

ALPINE CITY PLANNING COMMISSION MEETING
Alpine City Hall, 20 North Main, Alpine, UT
September 18, 2018

I. GENERAL BUSINESS

A. Welcome and Roll Call: The meeting was called to order at 7:00 pm by Chairman David Fotheringham. The following were present and constituted a quorum:

Chairman: Dave Fotheringham

Commission Members: Alan MacDonald, John MacKay, Jane Griener, John Gubler, Sylvia Christiansen

Staff: Marla Fox, Jed Muhlestein

Others:

B. Prayer/Opening Comments: Alan MacDonald

C. Pledge of Allegiance: Sherman Meyers

II. PUBLIC COMMENT

There were no public comments.

III. ACTION ITEMS

A. Exception Request – Gateway Historic & Business Commercial Parking Requirements

Jed Muhlestein said that the applicant had submitted a request for an exception to the off-street parking requirements for a proposed reception center at 45 East 200 North. Plans for the proposed parking showed 18 spaces on the subject property, 21 spaces on an adjacent parcel owned by the same landowner, and an additional 13 spaces at the D&M Holdings Property on the other side of 200 North. In total, 52 off-street parking stalls would be provided. According to Alpine City Development Code Article 3.24.3, reception centers were required to provide 13.5 parking spaces for every 1,000 square feet for buildings 20,000 square feet or less. The subject structure was approximately 4,500 square feet in size, so the ordinance would require 61 spaces for this site.

Article 3.11.4.3.5 says:

*The Planning Commission may recommend exceptions to the Business Commercial Zone requirements regarding **parking**, building height, signage, setbacks and use of it finds that the plans proposed better implement the design guidelines to the City Council for approval.*

Jed Muhlestein said that the ordinance also stated that parking should be on the property where the building was located, and this applicant was showing parking on three separate properties. In reviewing the parking arrangement provided by the applicant, Jed Muhlestein found that there was not enough room to do 90-degree parking in one area, nor the angled parking in another area. He identified these locations on the site plan. If the parking were drawn out to meet code requirements, there would be four fewer stalls than what was being proposed.

Jed Muhlestein explained that both the Business Commercial Zone and Off-Street Parking ordinances allowed exceptions regarding parking. In this situation, staff recommended an exception based on the fact that the proposed use was a wedding reception, which was typically used in the evenings when other businesses were not in operation. If they were to allow parking on other properties, it would not interfere with the existing businesses there. Staff suggested that there be some restriction on the business license ensuring that they could only operate between the hours of 6:00 p.m. and 10:00 p.m. to mitigate any potential parking issues. The City would also require parking agreements with the other property owners. Jed Muhlestein said that the applicant should also submit an engineered parking plan and should stripe the parking according to that plan.

Jed Muhlestein commented that the parking requirements in the ordinance were not an exact science. In his experience, most receptions would not have more than 30 cars in the parking lot at once.

Jane Griener said that she didn't like the idea of restricting the hours of operation because someone may want an afternoon wedding or party. She was concerned about cutting out the flexibility of their businesses.

Dylan Ense, the applicant, said that he and his wife currently owned a reception facility in American Fork, which they had been running for eight years. The current facility was 5,700 square feet in size and they had approximately 35 parking stalls. Mr. Ense was not concerned about limiting the hours of operation on weekdays, but it would be a real concern if they limited weekend hours.

Mrs. Ense, the applicant, said that her sister-in-law owned the business across the street that they were proposing to use for parking, and she had already agreed to let them use their parking on the weekends.

Mr. Ense said that the actual gathering area of the proposed structure was 2,700 square feet, so this would generate fewer cars than their other facility. Their total occupancy at the other facility was 150, but they had not spoken to the Fire Chief about the occupancy of this building yet.

Alan MacDonald expressed a concern for guests trying to park in the nearby church parking lot, which would not be allowed. The City was already experiencing parking issues with the Purple business in the vicinity.

Mr. Ense said that his goal was to use only the parking on the Greer parking lots and have any overflow at his sister's business across the street. They would put up appropriate signage directing guests to that parking area. He noted that they would be adding ADA parking and a ramp.

There was a lengthy discussion regarding a potential continuance of the application. Jane Griener wanted to see a more detailed parking plan and agreements with neighboring businesses that would allow some joint parking. She suggested that the applicants speak with business

owners that they had not approached yet. David Fotheringham commented that the Planning Commission should base their decision on the parking that was available on the subject property and not rely on other businesses for parking, because those businesses could change in the future and joint parking may not be possible.

