

May 20, 2008

Minutes of Alpine City Planning Commission meeting held May 20, 2008 at Alpine City Hall. The meeting was called to order at 7:00 pm by Chairman Jannicke Brewer. The following Commission members were present and constituted a quorum:

Chairman Jannicke Brewer

Commission Members: Steve Cospers, Jason Thelin, Tracy Wallace, Brad Reneer, Steve McArthur, Troy Stout.

Staff: Charmayne Warnock, Shane Sorensen, April Riley, Jay Healey

Others: Jim Tracy, Judy Burnham, Mike Eisinger, Aaron Holtsclaw, Mike Evans, Will Jones, David A. Egan MD, Pete Sundwall, MD.

The prayer was offered by Jason Thelin.

**PUBLIC HEARINGS: Amendment to the Development Code – Articles 4.5 & 4.6 (Minor & Major Subdivisions)  
Amendment to the Development Code – Article 4.10 (Financial Responsibility)**

April Riley explained that the amendments to Articles 4.5 and 4.6 of the Development Code would allow the Development Review Committee to approve plat extensions on previously approved subdivisions provided there were no changes to the plat and no changes in the applicable ordinances.

The amendment to Article 4.10 of the Development Code was a result of a change in the state law which stated improvement bonds on subdivisions could be held for only one year rather than two years.

There were no comments.

**1. PUBLIC COMMENT:** No comments.

**2. CONDITIONAL USE PERMITS FOR HOME OCCUPATIONS:**

**Craig Carlisle & Co. – 60 W. 120 S. – Craig Carlisle:** Mr. Carlisle requested a permit for his internet business in which he would be buying wholesale products and retailing them on the internet. Items would be drop-shipped so there would be no inventory. The Planning Commission wanted to know what items he would be selling and since he was not present to tell them, the item was tabled.

**Elsa Belle – 411 Bristol Court – Jay & Judy Burnham:** Mrs. Burnham said had an on-line boutique service selling baby and children's clothing and accessories. Some items would be stocked in the basement, which had been left over from their shop in Gardner Village. No customers would visit the home.

**IP Advertising – 634 S. Pheasant Ridge Ct. - Mike Eisinger:** Mr. Eisinger requested a permits for his internet business in which he sold promotional productions, specifically anything with a logo on it such as shirts, hats, etc. No merchandise would be kept at the home.

**MOTION:** Steve McArthur moved to grant conditional use permits for home occupations for Jay & Judy Burnham dba Elsa Belle at 411 Bristol Court and Mike Eisinger dba IP Advertising at 634 S. Pheasant Ridge Court. Brad Reneer seconded. Ayes: 5 Nays: 0. Motion passed. Troy Stout was not present at the time of the motion.

**3. ALPINE MEDICAL BUILDING SITE PLAN – 147 W. CANYON CREST ROAD – MIKE EVANS:** April Riley said the plans received by the Planning Commission in their packets

PC May 20, 2008

were more recent than the plans given to Shane Sorensen. The engineer's review had been done on the older plans.

The applicant had met with the Gateway Committee and received a positive recommendation on the site plan, but the Gateway Committee still wanted to see a color palette. The new building was supposed to match the architecture of the existing gristmill building to the west, but the committee recommended the colors be somewhat different.

### Parking

The first issue discussed was parking. Shane Sorensen said he was concerned that the proposed parking would be inadequate. The building had three floors, two of which had no detail, but if they were similar to the finished floor, there would need to be more parking. The finished floor showed 8 exam rooms. Assuming a patient in each room with additional patients in the waiting room, plus employees, there would need to be more parking than shown.

Pete Sundwall, the physician that would be working in the clinic said he was a primary care physician. There would be two physicians working in the clinic and each would have three exam rooms. The other two rooms would be for storage. They anticipated one receptionist and two nurses.

Shane Sorensen said if there were 2 doctors with 3 exam rooms each, plus waiting patients for each exam room in addition to two nurses and a receptionist they would need 17 parking spaces for one floor. If there was a similar situation on the other two floors, they would need a total of 51 parking spaces for the building. That application showed 40 spaces.

Jason Thelin noted that Phil Barker's office building had 20 parking spaces and it was generally full. However there were still empty offices in the building because there were "For Rent" signs. He said law offices and high-tech businesses actually required more parking than medical offices. He wanted to know the reason Shane Sorensen recommended that Phil Barker's office building have less than the required number of parking spaces. Shane Sorensen said it was his recollection that it was because it was considered class A office space. Also, he didn't take into account the restrooms and storage areas in the parking calculations.

