

**ALPINE CITY PLANNING COMMISSION MEETING at
Alpine City Hall, 20 North Main, Alpine, Utah
August 21, 2012**

I. GENERAL BUSINESS

A. Welcome and Roll Call: The meeting was called to order at 7:06 pm by Chairman Jannicke Brewer. The following commission members were present and constituted a quorum.

Chairman: Jannicke Brewer

Commission Members: Steve Cosper, Jason Thelin, Jannicke Brewer, Tami Hamilton, and Steve Swanson

Commission Members Not Present: Bryce Higbee, Todd Barney

Staff: Marla Fox, Shane Sorensen

Others: Phillip Williams, Don Rogers, Will Jones and Roger Bennett

B. Prayer/Opening Comments: Steve Cosper

II. PUBLIC COMMENT

Marci Anderson has a physical therapy business at 75 W. Main Street Court. She is asking for a variance on the parking requirement. She said they only see one patient at a time and don't need additional parking spaces. Shane Sorensen said the ordinance states you need 4 stalls per 1000 feet of office space which means this business would need 32 parking stalls. He said he went over there and only half of the spaces were being used on a daily basis. He said this number seems like a lot and for this business it is excessive. For Dr. Stucki's business, he probably needs this many spots because of the nature of his business. Jannicke Brewer said the Planning Commission is willing to take a look at this parking situation and asked Mrs. Anderson to work with Shane Sorensen and to turn in calculations at the next DCR meeting.

III. ACTION ITEMS

A. Conditional Use Permits for Home Occupations

Alpine Small Engine Repair – 927 S Alpine Highway – Phillip Williams

Jannicke Brewer asked Mr. Williams where he does the repairs. Mr. Williams said he will do the work in his shed and outside in the driveway. Jannicke Brewer said there is a problem because the ordinance states that outside work must be done in an attached garage. Mr. Williams said he doesn't have an attached garage. Don Rogers, a friend of Mr. Williams, said he would like to find a way for Mr. Williams to be able to have this business legally. He mentioned that Mr. Williams had lost his job and needed this business to help provide for his family. He asked if doing the work in the shed would meet the ordinance since Mr. Williams doesn't have a garage, or if there was a variance or zone change he could get. Jannicke Brewer said there is no variance and he won't be able to do the work out of the shed. Mr. Rogers asked about the possibility of doing a mobile business. Tami Hamilton said a mobile business is legal in Alpine. Jannicke Brewer said Mr. Williams can have a home office to do paperwork, make phone calls, collect payments, etc.

MOTION: Jason Thelin moved to grant a conditional use Home Occupation/Mobile Business permit for Alpine Small Engine Repair.

Tami Hamilton seconded the motion. The motion passed unanimously with 5 Ayes, and 0 Nays. Steve Cosper, Jason Thelin, Jannicke Brewer, Tami Hamilton, Steve Swanson and all voted Aye.

B. River Meadows PRD Senior Housing Project

Patterson Construction is asking for preliminary and final approval for the River Meadows Senior Housing Project. This is a 24 unit senior housing project located at approximately 199 E. Red Pine Drive.

Jason Thelin said he had an issue with the setbacks and was waiting to see the CC&R's from the City Attorney. Mr. Sowby said the setbacks were okay and they were just waiting for David Church to review the CC&R's for the Homeowners Association. Jason Thelin said he thought the Planning Commission was waiting to hear from the Attorney if the side and rear setbacks will work. Jannicke Brewer said the concept approval passed and the Planning Commission took that to City Council last week. The City Council approved the "less required setback next to the Assisted Living Center" plan. They made the motion to give consent to general concept and asked the Planning Commission to go forward.

Jannicke Brewer said that Mr. Sowby brought a new copy of the CC&R's to a staff meeting on August 20, 2012. A few language changes were made and amended by our City Attorney and she said she felt like the CC&R's were acceptable to the Attorney. Shane Sorensen said the changes to the language were formatting and not substance. Jannicke Brewer said that on the CC&R's we can go forward with saying, as recommended by our City Attorney.

