

**ALPINE CITY PLANNING COMMISSION MEETING at  
Alpine City Hall, 20 North Main, Alpine, Utah  
May 6, 2014**

**I. GENERAL BUSINESS**

**A. Welcome and Roll Call:** The meeting was called to order at 7:00pm by Chairman Jannicke Brewer. The following commission members were present and constituted a quorum.

Chairman: Jannicke Brewer

Commission Members: Bryce Higbee, Steve Cosper, Jason Thelin, Jannicke Brewer, Chuck Castleton, Steve Swenson, Judi Pickell

Commission Members Not Present:

Staff: Jason Bond, Marla Fox, Shane Sorensen

Others: Rebecca covey, Alan Rainsdon, Ginny Rainsdon, Jacob Rainsdon, Brooke James, Von Phillips, Stefan Harlan, Chris Ballif, Michelle Kerr, Doug Kerr, Erin Darlington, Kelly Shubin, John James, Terry Pearce, Ben Bailey, Lacie Lawrence, Craig Skidmore, James Lawrence, Will Jones, Roger Bennett, Sean Covey, David Pierce

**B. Prayer/Opening Comments:** Bryce Higbee

**II. PUBLIC COMMENT**

No comment

**III. PRESENTATION**

**A. Alpine Youth Council – Lambert Park**

Brooke James and Jacob Rainsdon said they were given an assignment by Mayor Willoughby to go check out Lambert Park and report back to the city their findings. Brooke James mentioned that motorized vehicles are driving off the trails and damaging the poppies and other areas of the park. She said she is not in favor of closing the roads to motorized vehicles but to enforce the rules and get the information out to the public. She said that the signs need to be updated and made clearer. Signs are being destroyed and need to be maintained annually.

Jacob Rainsdon said some ideas they came up with for the park are:

1. Main map on large wood structure showing trails in the park.
2. Tipline phone number for violators.
3. Make motorized only trails more entertaining by creating curves and hills, dips and jumps.

Jannicke Brewer said the city values this information and appreciates the time put into this report. She mentioned that the city doesn't have the staff to maintain the park on a regular basis and she asked the Youth Council Representatives if they have the people and the time to do some projects in the park. The Youth Representatives said they would take it back to their council and see if they could work it out to spend some time on a project in the park.

**IV. ACTION ITEMS**

**A. Pre-school Conditional Use Permit**

Michelle Kerr submitted an application for a Commercial Business License for the Montessori Canyon Academy located at 188 North Main Street.

Jannicke Brewer asked about remodeling of the building. Ms. Kerr said the commercial kitchen has been removed by the previous owner. Some remodeling will have to be done in that area. She said the basement will be used for a faculty workroom, kitchen space and storage. The main level will have three classrooms with the current kitchen area being converted into the third classroom.

The Planning Commission asked about a playground. Ms. Kerr said she will make a natural playground with trees and shrubs and tree stumps for kids to climb on. She said she will leave the patio as it is but extend it into the parking area using three stalls for the new play area.

Judi Pickell asked about dropping off the kids and how that would work. Ms. Kerr said parents could come in either way. Steve Cospers said it would be better if Ms. Kerr had a plan for ingress and egress. Bryce Higbee said he has an issue with the flow of the traffic coming out onto Main Street and he said it can create a traffic hazard. Will Jones suggested coming in on Main Street and driving out onto 200 North. Make it a one way zone during drop-off and pick-up with no left turn in and left turn out. Bryce Higbee suggested checking with Mountainville Academy to see when they start school so Ms. Kerr's preschool start time is staggered and Main Street doesn't become jammed.

Shane Sorensen said the Fire Department will have to inspect the building and permits will need to be obtained for remodeling. Jannicke Brewer said all the teachers need to be licensed under the Utah Code. Ms. Kerr said that is for child care and not for preschools. Jannicke Brewer said we will have to research this and make sure all the proper licensing is done. Jannicke Brewer said the building inspector will have to check the building out as well to make sure the plumbing is up to code.