Jason Thelin said he was a participant in the proposed medical building and had filed a conflict of interest statement with the recorder and the mayor.

Jannicke Brewer said it was hard to predict what the future use on the other floors would be. It was noted that medical businesses tend to attract other medical businesses.

Brad Reneer asked if the developer would have to come back to Planning Commission when the other floors were completed. Jannicke Brewer said they wouldn't necessarily come back. Each level would be assigned so many spaces.

Shane Sorensen said they needed to look at potential parking problems now so they didn't end up approving a problem. He didn't want to see people parking on Canyon Crest Road because it was not wide enough for long-term parking.

### Cross-easement Agreement

The Planning Commission discussed the need for a cross-easement agreement between the medical building and adjacent properties. It was noted that two-thirds of the asphalt for one building was actually on the adjacent property.

Mike Evens said they'd had the property surveyed to determine boundary lines. They had agreed to share the driveway with the adjacent business.

### Sewer Line Easement and Drainage

Shane Sorenson said the drawing he'd received showed the existing sewer line, but they needed to verify the width of the easement. The main sewer line going out of town ran through there. A grading plan for drainage had been submitted that day and he still needed to look at it.

### Parking Lot Lighting

Shane Sorensen said he had not looked at the lighting for the parking lot as yet.

### Setbacks

The plans showed a 10-foot side-yard setback. The Planning Commission could recommend a reduced setback from the required 20 feet if warranted. Jannicke Brewer said it faced another commercial lot.

**MOTION:** Steve McArthur moved to recommend 10-foot side-yard setback on the south side. Troy Stout seconded. Ayes: 6 Nays: 0. Motion passed unanimously.

### Landscaping

The landscaping plan showed 29% landscaping. Jannicke Brewer said they needed a detailed list of the types of trees and shrubs. Some trees were not a good idea to have near a sewer line.

### Building Height

Jannicke Brewer said the architectural committee had a question on the height of the building. It appeared to exceed 34 feet at the midpoint of the roof.

Mike Evans said he was unsure how height was figured. He had given a copy of the plans to Ed Short and Jody Hilton in the building department.

### Parking in Front Setback

Shane Sorensen said there was one parking stall shown in the front setback, but he would be okay with that. There was still a 20-foot landscape buffer by the sidewalk.

Jannicke Brewer summarized the outstanding issues which were: cross-easement agreements, drainage calculations, check on sewer line easement, parking lot lighting, landscaping plans. A color palette needed to be submitted to the Gateway Committee. They had already made a positive recommendation on the site plan and elevations.

Shane Sorensen said that if they were going to condominiumize the building, they would need to come to the Planning Commission and City Council.

**4. KODIAK BED & BREAKFAST:** The applicant had cancelled for that evening.

**5. MICHAEL PORTER – RESIDENTIAL SITE PLAN:** Mr. Porter was not present and this item was briefly discussed at the end of the meeting.

**6. DEVELOPMENT CODE – PROPOSED AMENDMENTS TO ARTICLES 4.5 AND 4.6 - MINOR AND MAJOR SUBDIVISION:** April Riley said the proposed amendment would allow the Development Review Committee to approve plat extensions when there had been no changes to plat or the applicable ordinances.

Steve McArthur asked if they had considered making extension of subdivision plat approvals a consent item. He said subdivision approvals were a big deal and some city councils might want to

look at it since councils changed and subdivision approvals may have occurred years earlier. He said there was a reason why subdivisions were approved with an expiration date.

Brad Reneer asked if a change in circumstances such as a landslide in the area would prompt a reconsideration of a plat extension even if the plat or ordinances had not changed.

There was a discussion about whether changes in engineering would warrant sending an application for extension back to the Planning Commission. There could be some controversial issues such as retaining walls or engineering items that the Planning Commission or City Council might want to reconsider in conjunction with extension of a an approval.

April Riley said that if there was anything that might be controversial, staff would probably send it back to the Planning Commission.

Tracy Wallace said he would bring up the issue of making it a consent item at the City Council meeting.

**MOTION:** Steve McArthur moved to recommend approval of amendments to Articles 4.5 and 4.6 in the Development Code as written. Steve Cosper seconded. Ayes: 6 Nays: 0. Motion passed.

Steve McArthur said they had discussed requiring a fee for an extension. April Riley said the City Council had done that.

