

**ALPINE CITY PLANNING COMMISSION MEETING at
Alpine City Hall, 20 North Main, Alpine, Utah
August 18, 2015**

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: Bryce Higbee

Staff: Jed Muhlestein, Jason Bond, Marla Fox

Others: Alan Gillman, Lloyd Wilson, JoAnn Burgess Chilton, Virgil Keate, Sharley Keate, Virgil Parker, Tom Watkins, Brett Wiseman, Beth Wiseman, Gale Rudolph, Clive Walters, Darryl Stallings, Doug Vance, Mark Moody, Raymond Madsen, Daren Johnson, Glenn Simmons, Shawn Hanks, Jay Healey, Clayton Barton, Tamara Barton, Dana Beck, Ross Beck, Ezra Lee, Bri Henke, Kelly Swan, Whitey Anson, Cheryl Anson, Will Jones, Carla Merrill, Annalisa Beck, Angela Moody, Jewell Walters, Lon Lott, Loraine Lott, Breezy Anson

B. Prayer/Opening Comments: Steve Swanson

C. Pledge of Allegiance: Jason Thelin

II. PUBLIC COMMENT

No comment

III. ACTION ITEMS

A. PUBLIC HEARING – Beck Zone Change

Dana and Annalisa Beck are requesting that the zoning for their property located at 621 Westfield Road be changed from CR-40,000 zone to CR-20,000 zone. The ordinance requires that the Planning Commission make a recommendation to the City Council. The City Council may approve or deny the proposed amendment to the zoning map, either as proposed by the Planning Commission or after making any revision the City Council considers appropriate.

Jason Bond said the Becks would like to change the zone from a one acre lots to half acre lots. Steve Cosper asked if the engineers had done a traffic study on the area or if there was any additional input. Jed Muhlestein said the traffic study would have to be done by the developer. He said on the Street Master Plan it shows a connection from Long Drive over to Westfield Road which would actually improve the traffic flow. He said the development would have to make these roads connect in order to be approved.

Jason Bond showed on the map where this property is located. He explained how the different residential zones are laid out in the city. The Planning Commission discussed other neighbors in the same area who are interested in rezoning as well. Jason Bond said it makes sense because it's not good planning to create an area that would be an island of a different zone from the surrounding neighbors.

Judi Pickell asked when this area was changed from one half acre lots to one acre lots. Jason Bond said that Annalisa Beck came into the office and did some research on this and he would let her tell what she found out.

Steve Cosper opened the Public Hearing.

Annalisa Beck said she did some research of the 1990 -1991 Planning Commission and City Council minutes. She said Mayor Barnes became Mayor in 1990 and her first order of business was to do a Master Plan. Mayor Barnes hired someone out of Colorado to come in and rezone the city. Annalisa Beck said the city adopted a Master Plan in September of 1990. In April of 1991, the city did an overall rezone of the whole city and rezoned it how it is today with quarter acre, half acre and one acre lots.

Annalisa Beck said the minutes from the Public Hearing state that sixty residents showed up to a public meeting who were affected by the change from half acre to one acre. The owners of the properties did not want it changed. She said Mayor Barnes put a petition out and a hundred fifty people signed it in favor of the change. These people were currently zoned one acre and went along with the zone change because they were currently living on one acres and it didn't affect them. She said the zones changed for the whole city on or about April 11, 1991.

Dana Beck said when he bought this property from his dad, it was zoned as half acre. He had no idea his property had been rezoned from one half acre to one acre for about four years. He said he had the new gas line placed on his property in an area that would accommodate one half acre lots. He said he doesn't want to upset his neighbors but feels like they are okay with the one half acre zoning. He said he would eventually like his children to live in Alpine and they can't afford Alpine property prices.

Breezy Anson said he is in favor of half acre zoning and feels like Dana Beck should be able to maximize his investment. He said he thinks it would be wise to mix the zone with half acre along with one third and three quarter acres as well. He said that way we can still maintain the rural feel with some bigger lots along with some smaller lots to help maximize Dana Beck's investment.

