

ALPINE CITY PLANNING COMMISSION MEETING
Alpine City Hall, 20 North Main, Alpine, Utah
January 4, 2011

I. GENERAL BUSINESS

A. Welcome and Roll Call: The meeting was called to order at 7:01 pm by Chairman Jannicke Brewer. The following commission members were present and constituted a quorum.

Chairman: Jannicke Brewer

Commission Members: Steven Cosper, Tami Hamilton, Steve Swanson, Todd Barney

Members not present: Jason Thelin, Bryce Higbee

Staff: April Naidu, Andrea Chapman

Others: Will Jones, Jim Tracy, Bruce Parker, Craig Call, Darwin Beck, Scott Blackburn

B. Prayer/Opening Comments: Todd Barney

II. PUBLIC HEARING

A. Development Code – Article 3.25 (Sign Ordinance): April Naidu explained that the hearing was to discuss proposed amendments to the Sign Ordinance relating to temporary signage for Commercial Businesses. The ordinance as it was only allowed a one-time temporary sign for 3 months and nothing else for the life of the Commercial Business. April Naidu said that the proposed amendments would allow signs for a grand opening period as well as for special promotions.

No comments.

Jannicke Brewer closed the hearing at 7:05 pm.

III. PUBLIC COMMENT: None

IV. ACTION ITEMS

A. Conditional Use Permits for Home Occupations:

Seitvs Orchard, LLC– 611 W. 800 S. – Brian & Chris Seitzinger: April Naidu explained that Mrs. Seitzinger planned to sell the fruits and vegetables from their small orchard to their friends.

Jannicke Brewer wanted to table the item until the Seitzingers were able to come to Planning Commission and answer a few questions.

Kymah Consulting– 803 S. Braddock Lane– Amy Balderree: Tami Hamilton asked Mrs. Balderree about off-street parking. Amy Balderree explained that they had room on their street as well as in their driveway for vehicles.

Amy Balderree explained that she was not required to be licensed because she was a life coach and not a therapist. Mrs. Balderree said that she focused on helping individuals to reach professional goals but was not a professional behavioral therapist. Mrs. Balderree said there would be only one client at a time coming to her home and that she would be using her 110 square foot home office.

MOTION: Tami Hamilton moved to grant a conditional use permit for a home occupation for Amy Balderree dba Kymah Consulting at 803 S. Braddock Lane . Todd Barney seconded. Ayes:

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4. Nays: 0. Steve Cospers, Jannicke Brewer, Tami Hamilton and Todd Barney voted aye. Motion passed unanimously.

Steve Swanson arrived 7:10 pm.

B. Three Falls Preliminary Approval Extension: April Naidu explained that in November of 2009 the Planning Commission granted a revised preliminary approval for Three Falls after the Beck family indicated that their 80 acres should be removed from the plans. April said the developer was requesting that the Planning Commission extend this approval. April Naidu explained that the position of City Staff was that no extension was necessary or appropriate because there had been no plat amendment application or request for a new subdivision application filed with the City.

April Naidu said that an issue was raised that was now before the District Court as to whether or not the previous approval was the functional equivalent of a preliminary subdivision plat approval. April Naidu went on to say that to preserve whatever rights he may have had in the previously granted approval, the developer requested that the City extend the time he had to file a final plat in case the court ruled that the City had actually granted the developer preliminary subdivision plat approval.

April Naidu explained that the only thing the Planning Commission had to decide that night was whether or not to extend the time that the developer had to file a formal application in case the court ruled that we had given them a preliminary subdivision approval.

Jannicke Brewer said that she wrote down a suggested motion based on David Church's email. Jannicke Brewer explained that the landowner had requested this action before November 19th, 2010.

Jannicke Brewer suggested granting an extension of 2 consecutive 180 day periods because the court system did not move very quickly.

Steve Cospers suggested the possibility of granting an extension for 180 days and then the developer could come back if they needed more time.

Todd Barney wondered what the developer would lose if the extension was not granted.

Jannicke Brewer explained that they might have to start over from the beginning and redo the trenching, studies, etc. Jannicke Brewer said that it would depend on the City Council at the time and what they decided.

Todd Barney said there was no risk to the City to not extend it.

Tami Hamilton said it would not hurt the City to extend it and that extending it would not necessarily benefit anybody.

Jannicke Brewer said that by extending it they would essentially be saying that they were accepting the work that had been done and the developer could go forward from that point without starting over.

April Naidu said the developer would still have to submit a formal application whether it was a plat amendment application or they came back with a new subdivision application.