Jannicke Brewer said the Planning Commission needs to approve the architectural character of the units. Mr. Sowby brought in pictures of the units to demonstrate what they would look like. He said the two color schemes would be reddish brown and grey. There will also be (2) two choices for the roof; a gable roof and hip roof. The colors and the roofs will be varied as an architectural style so they all won't look the same. Jannicke Brewer asked if it is required to build a basement and Mr. Sowby said no. Jason Thelin asked which units would need a sewer pump in the basement. Mr. Sowby showed on the map the five buildings toward the back, on the north side, that would need sewer pumps if basements were built.

Mr. Sowby said the landscape plan has been corrected. The size of the trees will be 2 inch caliber on some and 5 gallon on others. There will be enough plants to go around the units.

Shane Sorensen said there needs to be a separate document to cover the cross easement. Mr. Sowby said their Attorney is in the process of writing that document. He agrees that it needs to be done and said it would be completed by the next City Council.

Mr. Sowby said he would like the City to maintain the sewers. Shane Sorensen said he prefers the developer to maintain them in this situation. The City doesn't own those streets and in 50 years when the lines need to be replaced, it would be difficult to get in there and tear up those streets. He said since those streets are private, the owner is responsible to maintain them. Jannicke Brewer said to keep it how it is with the developer and the requirement is that the developer maintains the sewer.

Shane Sorensen said the Fire Chief has not been in to review this and sign off on it. Jannicke Brewer asked if sidewalks, curb and gutter were in and Mr. Sowby said they were. Jannicke Brewer said the Planning Commission could go ahead with preliminary and final tonight and then go to City Council. Shane Sorensen said the sidewalk should be removed in front of the driveway and redo how that is done. Mr. Sowby said they agree and they have plans to that.

Tami Hamilton asked about additional parking since there is no parking on the street. She said this could be a real problem is someone had a big event. Mr. Sowby said they have (4) four parking stalls per units which is double the requirement. He also said there is space on Red Pine Drive and an additional (12) twelve parking spaces at the north end.

Shane Sorensen mentioned a GEO Tec report but said this should be taken care of on the building department side.

MOTION: Jason Thelin moved to grant preliminary approval and recommend final approval for the River Meadows Sr. Housing Project subject to the following conditions:

1. That the CC&R's as amended by the City Attorney be included.
2. The Planning Commission has approved the architectural drawings outlined by the developer.
3. The cross easement be provided each way between the River Meadows Sr. Housing and Assisted Living developments.
4. That the HOA maintain the sewer system within the development.
5. The Fire Chief review and approve the location of the fire hydrants.
6. The size of the laterals be limited to ¾ - inch.
7. A land disturbance permit be obtained prior to construction.
8. The plat be reviewed for accuracy by the City Engineer.
9. The existing sidewalk on Red Pine Drive be removed prior to installing the new driveways on those units.
10. That the landscape plan is accepted.

Steve Cospers seconded the motion. The motion passes unanimously with 5 Ayes and 0 Nays. Steve Cospers, Jason Thelin, Jannicke Brewer, Tami Hamilton and Steve Swanson all voted Aye.

Will Jones asked how the garbage trucks are going to get through when they can't turn around. Also a large fire truck won't be able to get through. Shane Sorensen said the Fire Marshall will have to be notified about the narrow turnaround. Jannicke Brewer said on private roads, garbage cans have to be taken out to a main road and in this case it would be Red Pine Drive. Steve Swanson asked what width is required. Shane Sorensen said 30 feet is a happy medium, but if people are parking on the street it can get pretty narrow.

Jason Thelin said he appreciated Shane Sorensen's comments on the maintenance of the sewer system. Shane Sorensen said the City has stepped up the maintenance on their sewer systems but don't want to take on the maintenance of private subdivisions.