Judi Pickell said she is concerned about the fencing and didn't think bushes would keep kids from climbing it. She said this building is on a very busy corner and needs to be looked at more closely. Jannicke Brewer said this is a corner lot and has to keep the sight triangle. She said they could have a higher see through fence. Jason Bond said the Planning Commission could attach a condition to have a higher fence. Jason Thelin said the elementary schools don't have fences in the front of their schools. Judi Pickell said those schools are not on Main Street on a busy 4-way corner. Jason Bond said the ordinance states that a see through fence can't be taller than four feet on a corner because of the sight triangle.

**MOTION:** Steve Cospers moved to approve a Conditional Use Permit for the Montessori Canyon Academy subject to submitting and receiving approval from City Staff for the following conditions:

1. A remodeling plan be submitted and approved by Alpine City including necessary plumbing for clients.
2. A traffic flow pattern be submitted to the City.
3. Licensing be obtained as required.
4. Inspection from the Fire Chief.

Chuck Castleton seconded the motion. The motion was unanimous and passed with 7 Ayes and 0 Nays. Bryce Higbee, Steve Cospers, Jason Thelin, Jannicke Brewer, Chuck Castleton, Steve Swenson and Judi Pickell all voted Aye.

#### **B. Bennett Farms Plat E Final – Roger Bennett**

The proposed Bennett Farms Plat E Subdivision consists of 3 lots on 3.27 acres. The lots range in size from 40,260 to 42,315 square feet and the subdivision is in the CR-40,000 zone. The development is located at 700 North Country Manor Lane.

Shane Sorensen said the water source must be from Alpine Irrigation water shares because this property has historically been watered with Alpine shares so that's what's required.

**MOTION:** Jason Thelin moved to recommend Final approval of Bennett Farms Plat E Subdivision subject to the following conditions:

1. The Fire Chief approve the locations of the fire hydrants.
2. A cost estimate be provided for the improvements.
3. A bond be provided for the cost of the improvements (this is required at recording).
4. Coverage under the UPDES Storm Water General Permit for Construction Activities must be obtained prior to construction.
5. Any correction found necessary on the final plat be addressed.

Bryce Higbee seconded the motion. The motion was unanimous and passed with 7 Ayes and 0 Nays. Bryce Higbee, Steve Cospers, Jason Thelin, Jannicke Brewer, Chuck Castleton, Steve Swenson and Judi Pickell all voted Aye.

### **C. Lawrence Site Plan – James Lawrence**

The proposed Lawrence Auto Body Shop is located at 80 South Main Street. The site plan consists of an auto body shop on a 0.51 acre lot. The property is in the BC zone. There is currently a home and shed onsite that will be demolished for construction of the proposed automotive shop. The proposed shop will utilize the utility connections of the existing home.

The site plan proposes to access the site from Main Street. The shop is being proposed with 5 bays. There are 18 proposed parking stalls that are completely on the owner's property and out of the front setback area. Development Code 3.7.3.12 limits auto body shops to 4 bays and 3 parking stalls per bay (12 total). The Gateway-Historic Committee, which is now a Planning Commission responsibility, can allow flexibility with the parking requirement. The Board of Adjustments would need to grant a variance for the 5<sup>th</sup> bay as the ordinance does not allow flexibility in the regard.

The parking stall dimensions meet code but the current driveway approach does not meet typical commercial approach specifications. It would be required that the applicant replace the drive approach with thicker concrete to meet commercial specifications.

James Lawrence said the 5<sup>th</sup> garage door would be used for storage and not a bay. The Planning Commission said if you build a 5<sup>th</sup> bay with a garage door then it is a 5<sup>th</sup> bay even if you don't intend to use it as a bay. Jannicke Brewer said we have to follow the ordinance and currently that states 4 bays. Jason Bond said Mr. Lawrence could go to the Board of Adjustment and try to get a variance.