Steve Swanson asked Dana Beck if he had a half acre plat for the development. Mr. Beck said they haven't got to that stage and just came in to change the zoning. He said the plat they brought in last time won't work. Steve Swanson wanted to know if Mr. Beck wanted to keep the property at CR-40,000 but make it a PRD. Mr. Beck said he doesn't have a plan for anything other than rezoning his property to half acres.

Dana Beck said he thought about doing that but the property is small with only about ten acres. Jane Griener wanted to know why the Beck's were in a hurry to rezone when they don't have any plans to put in the development now. Mr. Beck said it was because the gas line was coming through his property and said it's expensive to move so he wanted to make sure it was placed in the right spot. Steve Cospers wanted to know how Mr. Beck knew where to place the gas line if he doesn't have a development plan. Mr. Beck said it was a big guess and he put the line across the shortest distance of his property.

Jane Griener said prices in this area are expensive and that is just a fact in Alpine. She said the Master Plan should be considered and followed or there is no point of having it. She said if we want half acres we should re visit the issue but didn't think we should start an avalanche of exceptions and changes or everybody will want them. Steve Cospers said we need to go back to the General Plan because it seems like we have the cart before the horse. Jane Griener said the Beck's were not happy that the zone was changed without their knowledge and she doesn't want to do the same thing by changing it back without having a more open process.

Dana Beck said his property was zoned half acre when he bought it and he would like it to stay that way. Steve Cospers said the surrounding neighbors are in favor of changing this zone back as well. Judi Pickell said the Master Plan is our guiding document and it states that this area is zoned one acre. She said in looking at the map it could make sense to rezone this area to half acre but all the neighbors would have to be on board. She said all the stakeholders of these properties would have to petition the city for a Master Plan update.

Jason Bond read from the Master Plan and said the Beck's have gone through the process and done what they need to do. The Planning Commission said all the property owners would have to come in and be on the agenda in order to change the zone. Jason Thelin said he feels like there are a lot of people who would have liked to have had smaller lots in the past because it's more profitable, but in every situation when they came in and asked, we said no. In twenty five years, we have said no to lower density. He said using Dana Beck's rationale, his concern is that if we rezone this area, others are going to want to do the same thing and we would have to open that up to them if that's the rationale we're going on. Jason Thelin said the Planning Commission did not agree to half acres at the last Public Hearing. He said they said no to quarter acres but that did not imply the Planning Commission was in favor of half acres. He said that was never the intent to give Mr. Beck half acres.

Jane Griener said we should keep this property zoned how it is unless we want to revisit the whole area. Judi Pickell said the applicant has every right to go through the process of rezoning their property. She said just because we weren't in favor of smaller than one acre lots twenty five years ago doesn't mean it's not right for the city today. Jason Thelin said just because it was right twenty five years ago doesn't mean it's wrong either. Judi Pickell said

that's why she was explaining the process and all those who are involved can discuss it and come forward and ask for a rezone. She said this way, it will be a cleaner process that just one block here or there. The Planning Commission had a discussion about the process of doing a zone change and whether or not the General Plan would have to be changed as well. Jason Bond read from the General Plan and said that both one acre and half acre are considered low density.

Steve Swanson said we don't have any half acre lots on the west side. Jason Bond said that's not true, He said Twin River Loop is all half acre because it was developed as a PRD which allows smaller density in the one acre zone. Jason Bond said the General Plan allows for a zone change without going through a big process or an amendment. He said there are a number of issues that need to be considered when looking at a zone change. Steve Cosper said we have to plan for the city's future and ask ourselves if we want more families living here in Alpine. Jason Bond said there is no exception here and we would not be setting precedence because this is a legislative act and is the sole digression of the city whether it's rezoned or not. He said we don't have to come up with reasons for why the decision was made and we don't have to do a major change to the General Plan for a decision to be made.

Annalisa wanted to know if we could ask the neighbors their opinion on it now while they are all there. Steve Cosper said we had the Public Hearing and it has been closed.