Jason Thelin asked if there might be a question of fairness if staff approved the extensions. Was there a possibility that controversial issues in one subdivision would be treated as minor items and passed over by staff, but issues on another subdivision would bring it back to the Planning Commission? He said it could end up being a question of interpreting the ordinance, and added that, in rethinking it, he should probably have voted nay on the motion.

**7. DEVELOPMENT CODE, ARTICLE 4.10 – FINANCIAL RESPONSIBILITY.** April Riley explained that the amendment would make the ordinance consistent with the new state law which required a subdivision improvement bond to be held for only one year instead of two years.

**MOTION:** Jason Thelin moved to recommend approval of Article 4.10 in the Development Code. Brad Reneer seconded Ayes: 6 Nays: 0. Motion passed.

**8. DEVELOPMENT CODE, ARTICLE 3.24 – OFF-STREET PARKING:** Jannicke Brewer had researched the parking requirements in other cities and emailed them to the Planning Commission. She said some theaters wanted to go exactly by what the ordinance in a particular city required. Others wanted to increase their parking beyond what the ordinance required because they wanted to avoid parking problems. Lehi required one parking space for every three seats. Orem required one space for every 3.5 seats.

Based on the earlier agenda item and discussion about parking for the proposed medical building, there was more discussion about parking requirements for office buildings and whether what the ordinance required was adequate.

Steve Cosper said Orem City took into account the entire square footage of a building when calculating parking. They didn't make an allowance for storage spaces, etc.

Shane Sorensen said Alpine's ordinance used to subtract unusable space from the parking calculations, but that had been changed. That might have created some gray area when parking requirements for Phil Barker's office building were imposed.

Steve McArthur said that at the very least, Alpine should start enforcing parking requirements for the total square footage of a building.

**MOTION:** Troy Stout moved to recommend approval of the proposed amendment to Article 3.24 of the Development Code requiring one parking space for every three seats for auditoriums, theaters, assembly halls, amphitheaters, art centers and rodeo grounds. Steve Cospser seconded. Ayes: 6 Nays: 0. Motion passed.

**9. DEVELOPMENT CODE, ARTICLE 3.17 – TRAIL ORDINANCE:** April Riley said the proposed amendment to the Trail Ordinance would make the Trail Committee a subcommittee of the PRO Committee. The Trail Committee had never been formally established, but there was reference to a Trail Master in the Trail Ordinance. The amendment would remove language referring to the Trail Master and establish the Trail Committee under the PRO Committee. Jannicke Brewer said she thought it was a good change.

**MOTION:** Jason Thelin moved to set a public hearing on amendments to Article 3.17, Trail Ordinance for June 17, 2008. Troy Stout seconded. Ayes: 6 Nays: 0. Motion passed.

**10. MICHAEL PORTER SITE PLAN – 235 S. MAIN STREET:** April Riley said that several years ago Michael Porter had created a commercial subdivision on his property on Main Street. Now he was proposing to build a residence on a commercial pad in the commercial subdivision and use it as a residence, but at some future date he wanted to be able to convert the residence into an office building.

There was some question about whether a residence in a commercial subdivision would need to have site plan approval from the Planning Commission (since commercial site plans in approved commercial subdivisions have to come before the Planning Commission) or if Mr. Porter could by-pass the Planning Commission and simply apply for a building permit as he would for a home in an approved residential subdivision.

David Church had been contacted about Mr. Porter's application and he said Mr. Porter would not be able to rely on the old site plan. If Mr. Porter built the residence in such a way as to conform to the current requirements for a commercial structure such as parking, landscaping, setbacks, ADA accessibility, etc., there was no guarantee that it would conform to commercial requirements in the future. It would have to comply with the requirements in effect at the time of the conversion to a commercial use.

Jannicke Brewer said it was wrong to have two different applications for the same piece of ground in the City. The Planning Commission had been looking at a proposal from Kodiak builders for a bed and breakfast on the property, and now Michael Porter wanted to build a residence on the same property. Mr. Porter needed to decide what he wanted to do with the property. Since Michael Porter wasn't present that evening, she suggested they table it.

Steve McArthur said he didn't think they could hold up Michael Porter's house plan while Kodiak decided what they wanted to do with the bed and breakfast, but agreed they should table it for that night.

#### **11. APPROVE MINUTES OF MAY 6, 2008**

**MOTION:** Jason Thelin moved to accept minutes of May 6, 2008 and adjourn. Troy Stout seconded. Ayes 6 Nays: 0. Motion passed.

The meeting was adjourned at 9:05 pm.