

**ALPINE CITY PLANNING COMMISSION MEETING**  
**Alpine City Hall, 20 North Main, Alpine, UT**  
**January 3, 2023**

**I. GENERAL BUSINESS**

**A. Welcome and Roll Call:** The meeting was called to order at 7:00 p.m. by Chair Jane Griener. The following were present and constituted a quorum:

Chair: Jane Griener

Commission Members: John MacKay, Susan Whittenburg, Alan Macdonald, Jeff Davis, Ethan Allen

Excused: Troy Slade

Staff: Jed Muhlestein, Ryan Robinson, Marla Fox, Heidi Jackman

Others:

**B. Prayer/Opening Comments:** Ethan Allen

**C. Pledge of Allegiance:** Alan Macdonald

**II. REPORTS AND PRESENTATIONS**

None

**III. ACTION ITEMS**

**A. Sign Review: Blue Petal Foundation 40 W Main Street Court**

Ryan Robinson said the Blue Petal Foundation located at 40 West Main Street Ct, is in the process of updating a sign for their building. [DCA 3.25.080](#) requires the following for approval of an application:

*the color, size, number, and placement of business commercial signs is subject to recommendation by the Planning Commission, consistent with the guidelines set forth in the Gateway/Historic District, and approval by the City Council.*

The following standards should be considered when reviewing a sign application for a commercial building sign as required in [DCA- 3.25.080](#)

1. Signs shall be painted on, attached to, or erected on the building that houses the business, or upon the property occupied by the business which the sign(s) advertise.
2. All signs attached to a building shall meet the approval of Alpine City to assure that the sign meets the applicable building and electrical codes.
3. The total area of all sign(s) on any one building shall not exceed 15% of the area of the side of the building that a sign is displayed.
4. The area of a sign shall be construed as the area of the overall background. Signs without a background, such as letters or numbers hung together, shall be assumed to be attached to a background which shall be depicted on the application rendering.
5. Permanent outdoor free-standing (monument) signs shall not exceed four (4) feet in height and six (6) feet in width.
6. Each planned commercial development shall display no more than one (1) permanent freestanding (monument) sign at each entrance.
7. Signs on cloth awnings shall be permitted subject to review by Alpine City and shall comply with the guidelines in DCA 3.25.080 Part 3, DCA 3.25.080 Part 4, and DCA 3.25.080 Part 9.

8. Within any planned commercial development or on any single building housing a number of uses, or in any arrangement of buildings or shops which constitute a visual entity as a whole, if addresses are to be used, all numbers, letter, or other symbols shall be identical in size, design, color, and installation.

Ryan Robinson said the applicant has met all the sign requirements.

**MOTION:** Planning Commission member Alan Macdonald moved to recommend approval of the sign application for the Blue Petal Foundation.

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

**Ayes:**

Susan Whittenburg  
Jane Griener  
John MacKay  
Alan Macdonald  
Jeff Davis  
Ethan Allen

**Nays:**

**Excused:**

**B. Public Hearing: Droubay Setback Exception Request**

Ryan Robinson explained that the applicant is requesting an exception to the rear yard setback requirement for property located at 328 N Blue Spruce Road. The property is lot 7 of the Alpine View Estates development and is in the Planned Residential Development (PRD) zone.

Section 3.09.060- Dwelling; Clusters; Lot Size; Buildable Area; Setback #4 of the Alpine City Code regulating setbacks in the PRD zone allows for an exception to the designated setback envelope standards. The standards require that *“the exception is appropriate for the proper development of the lot and the exception will not result in the establishment of a hazardous condition.”* A public hearing is also required as part of the review process.

The west (rear yard) and south (side yard) neighboring properties are designated as open space as part of the PRD zoning requirements for open space.