Mrs. Ense said that she wanted the facility to be ready by December to take advantage of holiday events. Pushing the application back with a continuance would be cutting into their potential revenue. She said that they were willing to have their numbers limited for the time being, so long as they could revisit that at a later date.

MOTION: Jane Griener moved to recommend approval of the proposed parking exception for the Ense Reception Center with the following conditions:

1. The Event Center be limited to receptions after 5:30 p.m.
2. Daytime events do not exceed 60 people; this restriction is not applicable on holidays and weekends.
3. The City obtain written agreements from any land owner that are agreeing to off premise parking that are not part of the lease agreement.
4. Provide an engineered parking plan prior to City Council Meeting.

Alan MacDonald seconded the motion. There were 6 Ayes and 0 Nays (recorded below). The motion passed.

Ayes:

Alan MacDonald
John MacKay
Sylvia Christiansen
John Gubler
David Fotheringham
Jane Griener

Nays:

None

B. Exception Request – Gateway Historic & Business Commercial Setback Requirements

Jed Muhlestein explained that the applicant, Bank of American Fork, had submitted a request for an exception to the setback requirements for the Business Commercial Zone. They were proposing to construct a new building on the property located at 105 South Main Street. The current plan showed setbacks of 10 feet on the north (100 South) and 20 feet on the west (Main Street). According to Alpine City Development Code Article 3.7.5.1, buildings shall be setback not less than 30 feet from the property line on all streets.

And, article 3.11.4.3.5 says:

*The planning commission may recommend exceptions to the Business Commercial Zone requirements regarding parking, building height, signage, **setbacks** and use of it finds that the plans proposed better implement the design guidelines to the City Council for approval.*

Jed Muhlestein said that the current Bank of American Fork building had setbacks of approximately 11 feet off 100 South and 22 feet off Main Street. The new site plan did not deviate greatly from the setbacks of the current building. Jed Muhlestein explained the applicant was requesting setback and parking exceptions. The bank had been operating in an old and unsafe building and location for quite some time, and now they would like to redo the site and building to improve site lines, safety for vehicular and pedestrian traffic, and fire safety. He noted that the applicant was requesting these exceptions before moving forward with their formal design. Staff was in favor of the parking plan presented because it was essentially the same as what had existed there for many years, and they had never had a problem with it. The new parking plan did put more parking by the main entrance to the building and eliminated some parking that would force people to walk through traffic to access the front door. He noted that the applicant was providing more parking than what was required by ordinance.

Jane Griener asked why the City wouldn't simply require the applicant to meet the current setback requirements. The landscaped area at the back of the property would be better suited for the front setback area. She felt that there could be a better design that would meet code requirements. Alan MacDonald agreed and wanted to know if other configurations had been considered.

Jason Sandburg, the architect on the project, said that they had looked at several plans for the building and site. They needed to consider the function of the inside of the bank as well as those accessing the drive-thru.

Jane Griener noted that the building was in the Gateway Historical District and she thought it would look more historical if the building were straight rather than at an angle. Jed Muhlestein said that the current building was straight on. The reason they were angling the building was to get it out of the sight triangle.

Alan MacDonald asked if the building could be moved to the east so that it met the setback requirements and obtained more parking. Mr. Sandberg said that they wanted the bank to stay on the corner for visibility.

There was a lengthy discussion regarding how the building and parking could be situated, and it was suggested that the building be moved 10 feet to the east. Jed Muhlestein commented that this would be costly for the applicant, but it was possible.

MOTION: Sylvia Christiansen moved to recommend approval of the setbacks on the north, the parking on the west, and moving the building ten feet to the east for the proposed Bank of American Fork.

Alan MacDonald seconded the motion. There were 4 Ayes and 2 Nays (recorded below). The motion passed.

Ayes:

Alan MacDonald
John MacKay

Nays:

John Gubler
Jane Griener

Sylvia Christiansen
David Fotheringham

John Gubler noted that he voted against the recommendation because he was fine with the plan as it was presented by the applicant.

Jane Griener noted that she wanted to see more site plan options.

C. Public Hearing – Amendment to Ordinance – Density CR-20,000 & CR-40,000 – Article 3.3.4 & 3.4.4

Jed Muhlestein explained that staff had reviewed the Density Requirement Ordinance for the CR-20,000 and CR-40,000 zones and were recommending changes to density, lot area and lot width requirement.

