

**ALPINE CITY PLANNING COMMISSION MEETING at
Alpine City Hall, 20 North Main, Alpine, Utah
July 17, 2012**

I. GENERAL BUSINESS

A. Welcome and Roll Call: The meeting was called to order at 7:06 pm 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, Todd Barney

Commission Members Not Present: Tami Hamilton, Steve Swanson,

Staff: Marla Fox, Shane Sorensen

Others: Jake Palma, Karlene Virga, Jake Hardman, Bob Bowman, Laura Potter, Roger Whitby, Carl Pack, Will Jones, Steve Crain, Steve Skidmore, Greg Clark, Ross Welch, Ross Beck, Steve Sowby, Jared White

B. Prayer/Opening Comments: Jason Thelin

II. PUBLIC HEARING

A. River Meadows PRD Senior Housing Project

The River Meadow Senior Housing Project consists of 24 units on 3.39 acres. It is east of the current River Meadows Assisted Living facility. They have applied for a zone change from Assisted Living to Senior Living. This will be for seniors 55 yrs and older. It will be maintained by an HOA which will be responsible for sidewalks, private roads, snow removal, storm drain, pond, and park maintenance. Jannicke Brewer asked if anyone had any comments on this hearing. No comments were made and she closed the hearing.

III. PUBLIC COMMENT

No public comments were made.

IV. ACTION ITEMS

A. Conditional Use Permits for Home Occupations

Mountain Valley Capital, LLC – 684 N. Summit Way – Jake Hardman

Jake Hardman will use 200 sq ft of a room for an office. This is a consulting business and will be conducted over the phone, e-mail and mail. No questions were asked of Mr. Hardman.

Laura Yamada Design – 455 Silverleaf Drive – Laura Yamada

Laura Yamada will use 300 sq ft of a bedroom for office space. She will use the phone and computer for making appointments and scheduling weddings, parties and special events. Her application has been modified to fit into the required dimensions.

Alpine Maintenance – 349 E. 300 N. – Tim Hertig

Tim Hertig will use 200 sq ft of a room for office space. This is a property management company and they will be conducting business over the phone and doing paperwork. Jannicke Brewer asked if Mr. Hertig was adding onto the home for this business. She asked him if he was storing any equipment at the home and Tim said he was not.

Ultimate Dream Hosiery – 1329 N. Grove Drive – Carl & LaRue Pack

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The Packs will use 120 sq ft of a bedroom for their office space. They will take phone calls, do invoices, take payments, and do taxes. No questions were asked of the Packs.

JV Woodworks – 488 River Meadow Drive – Karlene Virga

Karlene Virga will use 170 sq ft of a bedroom for an office. She will be placing ads on the computer, collecting money and doing clerical work. Jannicke Brewer asked Karlene Virga where the work would take place and what chemicals she would be using. Ms Virga said she would be using latex paint, clear coat, working on one piece at a time out of her mother-in-laws garage.

MOTION: Steve Cosper moved to grant conditional use permits for Mountain Valley Capital, Laura Yamada Design, Alpine Maintenance, Ultimate Dream Hosiery, and JV Woodworks with the stipulation that there will be a second home occupation for the garage at 488 River Meadow Drive.

Todd Barney seconded the motion. The motion passed unanimously with 5 Ayes, and 0 Nays. Bryce Higbee, Steve Cosper, Jason Thelin, Jannicke Brewer, and Todd Barney all voted Aye.

B. Dog on it – Conditional Use Permit and Site Plan

Laura Potter is requesting approval for a conditional use permit for a restaurant use at 188 N. Main and an amended site plan at this location for a hot dog business.

Laura Potter came to City Council last week to find out if she can operate a hot dog stand from a walk up window. The City Attorney said this will not meet the City ordinance because the ordinance states you have to have inside seating if you have a walk up window. 50% of the business has to be inside, with tables for customers to sit down at. Laura Potter said the hot dog business would be temporary and be open from May through September.

Mrs. Potter said the Utah County Health Department will not allow any business to sell food out of a shack unless it is shaved ice. The reason is because you have to have permanent plumbing, permanent electrical, and water with floor drains and a sink. So there is really no way to sell food in Alpine out of a temporary structure. She is here tonight to ask if this ordinance can be amended.

Laura Potter said she has two (2) kitchens in the building. One in the basement is being re-configured just for classes. The kitchen upstairs is up to code with the Health Department and could be used for the hot dog business. The upstairs floor space has been reconfigured for nice parties and not for teenagers on skateboards coming inside to eat hot dogs. Mrs. Potter said she is trying to make use of her investment in the building to use the space she has.

