

ALPINE CITY PLANNING COMMISSION MEETING
Alpine City Hall, 20 North Main, Alpine, UT
April 29, 2025

I. GENERAL BUSINESS

- A. Welcome and Roll Call:** The meeting was called to order at 6:00 p.m. by Alan Macdonald.
The following were present and constituted a quorum:

Chair: Alan Macdonald

Commission Members: Troy Slade, Michelle Schirmer, John MacKay, Susan Whittenburg, Jeff Davis

Excused: Greg Butterfield

Staff: Ryan Robinson, Marla Fox

Others: Robert Hanson, Andy Spencer, Dick DeGroot, Erik Heras, Polly Spencer, Bill Kirkpatrick, Ardice Lorscheider, Janette Kennedy, Heidi Smith, Greg Young, Brent Boulter, Cindy Boulter, John Nash, Angelica Nash, Bob Schirmer

- B. Prayer/Opening Comments:** John MacKay

- C. Pledge of Allegiance:** Troy Slade

II. REPORTS AND PRESENTATIONS

None

III. ACTION ITEMS

- A. Public Hearing: Code Amendment to Chapter 3.07 Business/Commercial Zone to Allow Light Manufacturing as a Conditional Use in this Zone.**

Ryan Robinson said an application has been submitted to allow manufacturing uses in the Business-Commercial Zone as a Conditional Use. Currently, this zone only permits manufacturing uses that are part of a retail store and only if they are integral to and incidental to the retail operation.

Several other uses within the B-C Zone include additional standards as part of the review process. This proposal includes similar standards, modeled on those used in other communities and tailored to address concerns that have arisen from previous manufacturing operations.

Historically, manufacturing activities have occurred in this zone, for example, candy production and mattress manufacturing. However, because no manufacturing business has maintained a valid business license for more than two years, these uses are no longer considered legally nonconforming.

By adding specific standards and requiring manufacturing to be approved through a Conditional Use Permit, the City can better mitigate the potential negative impacts of such uses in the Business-Commercial Zone.

A definition for light manufacturing has also been created to add to section 3.01.110 Definitions of the Alpine Development Code. Any proposed use would need to meet the definition in order to be allowed. Two-Public hearings will be held but the items are so connected only one staff report has been created.

Alan Macdonald asked what the benefits would be to the city to add light manufacturing back into Alpine. Ryan Robinson said some employees could be from Alpine providing jobs for them. Also, the employees

could buy gas or lunch at the Junction supporting that business. He said because Alpine is so far off from the freeway, manufacturing companies may not want to come here because logistically, it's more difficult to get trucks in and out.

Ryan Robinson said there are cons to adding light manufacturing to this area. Usually, these types of businesses are on the outskirts of town far away from residential houses. Here in Alpine, the main manufacture in town has been next to residential homes. He said he has spoken to some of the residents, and they have not liked the noise, smoke, and traffic from large trucks going in and out of there.

Alan Macdonald asked why this was brought forward and on the agenda. Ryan Robinson said Tony Pearce is a resident and owns the building where Purple Mattress used to be. This building in the past had a conditional use for light manufacturing but lost that as the building has not been used in more than two years. Mr. Pearce would like the conditional use added back in so another company can come into the building and use it for manufacturing purposes.

Alan Macdonald said the building would be more marketable if the ordinance was amended to include light manufacturing. Ryan Robinson said that is correct. Susan Whittenburg asked if the building was built for manufacturing. Ryan Robinson said that building was built for manufacturing, so the inquiries about the building are for manufacturing. Troy Slade asked if that building was previously zoned for light manufacturing and then that went away. Ryan Robinson said the building was built in 1990 and at some point, light manufacturing was a permitted use and for some reason it was taken out, or that use was there before we had the zones we have today which would have made it legal non-conforming.

Jeff Davis asked if Ryan Robinson if we had any definitions from other cities on what light manufacturing is. Ryan Robinson said he couldn't find one definition that was great that he could say that's the one. Jeff Davis said his definition would be products that are manufactured for personal or household use. He also said that manufacturing businesses will have additional requirements for discharge, or waste water, and other guidelines that they have to follow. He said this might not prohibit them but just be aware that there will be other requirements for manufacturing businesses.

Ryan Robinson said if we were to add light manufacturing the business would have to meet all the standards and conditions to mitigate any detrimental impact. Jeff Davis said some businesses would have levels of compliance that would have to be met and get permits for discharge.

Alan Macdonald opened the Public Hearing.