MOTION: Jane Griener moved to recommend to the City Council to deny the request to rezone the Dana Beck property located at 621 Westfield Road changing from CR-40,000 zone to CR-20,000 zone.

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

B. Eagle Pointe PRD Final Plan – Mark Wells and Taylor Smith

This development was formerly known as the Vista Meadows PRD Subdivision. The proposed Eagle Pointe PRD Subdivision consists of 14 lots on 32.929 acres. Technically there are only 13 new lots as Lot 14 is an amended Lot 3 of Falcon Ridge Plat A. The lots range in size from 23,190 to 71,766 square feet which meets the minimum lot size requirements as set forth in the PRD section of the Development Code, section 3.9.6. The development is located west of the Falcon Ridge development. The proposed development includes approximately 17.54 acres (53.5% of open space. The proposed development is in the CR-40,000 zone.

Jed Muhlestein said Eagle Pointe has already been granted preliminary approval and now they are coming through for the final approval process which involves the Planning Commission and the City Council. He said this development is in the highest water pressure zone and in a fire flow situation the use of water would drop the water pressure in the high zones. He said at the preliminary stages the developer talked about installing a booster station near the low pressure lines and only opening it up when needed in a fire flow situation, it would actually solve the fire flow problem we had talked about previously. He said they ran this idea by Horrock's Engineers, who run the Master Plan for our water system, and everything seems like it will work but he said they don't have specific details of the actual booster station design.

Jed Muhlestein said there is no change with the Pressurized Irrigation zone. He said this development would have to use culinary water for watering outside until improvements are made to the pressurized system. At that time, this development could switch over to the new system. Jason Thelin asked if these residents had a special rate for this water and if they had use of this water all year or only in the summer. Jed Muhlestein said they get it all year but the water is metered and they pay for what they use. He said because these residents have to use culinary water outside the city has tried to make it fair to them by giving them a little better rate on the water. Jed Muhlestein said there is no change to the sewer or storm drain.

Jed Muhlestein said at preliminary, a 26 foot wide secondary access road made of asphalt was approved. That road would stay open and it would be plowed year round. He said it did have significant retaining walls that went up to 28 feet in height. Jed Muhlestein said the developers have come up with a new design and what they are proposing is a secondary access road that will have crash gates on both ends, eighteen and a half feet of pavement, with curb on one side.

Jed Muhlestein said crash gates were not approved on the preliminary proposal and the crash gates will make this road be emergency access only. He showed on the map where the traffic flow would go to get out of the subdivision. He said the code requires 20 feet of paved width road where only eighteen and a half feet is proposed due to terrain and other physical obstacles. He said the Fire Chief and the Fire Marshall have both signed off on the eighteen and a half width road as proposed. He said if the developer keeps the crash gates and it's not meant to be a through road, and it's not meant to be plowed throughout the winter, the staff is fine with the more narrow width. He said if the crash gates are removed, then we would have to stick with the 26 width road as approved in preliminary.

Jed Muhlestein said the applicant is proposing curb and gutter on only one side of the street on the south side. He said the city standard for our road cross section is curb and gutter on both sides. Having curb and gutter on both sides helps maintain the integrity of the road and also helps to facilitate storm drainage. He said staff is recommending curb and gutter on both sides of the road.

Jed Muhlestein said the applicant is proposing to phase the development in two phases. He showed on the map where the first phase would be and said it would start at Lakeview Drive and go to the end of the cul-de-sac lots. Jason Bond said the second phase would start at the cul-de-sac and go down the second access road to Hog Hollow.

Jed Muhlestein said due to safety concerns, the Fire Marshall gave approval to phase only if the secondary access road is built during the first phase. He said this basically eliminates the possibility of the development being phased. Jed Muhlestein said the developers engineer said if they could go 30 feet onto city open space property and grade, it would eliminate the need for a 320 foot retaining wall. Jane Griener asked if this was for the 26 foot width road. Jed Muhlestein said no, this option would be for the narrower road only. Jane Griener said if the road remained at 26 feet wide with 24 hour access, there's not an option for grading, there has to be a retaining wall. Jed Muhlestein said that is correct. He said the retaining wall proposed is at about seven feet high.

