

**ALPINE CITY PLANNING COMMISSION MEETING at
Alpine City Hall, 20 North Main, Alpine, Utah
April 19, 2016**

I. GENERAL BUSINESS

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

Chairman: Steve Cospser

Commission Members: Bryce Higbee, Jason Thelin, David Fotheringham, Steve Cospser, Jane Griener, Steve Swanson, Judi Pickell

Commission Members Not Present:

Staff: Jason Bond, Marla Fox, Jed Muhlestein

Others: Mayor Sheldon Wimmer, Randi Stucki, Erin Darlington, Gabe Darlington, Cam Darlington, Bryce Nelson, Gale Rudolph, Jonathan Baird, Andrew Thomas, John Johnson, Heidi Johnson, Ken Berg, Landon Langford, Chris Johnson, Sylvia Christiansen, Lon Lott, Loraine Lott, Loretta Stevens, Ed Gifford, Will Jones, Julie Peterson, Roger Whitby, Quayle Dutson, Rachelle Martin, Kelly Shubin, Mr. McKay, Mr. Alexander, Tonya Budd, Jeff Lyman, Clive Walters

B. Prayer/Opening Comments: Jane Griener

C. Pledge of Allegiance: Jason Thelin

II. PUBLIC COMMENT

III. ACTION ITEMS

A. Alpine Main Street Village Plat Lot 3 Site Plan– John Johnson

This proposed site plan was reviewed by the Planning Commission on March 15, 2016. At the meeting, it was discussed that the approved location of lot 3 was not an ideal location for the overall feel of the area as it is situated partially in front of the building on Lot 4. The developer has come up with two options to address those concerns.

To reflect the changes, the plat will need to be amended. If there is not a change of use or a change of zone, the City Planner and the City Engineer may approve the plat amendment. However, the Planning Commission will still need to approve the site plan in addition to the plat being amended.

The proposed office building is proposed to be located on lot 3 within the approved Planned Commercial Development known as Alpine Main Street Village. The designated building footprint is 1,872 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 2 stories with 1,872 square feet on the main floor and 1,763 square feet on the second floor.

Jason Bond said the applicant and the city would like to look at the option of rotating and moving the building a little bit to the east. The sewer line would have to be moved and parking spaces adjusted. Jason Bond said there is one extra parking spot on lot two that could be given to lot 3 to give them the needed parking.

Steve Cospser said that John Johnson already has an approved plat and he appreciated him working with the city to try and make this area better. Ken Berg showed on the map an option of where the building could go and still meet the requirements for parking. With this option, he said the curb and the road would be changed slightly but give a sharper corner. He said with this option, he has moved the building as much as he could to uncover the other building and still keep it on this site.

Ken Berg said another option would be to move the building farther to the east. He said he looked at every way possible that he wouldn't have to move the sewer. He said in doing that, he would have to move building three and wipe out about ten parking spaces. He said the utility option would be to come out in the parking lot and connect to the main line sewer and re-route it and still maintain the off sets of the building.

Steve Cosper asked Mr. Berg how big of a construction job would it be to re-route the corner. Ken Berg said it would not be easy, but it could be done. Jason Bond said to move a main line sewer like that could cost \$20,000 to \$30,000, and Jed Muhlestein said this is a big deal. Bryce Higbee asked if one option was better than the other. Jason Bond said that Jed Muhlestein could speak to why the city would like option two better. He said it does come with some challenges and costs of moving the sewer main. Steve Cosper said it will go to the City Council once the Planning Commission makes a recommendation.

Jane Griener asked if some shifting could be done to stay away from the sewer line. Mr. Berg said if any more shifting is done he would have to move both buildings and the parking would be lost. Jason bond said the reason lot two got approved was because they didn't want to be delayed on that building. He said if something did come up to help tweak the building, this plat will need to be amended and can be taken care of administratively because there's no change of use or change of zone. He said that is one of the conditions that before it receives site plan approval, the plat has to be amended to reflect the changes.

Steve Cosper said as a Planning Commission, we like to give recommendations that are actually helpful to the City Council. He said he's assuming with the cost of this and the city getting involved, there have been discussions. Jason Bond said he's talked with the Mayor and the Mayor thought it was something that was feasible and could be looked at, but it's just a matter of what that entails. Jason Bond said we just need to take this in front of the City Council to understand how we can help with it.

Jason Thelin wanted to know if the Planning Commission was supposed to pick one of the plans and move forward. He said the second option was actually presented to them when it came through before. He said the reason they didn't do it was because it was very expensive and the funds weren't there. He wanted to know if something has changed now and money is not an option. Jason Bond said the first option is a recorded plat and they could go ahead and build the building there. They see that there is a problem and have been very good to work with to try and address it. He said it is not just a benefit to the city but John Johnson feels like it is a better project. With that said, it comes with a cost and Mr. Johnson is willing to pay some of that cost.