Jed Muhlestein said in 2014 the City was approached by a developer claiming the process to determine density was cumbersome and produced oddly shaped lot lines, leaving the City and future home owners with undesirable lot layouts. The layouts created irregular lot lines which didn't make sense to the lot owner when it came time to put in a fence, find their property corners, landscape their yards, etc. Jed Muhlestein described Exhibit A which showed the lot layout proposed under the old ordinance versus what the layout could look like based on their ordinance change proposal. Their proposal was to take the PRD ordinance density calculations and apply them to standard subdivisions. The City looked at their proposal, agreed it would clean up lot lines, and made the modifications to the ordinance. Jed Muhlestein said prior to this change, average slope of a lot was a determining factor in overall density. Depending on the average slope of each lot, there were requirements for total area and frontage widths. The restrictions that the average slope requirements brought with it were the reason for irregular shaped lots. When the ordinance was changed, the area and width requirements were eliminated. With development continuing to creep into the steeper areas of the City, Staff had realized that more lots were being (or would be) allowed on the hillsides of the City than there would have been with the previous code, due to the lack of the area and width requirements. The City Council and Planning Commission had consistently tried to preserve the spacious feeling and visual openness of the City with hillside protections and zoning ordinances and the previous sections of code (3.3.4/3.4.4) were examples of that. Staff felt it would be in the City's best interest to re-instate previous code regarding density, lot area, and lot width requirements. Staff would also recommend there be a process to eliminate the irregular shaped lot lines created by the previous code. It was Staff's recommendation that the Planning Commission review and recommend to the City Council the proposed changes as noted in the Exhibits. Jed Muhlestein proposed that the ordinance say: The City Council may, upon recommendation of the Planning Commission and with input from the applicant, modify lot lines to reduce angles, corners and odd configurations.

Jed Muhlestein noted that in the CR-20,000 zone, it didn't matter what the average slope of the lot was unless it was above 25 percent, at which point the lot was unbuildable. He said it didn't matter what the slope was, the minimum frontage always stayed the same. However, the minimum area did increase with steeper lots. In the CR-40,000 zone, the minimum frontage did

increase with the average slope as did the minimum area, and anything with a slope over 25% was unbuildable. It was noted that the current ordinance didn't have the non-buildable clause. It also didn't have the average slope of the lot requirements.

David Fotheringham opened the Public Hearing. There were no comments and the hearing was closed.

MOTION: Alan MacDonald moved to recommend approval of Amendment to Ordinance – Density CR-20,000 & CR-40,000 – Article 3.3.4 & 3.4.4. subject to the following:

1. The City Council may upon recommendation of the Planning Commission and with input from the applicant, modify lot lines to reduce angles, corners and odd configurations.

Jane Griener seconded the motion. There were 6 Ayes and 0 Nays (recorded below). The motion passed.

Ayes:

Alan MacDonald
John MacKay
Sylvia Christiansen
John Gubler
David Fotheringham
Jane Griener

Nays:

None

D. Public Hearing – Amendment to Ordinance – Buildable Area, Driveway Cut & Fill – Article 3.1.11.7

Jed Muhlestein explained that staff had reviewed the definition of “buildable area” in the zoning ordinance and recommended that a clarification be made with regards to driveway measurements for cut/fill. They recommended adding the following language: as measured at the finished grade of the centerline alignment.

David Fotheringham opened the Public Hearing. There were no comments and the hearing was closed.

MOTION: Alan MacDonald moved to recommend approval of Amendment to Ordinance – Buildable Area, Driveway Cut & Fill – Article 3.1.11.7.f to include the proposed language: “as measured at the finished grade of the centerline alignment.”

John Gubler seconded the motion. There were 6 Ayes and 0 Nays (recorded below). The motion passed.

Ayes:

Alan MacDonald
John MacKay
Sylvia Christiansen
John Gubler

Nays:

None

David Fotheringham
Jane Griener

IV. Communications

There were no communication items.

V. APPROVAL OF PLANNING COMMISSION MINUTES: September 4, 2018

MOTION: John Gubler moved to approve the minutes for September 4, 2018, as written. Seconded by John MacKay. The motion passed.

Ayes:

Alan MacDonald
John MacKay
David Fotheringham
Jane Griener
Sylvia Christiansen
John Gubler

Nays:

None

The meeting was adjourned at 8:35 pm.