Motion: Steve Cospers moved that the Planning Commission grant an extension of two consecutive periods of 180 days dated from Nov 19, 2010 for the preliminary plat approval of the Three Falls subdivision with the understanding that the extension is only being granted if it is necessary to preserve whatever rights the developers have in the approval previously given them by the City, and the granting of this extension is not to be seen as an acknowledgment that the City has accepted the Beck's argument on the matter. Tami Hamilton seconded. Ayes: 5. Nays: 0. Steve Cospers, Jannicke Brewer, Tami Hamilton, Steve Swanson, and Todd Barney voted aye. Motion passed unanimously.

C. Development Code – Article 3.25 (Sign Ordinance): Jannicke Brewer wanted to discuss A-frame signs. Jannicke Brewer said that the only place in the ordinance that allowed A-frame signs at the time was for community or civic events. Jannicke Brewer wondered if A-frame signs should be allowed in all temporary sign areas.

April Naidu suggested having size stipulations for A-frame signs (for example not higher than 3 feet).

Steve Cospers suggested a height restriction of 4 feet high by 3 feet wide.

April Naidu said she would put information about A-frame signs under the "Temporary Signs" heading with a height restriction of 4 feet high by 3 feet wide.

Steve Cospers suggested taking item H out of 3.25.14.2 because it would be redundant.

Motion: Todd Barney moved that the Planning Commission recommend to City Council the approval of Ordinance No. 2011-01 - amendments to Article 3.25 regarding temporary signs for commercial businesses adding to the header that A-frame signs or equivalent are permissible - not to exceed 4 feet high by 3 feet wide. Also, delete item H from 3.25.14.2. Steve Swanson seconded. Ayes: 5. Nays: 0. Steve Cospers, Jannicke Brewer, Tami Hamilton, Steve Swanson, and Todd Barney voted aye. Motion passed unanimously.

D. Development Code – Boundary Line Adjustments: April Naidu explained that when property was located in a subdivision generally there were easements that were not addressed with the before and after legal descriptions. April Naidu said that staff had considered this and recommended requiring a plat amendment to adjust boundary lines when property was in a subdivision so that easements were addressed. The county had also indicated they would prefer this.

April Naidu explained that if property was outside of a subdivision, they could still use the legal description method to adjust property lines. April said that the Planning Commission has asked to see language that would allow staff to approve boundary line adjustments when no issues were involved.

April Naidu explained that David Church suggested language to the effect that if the adjustment involved a change of use of the land or change of zone with any property involved, that it would then need to go through Planning Commission and City Council, otherwise staff could approve all boundary line adjustments whether it was by plat amendment or legal descriptions.

Steve Cospers and Jannicke Brewer suggested adding "if not recorded" before "all final approvals" in Section 3.31.5.

Motion: Tami Hamilton moved that the Planning Commission recommends to City Council adoption of Ordinance No. 2011-02 establishing a process for boundary line adjustments with one

change on 3.31.5, the Expiration, to add the words “If not recorded” before “all final approvals”. Todd Barney seconded. Ayes: 5. Nays: 0. Steve Cospers, Jannicke Brewer, Tami Hamilton, Steve Swanson, and Todd Barney voted aye. Motion passed unanimously.

E. Elect Chair & Vice Chair: April Naidu explained that Article 2.2 of the Alpine City Development Code, stated, “At its first meeting in January of each odd year, the Planning Commission shall elect one of its members as Chair and a second member as Vice-Chair. The Chair shall serve for a term of two years and until a successor is chosen. A vacancy in the position of Chair or Vice-Chair shall be filled for the unexpired term by election at the next meeting of the Planning Commission. A person may be elected to serve consecutive terms as Chair.”

Motion: Steve Cospers nominated Jannicke Brewer as chair. Tami Hamilton seconded. Ayes: 5. Nays: 0. Steve Cospers, Jannicke Brewer, Tami Hamilton, Steve Swanson, and Todd Barney voted aye. Motion passed unanimously.

Motion: Todd Barney nominated Steve Cospers as Vice Chair. Tami Hamilton seconded. Ayes: 5. Nays: 0. Steve Cospers, Jannicke Brewer, Tami Hamilton, Steve Swanson, and Todd Barney voted aye. Motion passed unanimously.

V. COMMUNICATIONS

No communication

VI. APPROVAL OF MINUTES

Motion: Steve Swanson moved to approve the Planning Commission minutes of November 30, 2010 and adjourn. Todd Barney seconded. Ayes: 5. Nays: 0. Steve Cospers, Jannicke Brewer, Tami Hamilton, Steve Swanson, and Todd Barney voted aye. Motion passed unanimously.

Meeting adjourned at 7:55 p.m.