C. Bennett Farms Subdivision

Roger Bennett is asking for preliminary approval for the Bennett Farms Subdivision, a 27 lot subdivision on 29.68 acres located at approximately 700 N Alpine Blvd. in the CR – 40,000 zone.

Shane Sorensen said the developer needs to submit storm drain calculations and address the debris flow hazard study. He said a portion of this property is in the urban wildland area and he needs paperwork submitted on that. Jannicke Brewer said that stops us from going forward on this tonight.

Jannicke Brewer said last time we talked about the frontage on the arterial streets. What do you want to do about the frontage on the corner lot 23? Will Jones said the best way to face the home on that lot is to the west with the driveway on the west side. He said it would not be a good situation to come out to the north. Jannicke Brewer said we need a note on the plat stating where the driveway will be. She said on lot 24 and 27 we need a note stating they should enter from the cul-de-sac.

Jannicke Brewer asked what had been decided about the sewer line. Shane Sorensen said the depth will be 15 feet in Country Manor Lane to help serve those downhill lots. They will be regular utilities and will not need a sewer easement. Will Jones said they have a few water rights in the City but most of it is irrigation.

Steve Cospers asked what needed to be addressed on the urban wildland. Shane Sorensen would like to see a letter from the Fire Chief stating this really isn't urban wildland interface area because it is orchard and not brush. Jason Thelin asked if this is urban wildland, what would a developer have to do differently. Shane Sorensen said they would have to clear brush away from homes and roof issues. Will Jones said exterior siding has to be a certain kind and you have to have a non combustible type roof. Steve Cospers said in lieu of the fire, is it time to update where the

wildland is. Jason Thelin thought this was a good idea especially since we know that other subdivisions are coming in the future. The Planning commission discussed moving the wildland line to the High Bench ditch. Jannicke Brewer read from the ordinance where it states: Provisions of the urban wildland overlay shall be enforced by Alpine City Fire Chief where appointed. The Fire Chief is authorized to recommend alternatives to any of the provisions of this code upon application in writing by the owner, etc. Jannicke Brewer said we can ask our Fire Chief to go over the map and see if there should be adjustments.

Steve Cospers asked if the annexation has to happen before this goes through. Shane Sorensen said they are moving concurrently. He said the annexation went to City Council last week and they are just waiting to approve the ordinance for the development plan to move with it. Jannicke Brewer said they are still writing an annexation agreement and hoping it will all come together at one meeting. Jason Thelin asked if the annexation agreement was just for this one parcel. Jannicke Brewer said it is only for this parcel as they are the only one to apply right now.

Jason Thelin asked what the process was for connecting the road. Will Jones said the road will be stubbed and when they sell the remaining 3 lots they can push the road through. Jannicke Brewer mentioned there is an easement in the corner of lot 12.

D. Stub Streets

The Planning Commission will review proposed amendment and set public hearing.

Jannicke Brewer said the stub street ordinance is confusing. The Planning Commission asked the City Attorney to review and revise the language to clarify the meaning. The Planning Commission felt like the language was still confusing but going in the right direction. Jannicke Brewer said she will ask David Church for easier verbiage so it is less complicated. Will Jones said to show him on paper so he can understand the meaning. Shane Sorensen said this is a fairness issue and you can't burden them more than a typical property in the city. Jannicke Brewer said she agrees, but you can't land lock. The burden will be on the developer to show why this should be a right away but not a developed street. Jannicke Brewer said we will try to add sub sections to this ordinance to make it easier to read then set a hearing.

E. Seasonal Sales

The Planning Commission will discuss the proposed amendment and set a public Hearing.

Jannicke Brewer read from other cities ordinances about seasonal sales. One city requires a temporary use permit and a business license for produce stands, Christmas tree lots, fireworks stands, sno shacks and farmers markets. They allow a temporary trailer if they have a building permit and are in the process of building an office. They also require an annual business license.

Jannicke Brewer asked the Planning Commission if they wanted to keep the ordinance for walk up windows at a restaurant the same or change it. She also asked if they want time limits on seasonal sales. She mentioned that Alpine days will be exempt.