James Lawrence asked if he changed the doors would that qualify him to use the space as storage. Steve Swenson said he doesn't have a problem with it as long as Mr. Lawrence doesn't have a lift or tools in that space. James Lawrence said there is nowhere in the ordinance that describes what a bay is and he said he has met the ordinance. The Planning Commission said Mr. Lawrence has not met the ordinance by having 5 bays. Bryce Higbee said that Mr. Lawrence is pushing the limit by trying to add an extra space when the ordinance states 4 bays.

Shane Sorensen said in order for parking to be calculated, we need to know the nature of the business. The renderings show 5 bays and other offices. James Lawrence said he doesn't know of any building in town that doesn't have more than one business in it. Jason Bond said Mr. Lawrence can have other businesses in the building but this property won't have enough parking for other businesses so it won't be usable. He said this business was approved for 4 bays and 3 parking stalls for each bay with a total of 12 parking stalls. It was never brought before the Planning Commission as a mixed use building. Mr. Lawrence is allowed to have an office in the building to run the auto body business, but that is included in the building which was approved for 12 parking stalls.

Steve Cospers said the Auto Repair Ordinance takes precedent and it should be capped at that and if the office doesn't work because of that, then so be it. He said this is an auto body shop and we specifically tailored this to fit that need and let's not change that. Jason Bond said he agreed because we limited the parking for the auto repair shop so there wouldn't be a lot of junk cars parked.

Judi Pickell said there is office space that is useable above this building as well as parking space outside and she wanted to know why we couldn't find a way to make this work. Steve Cospers said Mr. Lawrence chose to do an auto repair business and that is what he got approval for and so he has pigeoned himself into that ordinance. Jason Thelin said we have to take into consideration the surrounding neighbors and they are already not happy about this business coming in and we have to create something that works for everybody. He said we found a way to make the auto body shop work and now Mr. Lawrence is saying he is going to bring in additional businesses into the building.

The Planning Commission discussed parking, setbacks and lighting and the best way to direct the lighting as to not affect the neighbors. Judi Pickell asked if there was any way to flip the building and face the bays to the north so the lighting would be between two commercial buildings and not butting up against a residence. She also said aesthetically it would look nicer as you drive up Main Street to not look into bays. Mr. Lawrence said he doesn't want to do that because ice will build up during the winter against his garage doors and cause a safety hazard. He

also said the way the utilities are located it makes more sense to face the building to the south. Judi Pickell said she thought some design on the first two bays should be added because it will be seen from Main Street. She also said the 30 foot setback on the frontage won't mesh with the Gateway Historic design.

Jannicke Brewer said we need some clarification on office space and how we measure the parking for it in the same building. She said we need to look at a plan with 4 bays or have received approval for 5 bays. Jannicke Brewer said Mr. Lawrence needs a vicinity map, names of adjacent property owners, mark where the garbage dumpster is going to go, a list of plants and trees for landscaping to see that they are not invasive, and a plan for signage with a permit.

**MOTION:** Jason Thelin moved to recommend a rejection of the proposed Lawrence Site Plan until the following items are addressed:

1. The applicant submits a 4 bay plan or acquires a variance from the Board of Adjustment for the 5<sup>th</sup> bay.
2. An exception is granted for more than 12 parking stalls.
3. An exception is granted for the northern side yard setback.

Steve Cospers seconded the motion. The motion was not unanimous but passed with 5 Ayes and 2 Nays. Steve Cospers, Jason Thelin, Jannicke Brewer, Chuck Castleton and Steve Swanson all voted Aye. Judi Pickell and Bryce Higbee voted Nay.

Bryce Higbee and Judi Pickell wanted it noted that they voted Nay because they don't have an issue with #3, the side yard setback.

#### **D. Bridle Up Hope Site Plan – Rachel Covey Foundation**

The proposed Bridle Up Hope Site Plan is located at 1150 East Watkins Lane. The site plan consists of an Equestrian Center on 8 acres. The site contains riding areas, office, parking, stables and hay barn. The property is in the CR-40,000 Zone.