Jannicke Brewer said the citizens didn't want fast food restaurants in Alpine and that's why we have this ordinance. Mrs. Potter wants additional wording that calls her a seasonal food vendor just like we have done for the sno shacks. She said there is no difference in standing outside in line to buy a sno cone versus standing in line to buy a hot dog. Jannicke Brewer said that the Planning Commission had approved Mrs. Potter to have a hot dog stand outside in the parking lot of her business. It was the Health Department that put so many rules on it that it wasn't feasible to do.

Jannicke Brewer and Steve Cosper both asked if we change or amend this ordinance, would that be best for all of Alpine. Jason Thelin said he thought using the existing building was a better solution than a shack in the parking lot. Todd Barney asked if a drive up window would make a difference from a walk up window. He also said that Mrs. Potter's kitchen set-up puts her in the restaurant category. Jannicke Brewer said we will research this and discuss it at the next meeting because we want to expand our definition and ordinance on seasonal sales. Mrs. Potter asked if this would pass by Alpine Days and Jannicke Brewer told her it would take at least two (2) months to get passed.

C. AT&T Site Plan – Modification to Existing cell Tower

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AT&T has requested approval to add additional antennas to the existing antenna array on the AT&T cell tower on Shepherd's Hill.

Mr. Dale Merrill on 625 Rocky Mountain Drive sent a letter stating that he would like the City to require AT&T to landscape the area as it is currently an eyesore. He is asking that as part of granting approval, the City require AT&T to plant three (3) to six (6) tall evergreen trees on each side of the tower. This would make a big difference in the beauty and appeal of this area, the hill and the neighborhood. Mr. Merrill would like the new antennas to be mounted close to the pole so it won't be obtrusive to neighbors who have to look at it every day.

Jannicke Brewer said the City Council had approved the amended telecommunications ordinance. Tonight we are working under this new ordinance to consider modification of 1 cell tower on Shepherd's Hill. Under the new ordinance all new antennas shall be slim mounted or mounted to an existing array. Jared White, AT&T representative, said they are already slim mounted and cannot mount to the existing array. He said the existing antennas are too close and there isn't room to slip a new one in between. They are instead proposing to move the existing antennas down giving priority to the new, more sophisticated LTE equipment and put them on the top tier.

Jannicke Brewer read the definition of slim mount on page 2 under 4e. Close to tower mount also known as slim mount; antennas and cell towers mounted very close to tower in order to appear less noticeable. Jared White said they will mount them as close as they can, but if they try and put them too close together it will create interference. They will install 2 power mounted amplifiers which amplify the signal along with a squid box that connects them. They will mount these all with same level of separation to keep the look uniform all the way down.

Steve Cospers said we all use cell phones and this is a service that is needed. Jared White said these will be placed at the optimal level to give the best service. Jannicke Brewer said we would like to follow our current ordinance and ask for some landscaping. Jared White said they have no problem planting trees but the City is asking us to do this after the fact because this ordinance wasn't in place when the towers first went in. He said their lease space is all fenced in with rocks and groundcover. He said AT&T doesn't own the property outside of the fence and there is no irrigation to water. Will Jones said the area around there is City owned because it was donated to the City. The City would have to run a line up to that area to get water up there to water trees. AT&T has no ability to maintain trees in that area. They don't have the people to do the continuous maintenance. Typically the landlord is the one to maintain the property.

Clyde Shepherd said trees have been planted by the Digis tower 15 years ago. The trees are small because they don't get very much water. He has been using culinary water to water trees around the towers by his house. You have to water the trees well for the first three years to get them started. He said he would like AT&T to plant trees all around their tower to make it look better and to help cut down the air conditioner noise. Shane Sorensen said the pocket parks are hard to maintain for the City workers. Jannicke Brewer said she would like to make it a condition that AT&T provides the water and trees and the City will have to maintain it.

MOTION: Jason Thelin moved to recommend approval of the AT&T Cellular Tower Modification subject to the following conditions:

- A. A building permit be obtained prior to installation of the new equipment.
- B. That AT&T representative's work with the City to determine the type and number of trees to be planted as well as provide a mechanism for it to be watered.
- C. The color match the existing hardware that is already on there.
- D. It follows the similar slim mount style of the existing tower.

Steve Cospers seconded the motion. The motion passed unanimously with 5 Ayes and 0 Nays. Bryce Higbee, Steve Cospers, Jason Thelin, Jannicke Brewer and Todd Barney all voted Aye.

Clyde Shepherd's neighbor is concerned about exposing people to dangerous rays. Jannicke Brewer said the frequency that comes from these towers is less than we use from our cell phones, television, and microwaves. They follow Federal standards and there are no health concerns. Jared White of AT&T said you have more exposure using your own phone against your head than being exposed by rays from a tower. The Federal Government said it is illegal for Cities to deny cellular antennas based on health concerns. Jannicke Brewer said the best thing for the City to do is to enclose the tower so kids can't climb on them and to prevent people from getting too close to the antenna.