- City Code 3.01.110 defines a rear yard as: *“A space between the back wall of the nearest main building extending the full width of the lot and the lot line that is most distant from, and is most nearly parallel with, the front lot line.”*
- A rear yard setback is also defined as: *“The depth (or setback) of the rear yard is the minimum distance between the rear lot line and the rearmost part of the primary structure of the nearest main building at the foundation level.”*

Ryan Robinson said the exception is for the deck and not the main house. Jane Griener asked to see where this property is on a map. Ryan Robinson showed the property on a map.

Jane Griener opened the Public Hearing.

Morgan Brown, owner of lot 12, said he is not in favor of the boundary exception because it will hurt the view and be too close to the trail.

Alan Macdonald asked Jed Muhlestein if this situation was similar to the view corridor concerns on lot 12. Jed Muhlestein said this is a different situation and not the same as lot 12’s view concerns.

Robert Brown, builder, said the home on lot 8 will be set back farther than the deck so it shouldn’t interfere with any view. He said lot 12 should have no view corridor issues from this lot.

Jed Muhlestein said the ordinance states: The Planning Commission can recommend, and City Council can make an exception upon a finding to change the setback if the situation is appropriate of the development of the lot.

Robert Brown, builder, said he sent out letters to property owners surrounding their lot. He said they have not spoken to the owners of lot eight which is adjacent to their lot. He said lot eight would be affected, but not by a house, it would just be a covered deck. He said he feels like this exception is warranted because the lot drops on the rear.

Jane Griener closed the Public Hearing.

**MOTION:** Jeff Davis moved to deny there was no second.

**MOTION:** Planning Commission member John MacKay moved that an exception be recommended from the 30-foot rear setback for Lot 7 of Alpine View Estates as requested by the applicant because it does not create a hazardous condition.

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

**Ayes:**

Susan Whittenburg  
John MacKay  
Alan Macdonald  
Ethan Allen

**Nays:**

Jeff Davis  
Jane Griener

**Excused:**

**C. Public Hearing: Cherrypoint Estates Subdivision Concept Review approx. 1528 N Grove Drive**

Ryan Robinson said the Alpine Cherrypoint Estates Subdivision consists of 12 lots on 13.82 acres. The proposed lots range from .91 (40,002 sq. ft) to 1.3 (57,329 sq ft) acres in size. The development is located at approximately 1528 Grove Drive and includes five parcels as part of the proposal. Currently there are two homes and a variety of smaller structures spread throughout the projected site. The proposed property is zoned CR-40,000. The applicant is seeking concept plan approval.

Ryan Robinson said this subdivision will be single family homes with no connection to trails. These homes will be in the CR-40,000 zone with no roadways being affected.

Jed Muhlestein said the street layout provides good connectivity from one side of the development to the other. The code requires sidewalk improvement throughout the development, but we are not looking at that tonight.

Jed Muhlestein said this development fits within the water, sewer, and pressurized irrigation requirements and falls well within the master plans for serving the area with these utilities.

Jed Muhlestein said this development does not fall within the Geologic Hazard Overlay Zone. They will need to provide a geotechnical report. He also said Fort Ditch runs through the property and the ditch should be piped as part of the development and the irrigation company should sign off on the final drawings.

Jane Griener opened the Public Hearing.

Cory Russon, resident, asked if Grove Drive would be widened and asked how wide it will be. Jed Muhlestein said sidewalk was approved on the west side of Grove Drive but not on the East side. We are now requiring the new developer to make improvements to the road which will have sidewalk, curb and gutter and widen the road. He said he is not sure the width of the road but thinks it will be 34 feet wide.

Amanda Collins asked about the secondary access road from Box Elder South to Moyle Drive. She said this road has been taken off the street master plan and wants the city to put it back on the maps as a secondary access road.

Jane Griener closed the Public Hearing.

Nate Heaps, representing the owner,, said everything will be done at once.

Peter Christensen, resident, said this subdivision encroached on his lot and would like this development delayed until this can get cleared up.

**MOTION:** Planning Commission member Ethan Allen moved to approve the Concept application of Alpine Cherrypoint Estates as proposed.