Mark Wells said the proposed plan eliminates 28 feet of retaining walls above the road and the 12 to 14 average for about a thousand feet. He said that leaves about a 300 foot section about seven feet high. He said if they could grade a little bit onto the city's property, they could even remove that retaining wall; all of the retaining walls would be removed. Jane Griener said the tradeoff would be it wouldn't have a year round road. Steve Swanson said the traffic has to be redirected out the other side. He asked if a one way road had been considered. Jed Muhlestein said he wasn't sure if the Fire Marshall would be in favor of something like that. The Planning Commission had a discussion about the crash gate and the traffic flow and making the road a one way road.

Jed Muhlestein showed on the map a piece of open space and said it did not come to the city as part of a PRD. He said it was not used as some sort of density calculation but came into the city because the property was too steep and couldn't be use as a lot and was deeded over to the city as undeveloped open space.

Jed Muhlestein said the Trail Master Plan does show a connection from the south side of the development up through the northeast side. He wanted to know if we still wanted to incorporate a trail through this development. Steve Cosper asked if this configuration of the trails fit the development. Jed Muhlestein said we would have to look at elevations and see what we can come up with that will work. Jason Thelin said the trail would probably have to go to the north of the development to go around the homes. Judi Pickell asked if the development would have to maintain the trail. Jed Muhlestein said the city would probably have to maintain the trail and used trails are self-maintained.

Jed Muhlestein said the engineer's recommendation is to postpone until we can get some final plans because we typically would already have a design for the secondary access road. He said it would be nice to get some instruction on the secondary access road, the crash gates and maybe the trail and just fine tune this before we move on. The Planning Commission discussed what still needs to be done like the vegetation plan, booster plan, trail plan and red lines on the plan.

Ronald Maines asked where the access road would connect to Hog Hollow. Jason Bond showed on the map where the road connects just east of Matterhorn Drive. Mr. Maines wanted to know when the 26 foot width road had been approved. Jason Bond said the preliminary plat was approved approximately April 2015. Mr. Maines wanted to know if the eighteen and half width road versus the 26 foot road been discussed. Steve Cosper said the Planning Commission had debated down to the 20 foot road as an emergency access road with crash gates. He said it has been

discussed before and the plan was to help reduce retaining walls which seemed to be very controversial over the last few years. He said what he recalls is that preliminary approval was for the 20 foot width road the proposal now is for the eighteen and a half. 26 feet is if the road would be open all the time. Jed Muhlestein said he remembers the 26 foot road was approved but the smaller width roads were not approved because nothing was brought in for approval and to be voted on. Mr. Maines asked why the road needed to be reduced. Mark Wells said this plan removes retaining walls and is a lot less invasive to the hillside and recently the city approved a secondary access road for a fifty lot subdivision in the city. He also said retaining walls are expensive to build.

Mr. Maines said he opposes this development because of the traffic flow and wanted to know if a traffic study was going to be done. He said he would prefer a full access road with retaining walls where residents can get out on both roads.

Tom Watkins said the neighbors don't want to take on the full responsibility of this road. He said the water pressure is also an issue because his area already has a water pressure problem with both culinary and pressurized irrigation. Mr. Watkins said the neighborhood is adamantly against having only one access that diverts all the traffic one way. He said it doesn't make sense to divert traffic from Hog Hollow onto Lakeview when Lakeview is already a narrow road. He said they don't want to take on the traffic burden of everyone and said that burden should be shared.

Ray Madsen said he agrees with Mr. Watkins but said we have to think of the people who are living in this development. He said these people will have to make many trips down that hill and they will need to have easy access to get out of that subdivision and should not have to drive all the way around to get out. He said the developers need to think about the proper flow of traffic.