Bryce Higbee asked what the timing looked like to build the building. Mr. Johnson said he doesn't have tenants yet so he is flexible. He said that he is willing to pay one third of the sewer and he had preliminary conversations with Randy Stucki and Paul Anderson in building four and they said they were willing to help pay some of it if they had more information about the costs.

Ken Berg showed the Planning Commission the renderings of the two buildings they are planning to build on lot 2 and lot 3. The Planning Commission discussed the options of where to put the building, the aesthetics, and moving the sewer line. Steve Swanson asked Mr. Johnson if he wouldn't move the building unless the city helped pay for it.

Randy Stucki said the original plan put the building right in front of his building and he didn't know who in the city approved that to begin with. He said these buildings are going to be there forever and moving the building will look much better for the city. He said if the city doesn't jump in and help pay for this, he thinks the building will be built right in front of his building. The Planning Commission talked about the costs and Steve Cosper said that should not be our focus because the option to move the sewer was recommended by the staff and they have talked to the Mayor who has a pulse on the situation.

Jed Muhlestein said the Engineering Department is concerned about the sharp corner on the first option. He said it would be an extremely blind corner and cars would have to back out quite a distance before they could turn and get out of there. He said Engineering really doesn't like this option.

MOTION: Jason Thelin moved to recommend approval of the proposed Option 2 site plan provided the following items are addressed:

1. An exception for 1 less parking stall be granted.
2. The preliminary architectural design drawings be recommended by the Planning Commission and approved by the City Council.

3. The Developer provides an amended plat
4. The Developer provide construction drawings for grading and utilities before Final Approval of the site plan.
5. The Developer provides an amended plat.
6. If the financial arrangements can't be made, the Planning Commission also recommends approval of Option 1.

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

B. PUBLIC HEARING – Creekside Cottages Senior Living – Bryce Nelson

The Creek Side Cottages senior living development is proposed to be located at 242 South Main Street. This proposal includes 26 units on 3.85 acres which is 7 units per acre. This property is located in the Business Commercial zone. The Senior Living Overlay zone may be located within the Business Commercial zone but needs to be granted a zone change in order for the overlay zone to take effect.

Jason Bond showed on the map the units on Main Street and said these units will be single units facing Main Street. He said the homes behind the Main Street homes will face west with a road and a hammerhead turnaround and the end. The road will be used by the homeowners to get to their garages.

Bryce Nelson said the setback from Main Street will be 35 feet with a 3 foot picket fence out front more for aesthetics and not a barrier. He said they would have eleven feet in between each home. Mr. McKay said one of the four homes will be two story and the other three will be single story. Bryce Nelson said they have tried to keep the architecture like some of the older homes in Alpine.

Jason Bond showed what the twin homes would look like with the connection on the garage and what some of the architecture would look like.

Steve Cosper opened the Public Hearing.

Erin Darlington said her concern is taking that much real estate off of Main Street for homes instead of putting businesses on that property. She said these homes can go anywhere but businesses can only go in this area. She said 58% of the residents want to see commercial growth in Alpine and they wanted places to dine, recreational places, grocery, medical, boutiques and entertainment. She said we also have to look at our Leakage Study and see the money that is being lost and also to listen to the residents. She said it's the Planning Commission's job to figure out how to design a Main Street that will attract businesses. She said businesses work better when they are grouped together and the businesses that are already there are not being treated fairly by allowing residential in the business commercial area. She said they have put their necks out there to try and run a business and it's confusing as a customer to drive down the Main Street corridor and see business, house, business house. This is a non-focused, non-cohesive Main Street.

Tonya Budd said she has struggled for nine years to try and stay afloat because there is not enough business here to attract buyers. Jennifer Gubler said we have so little business opportunity and we need the tax base. She said once these homes are built, this land will be gone forever. She said she would like to see a little bagel shop or café where friends and neighbors can meet.

Steve Cosper closed the Public Hearing.

Steve Cosper asked what the ages of people living in these homes will be. Bryce Nelson said it would be a 55 and older community but said he sees more senior ages living there. Jason Thelin said we can't just build this type of project anywhere in the city because senior housing can only be built in this zone. He also said it is not our place to force people to put businesses in and lose money.

Bryce Nelson said the Loveland's have looked at putting in commercial businesses and have done their homework. They live in Alpine and are aware of what goes on here in town and didn't feel like a business would be successful.