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

**Ayes:**

Susan Whittenburg  
Jane Griener  
John MacKay  
Alan Macdonald  
Jeff Davis  
Ethan Allen

**Nays:**

**Excused:**

**D. Mountainville Legacy Development Zone Change CR-40,000 to Business Commercial**

Ryan Robinson said an application has been submitted to the city seeking approval for a zone change at approximately 476 & 501 S Alpine Highway. These parcels are currently zoned CR-40,000 the applicant is seeking a rezone to the Business Commercial Zone to qualify for a senior housing development within the Assisted Living Overlay Zone. [DCA 3.19.040](#) requires the underlying zone in the Assisted Living Overlay Zone be Business Commercial.

The plans submitted for review as part of the rezone request and communication with the applicant provide the following information about future uses if the rezone is approved.

- The total size of the development will be 7.72 acres, this rezone request is only for .88- and .95-acre parcels to be combined with adjacent property already zoned Business Commercial.
- The assisted living building will be the final phase of the project with the maximum of 100 residents but could be less. Concept drawings show 25+ or -.
- They are proposing an additional 100 units between the other two congregate living buildings.
- These updated concept plan submitted show a variety of open space and outdoor recreation options throughout the property.
- A café will also be included in one of the congregate living buildings.
- City Code 3.19.070 Overlay Development Standards & Regulations #11 allows for the total number of residents allowed in this zone shall be one resident per 1,000 square feet of lot area. This project could have up to 336 residents per the standards in this zone.

This proposal came before the Planning Commission during the December 6<sup>th</sup>, 2022 meeting where a public hearing was held. After listening to the public and a discussion by the Planning Commission, the following motion was made:

*Jeff Davis moved to recommend that the zone change request at 476 & 501 S Alpine Highway from CR-40,000 to Business Commercial be tabled based on the following:*

*1. Developer brings a detailed plan of the project back to the Planning Commission. Susan Whittenburg seconded the motion. There were 6 Ayes and 0 Nays. The motion passed.*

### **City Code**

Sections of the code that would be affected by this application include

- [3.07 Business/Commercial Zone](#)
- [3.19-Assisted Living and Nursing Care Overlay Zone](#)
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### **General Plan**

- Policy 2.2 of the Alpine General Plan indicate the purpose of B-C zone is as follows: *Land zoned as B-C (Business Commercial) shall consist of professional office, retail and other commercial uses serving the community and situated within an environment which is safe and aesthetically pleasing. Limited residential shall be permitted as set forth in the Alpine City Development Code.*
- Policy 3.4 discusses the Assisted living and nursing care overlay zone: *The Assisted Living and Nursing Care Overlay Zone is to provide for increased land use flexibility to assure that health and human services are appropriately located in the community to meet the needs of aging residents.*
- Policy 3.1 describes the Gateway Historic District Overlay zone: *The Gateway Historic District Overlay Zone should maintain a high character of community development by regulating the exterior architecture characteristics of structures that are developed in the center of Alpine City (See Gateway Historic District Design Guidelines).*

The Planning Commission had a discussion on the process of the zone change, and then the senior housing overlay and how that would work. Jane Griener asked if we could recommend a lower density. Ryan Robinson said our ordinance states this development can have a certain amount of people based on square footage and we can't change that just because we don't like the density.

Ryan Robinson said two of the parcels need to be rezoned to business commercial and then all parcels need to be rezoned to a senior housing assisted living overlay. He said the use is for an assisted living and nursing overlay zone. This would be for assisted and congregate living facilities which are permitted uses in the Assisted Overlay Zone. A trail currently exists along the northern boundary.

Jed Muhlestein said this would be a private street and they have to provide safe and convenient vehicular movement to and from all off-street parking spaces. Private travel ways shall be not less than 20 feet width of asphalt. The fire department will need a turn-around or a hammerhead design to get fire trucks to the back building.