Bob Bowman said he is upset about the attitude of the sub contractors maintaining the towers. He said they are loud and are going over curbs and sidewalks, and spinning gravel out into the street. This is a safety issue for kids and the gravel in the road will ruin snow blowers. He would like to see more responsibility on the part of these workers. Jannicke Brewer said when City permits are given out this needs to be addressed. AT&T said they don't want to have bad relationships with the City and the residents. They are happy to contact the contractors and tell them to be careful and use precautions. Steve Crain suggested putting a barrier across the dirt road next to the neighbors forcing drivers to use the secondary road.

D. River Meadow PRD – Senior Housing Project

Patterson Construction requested concept and preliminary approval and a recommendation for final approval to City Council for a 24 unit Senior Housing project located at approximately 199 E. Red Pine Drive.

An application was made for a zone change from Assisted Living to Senior Housing on this parcel. The City Council approved it, asking that a plan for the property be submitted within one year. Jannicke Brewer said in the ordinance under 3.18.8, once we have given a favorable recommendation on the applicant's concept plan then it will be forwarded on the City Council for approval. It will then come back to us for preliminary and final approval.

Shane Sorensen showed on the map the setbacks. The ordinance discusses setbacks adjacent to Residential property but makes no mention of Commercial property. This is a Commercial property even though people live there. The setbacks are 5 feet from the property line and 20 feet between structures. Jannicke Brewer said there could be less setback because the two properties run together. She said in Paradise Cove they have a similar situation, where they are adjacent to Residential, they have a 20 foot setback. On the Westside they are next to Commercial and have a smaller setback. She said in a Commercial Zone we can require less setback. There will be continuous landscaping, so visually there will be more space.

Jannicke Brewer asked if this was going to be under one manager maintaining the landscaping. Steve Sowby said there will be a homeowner's assoc. that will maintain the grass, trees, flowers, and shrubs. They will shovel the snow and maintain the property. Shane Sorensen said he would like to see a little more detail in the CC&R. It needs to say that the Homeowners Association will hire a professional company to do the maintenance work.

Ross Welch said people will own these homes but we will provide services to them if they want them. Jannicke Brewer asked if every cottage would be built with the same floor plan. Mr. Sowby said they can be slightly modified on the inside. On the exterior, there are 2 roof line options and colors for stone and brick and everyone would stay within these parameters. Jannicke Brewer asked if these units would have their own sprinkler system. Mr. Sowby said the whole site would have a sprinkling system that is maintained by the homeowners association. Jannicke Brewer mentioned that these units have basements and she doesn't want to see accessory apartments, they are to be used by the owner only. This area has shallow sewers; if bathrooms are built in the basements then lift station pumps will be required. Jannicke Brewer said we need to address the setbacks and send it to the City Council for them to review.

MOTION: Bryce Higbee moved for approval of the concept plan for River Meadows PRD Senior Housing and approval of the setbacks as proposed.

Todd Barney seconded the motion. The motion was not unanimous with 4 Ayes 1 Nay. Bryce Higbee, Steve Cosper, Jannicke Brewer and Todd Barney all voted Aye, Jason Thelin voted Nay.

E. Whitby Woodlands Plat E – Revision to Open Space

Roger Whitby asked for approval to modify open space for Whitby Woodlands Plat E.

Jannicke Brewer said the proposal is to amend Plat E and include the small parcel which is .07 acres in lot 10. Whitby Woodlands Plat E was approved in 2007 by the City Council but has not yet been recorded. The detention basin to the south was made larger so the smaller detention basin will no longer be needed. They had enough open space to satisfy the open space PRD. The City will no longer have this parcel or maintain it. The stream is private open space maintained by the homeowners.

MOTION: Jason Thelin made a motion to recommend approval of the revision to the open space in Whitby Woodlands Plat E.

Steve Cosper seconded the motion. The motion passed unanimously with 5 Ayes and 0 Nays. Bryce Higbee, Steve Cosper, Jason Thelin, Jannicke Brewer, and Todd Barney all voted Aye.

V. COMMUNICATIONS

The Planning Commission has been asked to look at mixed uses in our Commercial area and we need to continue to discuss temporary/seasonal sales. We are also waiting to get additional information on stub streets from the Attorney.

The Planning Commission discussed the mixed zone use in the Commercial Zone.

The next Planning Commission meeting will be on August 21, 2012.

VI. APPROVAL OF PLANNING COMMISSION MINUTES OF: April 3, 2012 and May 1, 2012

MOTION: Steve Cosper moved to accept the minutes of April 3, 2012 and May 1, 2012.

Todd Barney seconded the motion. The motion passed unanimously with 5 Ayes and 0 Nays. Bryce Higbee, Steve Cosper, Jason Thelin, Jannicke Brewer and Todd Barney all voted Aye.

Jannicke Brewer stated that the Planning Commission had covered all of the items on the agenda and adjourned the meeting at 8:55pm.