Jane Griener said she felt like these homes fit in nice with what is already on Main Street. She said we already have older homes mixed in with the business commercial zone and said this would be an improvement.

Judi Pickell said she fears that if this development goes in on this property, we won't have any businesses developed north of these homes and it will stay residential. She said we should consider allowing this type of housing in other areas of Alpine. She said people driving Down Main Street will not know if the people living in these homes are 55 and older or not.

Jane Griener said she has always been a big supporter of the business commercial zone but said we can't force the owner to put a commercial building on their property if they don't think it will be successful.

Ed Gifford said this development will bring in little traffic compared to a business. He said the housing in the area will be the ones to support the businesses around them. David Fotheringham said he agrees and said he doesn't think Alpine has the traffic to support businesses.

Jason Thelin asked why we need to give a setback exception on the south end of the project. Ed Gifford said by getting the exception, it allows the development to give more open space and to give Main Street an open look. He said they could meet the setback but it would squish everything in a little bit more.

John Johnson said it's hard to bring retail to Alpine. He said his buildings are full of business and medical businesses. He said he's wondering why the homes on Main Street couldn't be building pads instead. Bryce Nelson said there isn't enough room for the parking required for mixed business and residential.

Judi Pickell said we have other options and we don't need to say yes or no right now. She said she would like to see businesses on this property and wanted to know what putting more housing on Main Street would do to current and future businesses. She said if we think businesses aren't going to come to Alpine, then why do we have a business commercial zone. She said the more businesses we have on Main Street, the stronger the business commercial zone will be.

MOTION: Jason Thelin moved to recommend creating a Senior Housing Overlay zone for the Creekside Cottages Senior Living Development.

Jane Griener seconded the motion. The motion passed with 5 Ayes and 2 Nays. Bryce Higbee, Jason Thelin, David Fotheringham, Steve Cosper and Jane Griener all voted Aye. Judi and Steve Swanson voted Nay.

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

The proposed Fort Creek Riverbottom Subdivision is located north of Whitby Woodlands Drive and West of Main Street. The proposed subdivision consists of 18 lots ranging from 10,000 square feet to 69,000 square feet on a site that is 12.23 acres. The site is located in the CR-20,000 zone (9 lots on 8.63 acres) and the TR-10,000 zone (9 lots on 3.60 acres).

The proposed lots within the two different zones for this subdivision meet the lot area requirement of 10,000 square feet and 20,000 square feet respectively. It also appears that the required lot widths of 90 feet and 110 feet (measured at the front setback) are met respectively.

The current parcel that is proposed to be subdivided includes a small area of land at the northern end of the subdivision that is not in a proposed lot. Because it is within the same parcel, this area needs to be included in the subdivision. It appears that the intent of the applicant is to utilize the street frontage of the smaller area and combine it with another larger parcel to the north. This would be acceptable but a boundary line adjustment would need to happen before the subdivision is approved to keep the larger parcel out of the Fort Creek Riverbottom Subdivision.

Jason Bond said this subdivision is proposed to be built as a standard subdivision with no open space. Jed Muhlestein said from the engineering prospect, does this meet the ordinance and will the utilities work. He said this subdivision would need a loop water system as well as the pressurized irrigation. He said for storm drain they would need to build a retention basin to collect water to drain into the creek. He said the storm drain would most likely drain to the west of the property. He said Westfield ditch is proposed to be piped through the development which would be a benefit to the development and the city.

Jed Muhlestein said our snow plows have a hard time in smaller cul-de-sacs and so we require a standard 60 foot cul-de-sac with a park strip so there is somewhere to put the snow. He said we require a Geotech report which was done and came back positive saying a fault is so far deep and has never ruptured the surface and they feel confident that it never will. He said a small area of collapsible clay soil was found but with a little bit of oversight, that could be negated.

Jed Muhlestein said our ordinance doesn't allow building inside the adopted flood plain. He said the developer did a study's to show FEMA the developable land available around the flood plain. He said FEMA did their own study and did not agree with what was submitted. What that does to the developer is that they have to abide with their findings. Jed Muhlestein said our ordinance states that you have to have the minimum square footage of the zone in a lot outside the flood plain. He said he threw this in CAD and said these lots still do meet the square footage and that's with the 60 foot radius design cul-de-sac. He said this does not change their concept plan and they can still build with what they are showing. He said the unfortunate thing is that they have spent a lot of time and money on their own study and now FEMA has come back and said they are not going to accept it.

Ed Gifford said the open space concept didn't work with the road and the flood plain and that's why they decided to go with a standard subdivision.

Steve Cosper opened the Public Hearing.