Jed Muhlestein said the development will be served water, sewer and Pressurized Irrigation and are currently in the street on Alpine Highway. He said the area would use more culinary water and sewer, but less pressurized irrigation.

Jed Muhlestein said this development is not located in a geologic hazard area, as identified on the city's geologic hazard maps, and therefore the development would only be required to submit the standard geotechnical report, making sure to find and identify the areas of undocumented fill. The Eastfield Ditch runs through this area, and they would be required to pipe the ditch as part of development. The Alpine Irrigation Company would also need to sign off on the plans in regard to the ditch design.

Dan Ford, developer, said the surrounding property is business commercial. He said there were concerns on the senior housing overlay. He said his primary interest is to provide senior housing. He said the senior numbers are dropping off here due to death or people moving out of the area because they can't keep up with their large property.

Dan Ford said this project would only increase traffic to 200 trips per day. He believes this project would be the least impactful on traffic compared to other commercial projects. He said his road with standards would be 28 feet wide. He said they couldn't expand the density even if they wanted to due to the property size. He said they want to build a nice property that will not be the cheapest out there.

Dan Ford said they want to improve the trail plan with a hard surface trail. He said they want to improve the development with gazebos and open space, café, exercise room, dog park, beauty salon, physical therapy, and transportation vans.

Jeff Davis asked if this is a benefit on our moderate housing. Ryan Robinson said it would be a positive for the moderate housing.

**MOTION:** Planning Commission member John MacKay moved to recommend approval the zone change request at 476 & 501 S Alpine Highway from CR-40,000 to Business Commercial as proposed with the following conditions/changes:

1. The property be approved for a senior housing overlay and concept plan.

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

**Ayes:**

Susan Whittenburg  
Jane Griener  
John MacKay  
Alan Macdonald  
Jeff Davis

**Nays:**

Ethan Allen

**Excused:**

**E. Public Hearing: Mountainville Legacy Development Zone Change Business Commercial to Assisted Living Overlay Zone and review Concept Plan**

Ryan Robinson said the plans submitted for review as part of the rezone request and communication with the applicant provide the following information about future uses if the rezone is approved.

- This project is located along Alpine Highway and has the following addresses/parcel numbers: 476 (11:023:0083), 501 (11:023:0129), 462 (34:260:0003), and 450 (34:260:0001) South Alpine Highway.
- The total size of the development will be 7.72 acres. This includes all or part of four parcels to make up the total size.
- The assisted living building will be the final phase of the project with the maximum of 100 residents but could be less. Concept drawings show plus or minus 25 residents.
- They are proposing an additional 100 units between the other two congregate living buildings.
- These updated concept plan submitted show a variety of open space and outdoor recreation options throughout the property.
- A café will be included in one of the congregate living facilities.
- City Code 3.19.070 Overlay Development Standards & Regulations #11 allows for the total number of residents allowed in this zone shall be one resident per 1,000 square feet of lot area. This project could have up to 336 residents per the standards in this zone.

Jane Griener opened the Public Hearing.

Paul Fjelstead, resident, said he has concerns about the flood plain and said there is a high infiltration rate for the soil in this area. He said the soil needs to be tested and said he is concerned about piping the water to other areas creating erosion problems.

Phil, resident, said he has elderly family members that he is concerned about. He said we have seniors that want to stay in Alpine and have lived here for decades. He said for that reason he is in favor of this concept.

Rose Fjelstead, resident, said she is not in favor of apartment style buildings at the entrance of Alpine. She said we'll see parking lots and very little open space. She said the view corridor will be destroyed by the people who live in that area. She said there will be heavy traffic and water issues due to the flood plain. She wants the open space and the beauty of Alpine protected.

She said we already have affordable senior housing in Alpine.

Suzanne Tyler, resident, said she is concerned about traffic. She said she already has a hard time getting out onto Alpine Highway. She said she will lose her view of the north mountain by a three-story building. She said these apartments will not be affordable for many seniors.