Darryl Stallings said Lakeview is a cul-de-sac and it's not right to turn this road into a major road. He said he bought his property because it was on a quiet cul-de-sac and he said he spent a lot of money to live up there. He would like to see two roads sharing the traffic.

Glen Simmons said he opposes this subdivision but knows the developer has a right to develop. He said knows he has to share the road and wanted to mention Lakeview is a narrow road and will need to be plowed.

Brent Wiseman said he opposes this road because of safety issues and said his big concern with the second access is the traffic flow. He said the snow plow hardly ever comes up Summit Way and it is very slick and he didn't think the snow plow would get up to Eagle View to a one way road. He said Eagle View and Summit Way are going to be slammed with vehicles, delivery trucks, and construction trucks and none of them are going to want to go all the way around. He said you need to keep the access road a full road that can be used year round to share the traffic.

Jane Griener said she understands the dilemma of retaining walls but said she leans toward the walls because of public safety. Jed Muhlestein said the minimum amount needed for the fire trucks to get up the emergency access road would be eighteen and a half feet wide. The Planning Commission had a discussion about the retaining walls, grading onto city open space and sidewalks curb and gutter.

MOTION: Jason Thelin moved to recommend to the City Council that the secondary access road in the Eagle Pointe PRD stay at 26 feet wide as previously approved.

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

C. Alpine Olde Towne Centre Lot D Office Building – April Cooper

The proposed office building is proposed to be located on Lot D within the approved Planned Commercial Development known as Alpine Olde Towne Centre. The designated building footprint is 6,188 square feet and is located in the Business Commercial Zone. Office buildings are a permitted use in the BC zone. The proposed building will be 3 stories with 5,719 square feet on the main floor, 3,522 square feet on the second floor and 2,169 square feet for the third floor. There is a basement planned for the building that would be a total of 3,100 square feet.

The parking lot, sidewalk and lighting for the lot have already been approved as part of the development. The lighting exists, the parking and sidewalk will need to be built. All utilities (sewer, water, pressurized irrigation, storm drain) exist and are stubbed to the property. The water policy has been met for this development.

Jason Bond said the big thing that has held this project up is the design of the building. He said the building has been slightly changed and are now proposing a three story building with an executive apartment on the third floor. Jason Bond said in the rules of determining the height of the roof, this building design would be a little bit harder because of the different roofline. He said he told the applicants to make sure the height of the building is correct so there are no issues because there will be concerns about the height. Ezra Lee said the maximum height of the building would be 34 feet.

Jason Bond said a landscaping design needs to be provided as well as trash storage and where it will be located and the parking requirement met. He said they need a deed restriction for the square footage to use the basement for storage. Parking will not be an issue for the apartment because residential only needs two parking stalls.

Steve Cospers said we can't approve the full plan without the landscaping plan but we could move the design of the building forward to the City Council. The Planning Commission had a discussion about the basement and stated that the building would have to have a deed restriction stating that the basement is uninhabitable. Jason Thelin said we have allowed this in other buildings but said it is hard to enforce after the fact. Jason Bond said we could restrict the height of the basement, not allow windows or have an egress to discourage the basement from being used as office space. Jane Griener said the Fire Marshall could inspect the basement when they do their yearly inspections.

Ezra Lee said they have to maintain the footprint of the building and the landscaping will go around the perimeter of the building. He said he didn't realize he had to have that plan here tonight but can get it to the Planning Commission. Judi Pickell asked if there is room to plant trees as a privacy buffer on the back of the building. Ezra Lee said they could do that but some neighbors have already complained about the trees that are already there. Jane Griener said column trees could be planted and maintained and look good. The problem with the current trees has been that they have not been maintained.

Ezra Lee showed on the development map where the dumpster is. He said it is already in place and the whole development will share it and have it dumped more frequently. Judi Pickell asked if there would be any mechanical units on the roof. Ezra Lee said they would have a mechanical room that would house most of their units with a possibility of air conditioning units on the roof. The units would be placed where they couldn't be seen and would not exceed the height restriction.

