance, it states that all open space has to contain the flood plain. He said there is a section in the design standards that states existing lots that contain land in the flood plain area shall contain a minimum area outside the flood plain. He said he thinks instead of saying existing lots it should say new, proposed lots.

VI. APPROVAL OF PLANNING COMMISSION MINUTES OF: December 1, 2015

MOTION: Steve Swanson moved to approve the Planning Commission Minutes for December 1, 2015 subject to changes.

David Fotheringham seconded the motion. The motion passed unanimously with 7 Ayes and 0 Nays. Bryce Higbee, Jason Thelin, David Fotheringham, Steve Cospers, Jane Griener, Steve Swanson and Judi Pickell all voted Aye.

Steve Cospers stated that the Planning Commission had covered all of the items on the agenda and adjourned the meeting at 9:00 pm.