Jeff Lyman wanted to know where the road would connect to Main Street. He said he's concerned about traffic coming down past his home and said he would like an outlet for these new homes to get out onto Main Street. Jason Bond said the developer is planning to put in a connection to Main Street and a full street dedication will be put in place. The developer said it could be years before that road is put in. He said this development will be in two phases and the road will not be put in until the second phase and they don't know when that will be developed.

Mr. Alexander said it should be a requirement to put in the road before any more development is allowed. He said these roads were never developed to handle the amount of traffic they currently have. Chris Johnson said his neighbor would like to see some kind of buffer between his home and the road. The Planning Commission said the ordinance states curb and gutter would be required.

Steve Cosper closed the Public Hearing.

Judi Pickell asked if construction workers would use the gravel road off Main Street or come up off of 200 north to help reduce traffic in the neighborhood. Mr. Dutson said they will do what they can during construction to reduce the traffic during construction. Bryce Higbee said we need to be concerned about the children that live on Main Street too. Steve Cosper said it is not our responsibility to force the developer to use Main Street instead of coming up through the subdivision off 200 north.

Jane Griener asked about the fire access to the gully area. Jason Bond said there is no longer any open space. Jason Thelin asked if sidewalks would be on both sides of the road. Jed Muhlestein said that will be the recommendation from the city.

MOTION: Bryce Higbee moved to recommend approval of the proposed Fort Creek Riverbottom concept plan provided the following items are addressed:

1. The small area at the northern end of the subdivision be included in the subdivision plans or a boundary line adjustment happen prior to the preliminary plan of the subdivision to exclude that area.

2. If the project is phased, the Planning Commission recommends and the City Council requires the full street dedication of Whitby Woodlands Drive through to Main Street as shown on the plan in the first phase.
3. The Developer alters the design of 50 West Street to meet city code in regards to cul-de-sac design which is sixty feet plus the park strip. (Development Code 4.7.4.9).

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

D. Tundi Brain Freeze Cup – Tonya Ahlstrom-Budd

Tonya Ahlstrom-Budd is proposing to locate a new snow shack in the parking lot of Seasons Gallery Art and Frame which she owns. The site is located at 195 East 200 North. This was the location of a previously approved snow shack (Tsunami Shaved Ice).

Seasonal sales are listed as a conditional use within the Business Commercial zone provided a business license is obtained from Alpine City. A conditional use permit for temporary uses may be issued for a maximum period of six (6) months, with renewals at the direction of the Planning Commission for not more than three (3) successive periods thereafter.

General review criteria is listed in section 3.23 the development code.

Tonya Ahlstrom-Budd said her sons have been working in the Tsunami Sno Shack for the past two years. The previous owners asked the Budd's to buy them out. The Budd's said the current shack is too small so they want to bring in a shack on a trailer that can be removed at the end of each season. She said they will put removable siding around the trailer to make it look attractive and to hide the trailer tongue and wheels.

Tonya Budd said she will have power permanently installed to a post by the shack. The Planning Commission said the gray water can't be put down the storm drain. The Budd's said they will put up tables and a small playground. The Planning Commission said they would like to see better renderings of the building.

MOTION: Bryce Higbee moved to approve the proposed Tundi Brain Freeze Cup conditional use permit provided the following items are addressed:

1. The city receive and give approval of the architectural renderings
2. Gray water plan be established
3. Power and plumbing plan be established

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

E. PUBLIC HEARING _ Open Space Amendment (Article 3.16)

Over the past 6 months, Alpine City has been working on plans for using city-owned property to locate and build a needed parks maintenance building. There have been some concerns about this idea and whether or not it is in compliance with the open space ordinance. This proposed amendment is meant to clarify the open space ordinance, specifically as it pertains to conditional uses and definitions for the different types of city open spaces.

Jason Bond showed a few changes to the language of the Open Space Amendment such as it stating that structures for the maintenance and operation of the city business be a conditional use. And in the definitions of the open space, put public restroom facilities in open spaces. Bryce Higbee asked if the city has to go through a process to put their public building on this property. Jason Bond said yes, they have to go through the same process as everybody else. They have to get a recommendation from the Planning Commission and approval from the City Council. He said the city has already has bids to build the building and it's already gone to the City Council but they wanted it sent back to the Planning Commission for a recommendation and to make sure everyone was on board with this project before moving forward on that piece of property.

Judi Pickell said she doesn't think maintenance buildings fit into an open space ordinance. She said if this is what the city wants, why are we putting it in a conditional use; why not just put it in a permitted use? Jason Bond said there can be conditions attached to a proposed building or improvements to proposed open space. He said the Planning Commission can attach conditions to these types of uses to make sure we mitigate all the concerns that are there. He said this makes it go through a process instead of just the city staff plopping a building there. The Planning Commission and the City Council will have an opportunity to address the issues.