Jason Bond said we need to address three items tonight, the Site Plan, Conditional Use, and the Pierce Plat Amendment. Jason Bond showed on the map the layout of the property and where the buildings would be located. Terry Pearce asked how many employees there will be. Mr. Harlan said there may two or three employees and a few volunteers. He said there will be a caretaker living in a home on the property, instructors and people to care for the animals. Mr. Pearce asked if the instructors will be employees. Mr. Harlan said some of the instructors will be employees. Sean Covey said there will probably be three employees there at the same time. Mr. Pearce said instructors, a caretaker and people working in the office add up to six employees.

Shane Sorensen showed on the map where the lot line adjustment would be. The purpose of this is so that the property for Bridle Up would have frontage on the city street. Craig Skidmore addressed the fact that there are trails on the Master Plan on the south side of this property leading to the mountain. Jannicke Brewer said the city would have to pay for the trail or the developer would have to donate land for the trail but we can't require they do so.

Ed Gifford said the trail is a good idea and maybe the Covey's would give an easement but it would have to be improved by the public through volunteers. Craig Skidmore said this trail would be for walking and equestrian use only because it is illegal for mountain bikes to the north and south of this property. Mr. Harlan said his concern would be motorized vehicles and bikes on the trail scaring the animals on the trail.

The Planning Commission discussed the easement and the property line adjacent to the David Pierce property. Ed Gifford showed on the map where the roads will eventually connect in the future and said they are on the Master Streets Plan. Shane Sorensen said the city is still working on water issues in that area. Von Phillips asked if David Pierce has given an easement for the road because he doesn't want to get boxed in. Ed Gifford said a road is built when someone wants to develop. Judi Pickell said she would rather get the easement now while we are working with this property and get it done the correct way instead of bringing it back sometime in the future. Sean Covey said they have been working with the Devey's and they have come to an agreement.

Terry Pearce said the city has a high charge to protect the character of this area. He said this is a commercial business and it does not fit into the character of the neighborhood. He said this business will bring in a huge

building, employees, traffic and it is not conducive to the vision of Alpine. He said this is a conditional use and not a permitted use in a residential neighborhood.

The Planning Commission discussed the size of the buildings and the effect on the neighborhood. Jason Thelin said he thought this would look better that putting in 20 homes. Judi Pickell asked about outdoor lighting. Mr. Harlan said they haven't discussed outdoor lighting but the lessons would end before it got dark. Mrs. Covey said they are planning on restoring the old Watkins home so the entrance to the property would be beautiful.

**MOTION:** Bryce Higbee moved to recommend that approval of the proposed Bridle Up Hope Site Plan be granted provided that the following items are addressed:

1. Utility easements be provided for water, sewer, and drainage infrastructure.
2. A Storm Drain Maintenance Agreement be completed (recorded after site is built).
3. A more detailed grading plan for retention ponds be provided.
4. Ownership of the Davis Devey property be resolved.
5. Redlines on the plat be addressed.
6. The water policy be met.
7. Exterior lighting plan be submitted and approved.
8. Easement for a trail to the mountains be provided subject to the approval of the Attorney.
9. Dedication for the road easement from the southern end of Watkins Lane running north through the property. This will be subject to the approval of the Attorney.

Mr. Harlan asked what a public road easement means. Shane Sorensen said the easement is there in case a road is necessary. He said they are typically built on a dedicated right-of-way but it could be built on an easement. Jannicke Brewer said the city already has a water line easement. Shane Sorensen said this easement specifically states it's for a water line but it was built 54 feet wide and he said it must have been planned that way in case a road was constructed in the future. Mr. Harlan asked who would bear the cost of the public road. Shane Sorensen said it would not be at the cost of the developer because the project is not creating the need for the road so the city could not force the developer to build the road. Jason Thelin asked if the city would have to buy the property to build the road. Bryce Higbee asked if it would be a taking. Shane Sorensen said this is a road the city would like to have but we need to check with our Attorney to make sure we are not doing anything illegal by requiring it.