MOTION: Judi Pickell moved to recommend approval of the proposed Alpine Olde Towne Centre Lot D Office Building with the following conditions:

1. A deed restriction be required for the basement level listing it as uninhabitable
2. The height of the building shall not exceed thirty four (34) feet
3. A landscape plan be provided in one week at City Council Meeting
4. A bond provided for parking improvements associated with Lot D

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

D. Virgil Keate Site Plan

The proposed Keate Residence project is located at 155 North Alpine Blvd. The site plan consists of a residential home to be built on a 1.27 acre lot. This plan is presented to the Planning Commission because it is not in an approved subdivision. Article 4.14 of the Development Code requires the site plan to be recommended by the DRC and approved by the Planning Commission. The property is in the CR-40,000 zone.

Jed Muhlestein said all the utility hookups are already in place. The Fire Marshall has approved the fire hydrant. Jed Muhlestein said the setbacks have been met but by ordinance, we don't allow backing out onto Alpine Blvd. He said the applicant will incorporate a circular driveway into their plan to prevent backing out on Alpine Blvd.

Will Jones asked about the irrigation ditch. Jed Muhlestein said by ordinance, when a site is developed that has part of the Alpine Irrigation Company ditches on it, the homeowner would be required to be pipe the ditch. He said because of where the ditch is, and because it comes on and off the property, the city will not require piping the ditch. The reason is because the place you have the most problems is at the entrance of the pipe and if we piped and unpiped, in several places, it would be too difficult to maintain.

MOTION: David Fotheringham recommended approval of the proposed Virgil Keate Site Plan provided the following items are addressed:

1. The water policy be met.
2. The irrigation ditch will not be required to be piped

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

E. T-Mobile Cell Tower Modification (Lambert Park)

A wireless telecommunication tower sits at the south end of Lambert Park. There are three levels of the tower with T-Mobile being on the top level. T-Mobile recently expressed plans to also add a few more antennas to some existing vacant mounts on the same level. The Alpine City Development Code states that modification are allowed to include:

1. Collocation of new transmission equipment
2. Removal of transmission equipment
3. Replacement of transmission equipment

Jason Bond said this is a proposal to modify and to add a few antennas to the existing wireless telecommunication tower located in Lambert Park by the south water tank. He said the tower has three levels on it and currently the only level being used is the top level and that's being used by T-Mobile. Jason Bond said there are pairs of mounts that go around the pole and the applicant is proposing to modify the antennas and update them. He said at the same time, they want to add antennas to this existing, vacant mount.

Darrin Johnson said they may adjust the sectors for capacity reasons but the footprint will stay the same. He said everything on the ground will stay the same but they will change some antennas and the amplifiers behind them which are pretty small.

Jason Bond asked if the color of tower could blend in with the mountain color. Mr. Johnson said they could do that and that's what they originally did when they first put up their antennas. Jason Thelin asked if the cost of using the tower would go up. Jason Bond said he didn't think so because T-Mobile has purchased the lease on the top level of the tower.

Steve Cosper asked how far the reach of the tower was. Mr. Johnson said a couple of miles but it's getting to full capacity.

MOTION: Steve Swanson moved to recommend to the City Council approval of the T-Mobile cell tower modifications in Lambert Park with the following condition.

1. The additional antennas should match the color of what is currently on the tower.

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

COMMUNICATION:

The Planning Commission had a discussion about setbacks required for an accessory building. Jason Thelin said he would like the Planning Commission to think about this ordinance because he didn't think it made sense to have the same setbacks for a quarter acre as a half or one acre.

VI. APPROVAL OF PLANNING COMMISSION MINUTES OF: July 21, July 28, and August 4, 2015

MOTION: David Fotheringham moved to approve the Planning Commission Minutes for July 21, July 28, and August 4, 2015 subject to changes.

Steve Swanson seconded the motion. The motion passed unanimously with 6 Ayes and 0 Nays. Jason Thelin, David Fotheringham, Steve Cospers, Steve Swanson, Jane Griener 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 9:35 pm.