Judi Pickell said this is like putting a square peg in a round hole. She said she doesn't think we should put a building on our open space. Bryce Higbee asked where else will the building go if not on this property. Jason Bond said the proposed property was not part of any PRD agreement and it wasn't dedicated open space, it was property that was given to the city. He said the city will be very careful with putting buildings on open space, but with that open space comes the need to maintain it and the city has a need for a new parks building to store equipment. He said the city has looked at purchasing land but we realize that the city already owns property.

Bryce Higbee said if the city doesn't use city owned property, they will have to buy property. Judi Pickell said when the city acquires property, they shouldn't designate it as open space because our ordinance states that the open space is to be used for a view scape and provide a natural buffer. Bryce Higbee said the open space still needs to be maintained and where else is the building going to go?

Jed Muhlestein said all the city wells, filter buildings and tanks are in open space. Bryce Higbee said the ordinance omits the use of maintenance service to all of our open space and said it's an absurd argument because we have to maintain our open space.

Steve Swanson asked if the city can then use all open space for whatever they want. Bryce Higbee said the city will still have to go through a process. The Planning Commission will review the proposed application and make a recommendation.

Steve Cospers opened the Public Hearing.

Mr. Waters said open space should be left as open space. He said he purchased his home because it was next to open space and he is concerned that that is now going to change.

Clive Walters said this property is in the flood plain and that's why it wasn't included in the Oak Knoll subdivision. It was then gifted for the use of a cultural center or for a troubled youth center. He said this property has been an eye sore for many years and he would like to see it cleaned up.

Clive Walters said this is a narrow road and he's concerned about traffic. The maintenance equipment is being moved via trailers now from the parks building over to Creekside Park. He said the people want more open space but he realizes a need for a building. He said this property can't be built on because of the flood plain and he's concerned about the narrow road, and children on that street.

Gail Rudolph said she would like to see access to the city open space. Jason Bond said the city is always working on that. He said the city is currently working on the trails system and open space.

Steve Cospers closed the Public Hearing.

Jed Muhlestein said the city equipment is not in a secure place and we have a need for more space. David Fotheringham said we need to have a way for the city to be able to do what they need to do. Bryce Higbee said it is tough to designate open space for the future use twenty years down the road. Judi Pickell said we need to have a process we go through. Bryce Higbee said we do have a process and we're going through it right now.

Mayor Wimmer said the issue is conflicting uses. He said this is an administrative site. He said it's the use we need to look at and we can change the verbiage of the use to an administrative site. Jason Bond said we can just take it off the map as open space and list it as city owned property.

MOTION: Bryce Higbee moved to recommend to the City Council approval of the proposed amendment to the open space ordinance as proposed with the following condition:

1. Except 3.16.3.6 to state structures for the maintenance and operation of open space.

Jane Griener asked if we should remove this piece of property from the open space map and designate it as city owned property. Bryce Higbee said he did not want to make that change.

Judi Pickell suggested every piece of property that doesn't have some kind of deed restriction or wasn't given to the property with that conservation easement or something specific requiring it to be open space, not be referred to as open space. Steve Cosper said instead of putting it in the motion, why don't we just give it a staff recommendation that we'll work on it.

Bryce Higbee said he likes having designated open space all over the city. He said that's what makes Alpine great. Judi Pickell said when we start calling it open space then we get into trouble because when we don't want to call it that anymore, we're here.

Jane Griener wanted to know if we call it city property will the residents be restricted from accessing the property. The Planning Commission had a discussion and said the city would have control of the property and it wouldn't be open space anymore.

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

F. General Plan Update

Jason Bond said this is the proposed draft of the Parks, Recreation, Trails and Open Space Element of the General Plan. He said this draft includes language from the current General Plan that the City Planner considered useful to keep. He said it is also proposed that individual master plans for specific areas be included in this element as appendages. **The Planning Commission should continue to offer direction and editing as needed for the Parks, Recreation, Trails and Open Space Element.**

Steve Cosper postponed this topic until the next meeting.

COMMUNICATION:

Steve Cosper asked the Planning Commission to send him and Jason Bond notification if they can't attend a Planning Commission meeting.

VI. APPROVAL OF PLANNING COMMISSION MINUTES OF: March 15, 2016

MOTION: Judi Pickell moved to approve the Planning Commission Minutes for March 15, 2016 subject to changes.

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

Steve Cosper stated that the Planning Commission had covered all of the items on the agenda and adjourned the meeting at 10:05 pm.