Terry Pearce asked if the Planning Commission would make it a condition to only be open certain hours. Bryce Higbee said that is why we are asking for a lighting plan, to make sure there is minimal impact to neighbors. The Planning Commission said the horses will need to be cared for early morning and at night but that will be done in the barn so lights wouldn't be needed late at night. Bryce Higbee said he didn't want to add a condition on the hours and said the lighting would take care of the business hours.

Ed Gifford said the Covey's are willing to give the trail easement but he said he has a problem with the public easement for access and said it is not right and could be challenged very easily.

Judi Pickell seconded the motion. The motion was not unanimous and did not pass with with 5 Nays and 2 Ayes. Bryce Higbee and Judi Pickell voted Aye. Steve Cosper, Jason Thelin, Jannicke Brewer, Chuck Castleton and Steve Swanson all voted Nay.

Jason Thelin moved to recommend that approval of the proposed Bridle Up Hope Site Plan be granted provided that the following items are addressed:

1. Utility easements be provided for water, sewer, and drainage infrastructure.
2. A Storm Drain Maintenance Agreement be completed (recorded after site is built).
3. A more detailed grading plan for retention ponds be provided.
4. Ownership of the Davis Devey property be resolved.
5. Redlines on the plat be addressed.
6. The water policy be met.
7. Exterior lighting plan be submitted
8. Easement for the trail to the mountains be provided subject to the approval of the Attorney.

Steve Swanson seconded the motion. The motion was not unanimous but passed with 5 Ayes and 2 Nays. Steve Cosper, Jason Thelin, Jannicke Brewer, Chuck Castleton and Steve Swanson all voted Aye. Bryce Higbee and Judi Pickell voted Nay.

Jannicke Brewer said we need to grant a Conditional Use for Bridle Up Hope that they are a quasi public use. She read from Ordinance 3.4.3.9 Conditional Uses in the CR-40,000 zone where it states: Schools, churches, hospitals and similar quasi public buildings.

**MOTION:** Chuck Castleton moved to grant a Conditional Use Permit for Bridle Up Hope as a quasi public use.

Steve Cosper seconded the motion. The motion was unanimous and passed with 7 Ayes and 0 Nays. Bryce Higbee, Steve Cosper, Jason Thelin, Jannicke Brewer, Chuck Castleton, Steve Swanson and Judi Pickell all voted Aye.

**MOTION:** Steve Cosper moved to recommend that the Pierce Plat B amendment be approved to reflect the changes shown on the proposed Pierce Plat C.

Steve Swanson seconded the motion. The motion was unanimous and passed with 7 Ayes and 0 Nays. Bryce Higbee, Steve Cosper, Jason Thelin, Jannicke Brewer, Chuck Castleton, Steve Swanson and Judi Pickell all voted Aye.

Judi Pickell asked that the lines on the map be made more clear. Shane Sorensen said comments have been made on this and it is in the process of being addressed.

#### **E. PUBLIC HEARING – Design Standards Amendment (Sidewalks and Road Classification)**

The Planning Commission will review an amendment to Article 4.7 of the Alpine City development Code regarding requirements for sidewalks and a new classification for an emergency access road.

Jannicke Brewer opened the hearing and then closed the hearing. No comments were made.

#### **IV. COMMUNICATIONS**

Jason Bond said he passed out information about Business Tax Leakage in the city and asked to Planning Commission to review it.

#### **V. APPROVAL OF PLANNING COMMISSION MINUTES OF: April 15, 2014**

**Motion:** Jason Thelin moved to approve the Planning Commission minutes for April 1, 2014 subject to changes.

Judi Pickell seconded the motion. The motion passed unanimously with 4 Ayes and 0 Nays. Jason Thelin, Jannicke Brewer, Chuck Castleton, Steve and Judi Pickell all voted Aye.

Jannicke Brewer stated that the Planning Commission had covered all of the items on the agenda and adjourned the meeting at 10:20pm.