Steve Cospers said we shouldn't get rid of the Gateway Historic Committee. Tami Hamilton said she agrees so Alpine can maintain a certain look. Steve Swanson said we need to define what temporary means. Is it two weeks or all summer?

Jason Thelin said we used to be picky; we had a process that people had to go through. If we get rid of the Gateway Committee, I don't see us caring if no one is there to monitor the look. Steve Cospers said if you lose control, Main Street is going to look trashy and he didn't see what was wrong with preserving the look of our town. Jannicke Brewer said the City Council asked us to come up with some language that they can review.

Steve Swanson asked how you differentiate between a trailer for a Christmas tree stand and a fireworks stand. Tami Hamilton asked if the ordinance would be different for something being here for a couple of weeks. Sandy City's ordinance states where the business can be located, when the business will be open and the timeframe. And what is required of the business as far as restrooms, electricity, garbage, etc.

Jannicke Brewer asked how can we move forward on this. Steve Swanson said the issue is time. If a business is going to be here for more than 2 weeks then the rules can be more permanent. Tami Hamilton suggested checking with Park City and Heber on their ordinances since they are stricter on appearance. Jannicke Brewer asked her to contact those cities and see if she can get a copy of their ordinances.

F. Mixed Uses

Jannicke Brewer read from the ordinance where it states: Buildings located within or on the same premises as a permitted or conditional use and occupied by persons directly related to such a use in a caretaker or similar capacity. An example would be a mortuary where they would have a caretaker living on the premises. Tami Hamilton said she doesn't like the idea of mixed use in the Business Commercial Zone. She said it needs to be pre-planned and Alpine is not pre-planned. We have such a small Commercial area and she is concerned about small children in the parking lot and residential cars pulling out.

Will Jones said he thought some of the upper floors in some of our businesses could be converted into condos. In the back of the building, they could be landscaped to blend into the neighborhood. He thought the day will come when Alpine will get hammered on affordable housing. He said you could put an overlay zone on it so there are specific conditions. It can be an attractive look and help with the affordable housing.

Jason Thelin said we need to take out 3.7.2 and change the ordinance and get it to where we think it needs to be. Tami Hamilton said the situation with the mortuary is a necessity and doesn't fall into the same category. That would be a paid caretaker and not a renter. And what happens when that person moves out and someone else moves in and doesn't want to be the caretaker? Jannicke Brewer said she will research the ordinances and see if there is anything else that is contradictory to this.

IV. COMMUNICATIONS

Jannicke Brewer said there is an application for a group home for recovering alcoholics and drug abuse. They want to open at the beginning of October. They are working on their sales agreement to buy the home and this is a permitted use in a residential neighborhood. They are applying for 16 residents and our ordinance states only 4 residents. Jannicke Brewer said they have the right to come in and request a higher number. Jason Thelin said he would like to hear from the City Attorney if there is a certain number we have to allow in. If we say no is that grounds for a lawsuit. Jannicke Brewer said parking could be an issue if they have visiting days. The City Attorney said it can have a negative effect on property values. Tami Hamilton said the burden of proof should be on them to show why they need to have more clients other than for financial reasons. 16 people plus staff seems excessive for 1 home in a residential neighborhood.

The next Planning Commission meeting will be on September 4, 2012.

V. APPROVAL OF PLANNING COMMISSION MINUTES OF: May 15, 2012, June 5, 2012, June 19, 2012.

MOTION: Steve Cospier moved that we accept the minutes of May 15, 2012, June 5, 2012 and June 19, 2012.

Tami Hamilton seconded the motion. The motion passed unanimously with 5 Ayes and 0 Nays. Steve Cospier, Jason Thelin, Jannicke Brewer, Tami Hamilton and Steve Swanson all voted Aye.

Jannicke Brewer stated that the Planning Commission had covered all of the items on the agenda and adjourned the meeting at 9:31 pm.

PC Aug 21, 2012