Michelle Shermer, resident, said Alpine Highway is a residential street. She said the senior housing doesn't meet the code unless it's assisted living which may or may not be built. She is concerned about traffic.

Pete Larkin, resident, asked what the total number of residents would be. Jane Griener said they could have 336 per the ordinance. The developer said they don't have room for that many and plan to have 130 units. He said traffic is pretty bad when Mountainville school traffic is coming and going.

Jim Sorensen, resident, said he would rather see the property left as open space for future generations. He wanted to know what the limit of beds would be in the assisted living building. He said he does not see this plan preserving open space and the beauty of Alpine.

Julia Sorensen, resident, said we need to preserve natural and open spaces. She said the code states we need to limit residents in this zone.

Brian Taylor, resident, said Alpine has a certain beauty and charm to it and this project lacks creativity and imagination. He said he see the usefulness of the project but doesn't meet the criteria of beauty and well being of the community and needs more work.

Brent Boulter, resident, asked where the pressurized irrigation will come from. Jed Muhlestein said they would hook into Alpine Highway. Mr. Boulter said the entrance and exit runs right to his driveway. He said the entrance doesn't line up with Bateman Lane and that will be an issue with UDOT. He also has concerns about the fire trucks.

Thomas Olsen, resident, said he is not in favor of this project. He doesn't want a light on the highway. He said he is a resident on the highway and plans to live there. He said families take care of their elderly.

Suzanne Tyler said her neighbor Chris is concerned about the traffic.

Pamela Pamela, resident, said she is in favor of the retirement home considering what could be built there. She thinks there could be a happy medium there if a beautiful building was built.

Matt Van Dam, resident, said we haven't talked about the setbacks of these buildings. He is concerned about the residents living next to a flood plain.

Todd, supports the idea of this project. He said he has need for his parents. He asks for a developed trail system.



Eric Larson, resident, said he and his sister have been caring for their parents for the last ten years. He said they could no longer take care of their parents but couldn't find a place close by. They had to move their parents farther away and think there is a need here for this project.

Jane Griener closed the Public Hearing.

The Planning Commission discussed the 8 points of Development code 3.19.040 Overlay Zone Created. They talked through each point to see if a senior housing overlay would fit the area.

**MOTION:** After considering the Development Code 3.19.040 Overlay Zone, Planning Commission member John MacKay moved to recommend approval the zone change request and Concept Plan at 476 (11:023:0083), 501 (11:023:0129), 462 (34:260:0003), and 450 (34:260:0001) South Alpine Highway from Business Commercial to the Assisted Living and Nursing Care Overlay Zone as proposed with the following conditions/changes:

1. Traffic Study be conducted on school days and presented to City Council;
2. Architectural designs for the Historic Gateway District be provided.

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

**Ayes:**

Susan Whittenburg  
Jane Griener  
John MacKay  
Alan Macdonald  
Jeff Davis  
Ethan Allen

**Nays:**

**Excused:**

**IV. COMMUNICATIONS**

Ryan Robinson said we will be having a training on the next meeting and election of the Chair.

**V. APPROVAL OF PLANNING COMMISSION MINUTES:** December 6, 2022

**MOTION:** Planning Commissioner Alan Macdonald moved to approve the minutes for December 6, 2022, as written.

Jeff Davis seconded the motion. There were 6 Ayes and 0 Nays (recorded below). The motion passed unanimously.

**Ayes:**

Jane Griener  
Susan Whittenburg  
John MacKay  
Alan Macdonald  
Jeff Davis  
Ethan Allen

**Nays:**

**Excused:**

**MOTION:** Planning Commissioner Susan Whittenburg moved to adjourn the meeting.

Ethan Allen seconded the motion. There were 6 Ayes and 0 Nays (recorded below). The motion passed unanimously.

**Ayes:**

Jane Griener  
Susan Whittenburg  
John MacKay  
Alan Macdonald  
Jeff Davis  
Ethan Allen

**Nays:**

**Excused:**

The meeting was adjourned at 9:24 p.m.