Andy Spencer, resident 154 N 200 E, said the land use decisions that you make will outlive all of you and all of us in the room. When a decision is made on land use that decision is there for a long time. He said the Purple building used to be the candy factory, and he believes that business just started before there was a land use code. He said the city took that use away and now we must ask if the use was brought back, would it be good for our community. From a transportation standpoint, these sites tend to be heavy on employees and transporting goods. These types of businesses flourish when they are next to freeway interchanges. Alpine cannot provide good transportation access. Mr. Spencer asked the Planning Commission to not approve light manufacturing in Alpine.

Chase, resident 115 N 200 E, said we need to consider how the neighborhood has changed because since the Purple building has closed, we have a lot of little children that have moved within a few blocks of this building. He said he has witnessed large semi-trucks coming down his street at fast speeds and they can't stop quickly if a child runs out. He asked the Planning Commission to deny the request based on the changes to the neighborhood.

Polly Spencer, resident 154 N 200 E, said she has lived in Alpine her whole life and said the Purple building used to be a candy and ice cream shop and has been around since the early 1970'S. The building added on when Kencraft took over and when the candy making process started. Then it was Peppermint Place and the smells were nice: you woke up to cherry and orange smells and they employed a lot of people in the community. She said that part of it was wonderful, schools would come in for field trips to see how the candy was made and when they put the candy in your bag it was magical.

Polly Spencer said when Purple came in, it was a totally different smell. She said she lives close to the building, and it was loud because the fans and motors would run continually all night long and there was an odor that we could smell from our home. She said they were not sad when Purple left because there were a lot of cars that would park along 200 North all year long. She said because of the noise and traffic, she asked the Planning Commission to not approve commercial businesses.

John Nash, resident 135 N 200 E, said he has lived here for 20 years and remembers when the building was Peppermint Place. He said he is not super excited about any manufacturing going back in the building because of the traffic it brings in. He said he has witnessed large trucks trying to get through the intersection and other cars had to back up in order for it to get through. He said he would like this to be considered because it is difficult to negotiate around these roads and with the school just down the street, plenty of kids walk through there. He said the type of jobs that manufacturing would have would not be for high school kids so employees would be coming from out of town which would increase the traffic. He said our infrastructure doesn't seem to be able to handle manufacturing. Mr. Nash said the perks of living in Alpine go away when you live next to a business that produces smells and noise and traffic and for these reasons, he does not want to see something similar coming in.

Alan Macdonald closed the Public Hearing.

Susan Whittenburg said she is always concerned about traffic and bringing in long trucks because we are so limited with one way in and one way out.

Alan Macdonald said a resident, or a business has the right to initiate this process and seek an amendment, or an ordinance change and that is why this is before us. The reason the owner is bringing this forward is because he would like to sell the building and he is having a hard time selling because light manufacturing was removed as a conditional use within our ordinance. He said it's probably for good reason that it was taken out because if you build it, they will come. He said we are not close to the freeway or railway and any materials coming in will require large trucks up and down Main Street and we already have congestion issues.

Susan Whittenburg said we have had surveys on this and residents don't want it and we are not suited for it. Alan Macdonald said that building was legally non-conforming because of when the building was built but at this point, it has lost that status. He said we need to consider if it is the best interest of Alpine to reopen that door.

Michelle Schirmer said when Purple was there, not only did employees park in the street they also parked in the church parking lot which was always a problem when there was double use. She said she also doesn't like to write code for just one entity and that's what this seems like. It must be for all of Alpine. She said she doesn't like conditional use permits because they only benefit the business owner and they don't benefit the neighborhood.

John Mackay said he was sensitive to the plight of the building owner who has a good degree invested, but it is clear that the city has outgrown the need or desire to have that. He said this is a golden opportunity for

the city to take this back but will require the owner to come up with a different use because the city doesn't need the problems that have been mentioned in the future.

MOTION: Planning Commission member Susan Whittenburg moved to recommend Denying Ordinance 2025-07 to include light manufacturing as a conditional use in the Business Commercial Zone.

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

Ayes:

Michelle Schirmer
Troy Slade
Susan Whittenburg
Alan Macdonald
John MacKay
Jeff Davis

Nays:

Excused

Greg Butterfield

B. Public Hearing: Code Amendment to Chapter 3.01 Definitions to add Light Manufacturing to the definitions.

Ryan Robinson said Light Manufacturing means: Activities typically involve assembling, processing, warehousing or fabricating products in a manner that minimizes environmental impacts such as noise, emissions, or heavy traffic.

MOTION: Planning Commission member Susan Whittenburg moved to recommend Denying Ordinance 3.01 to add Definitions to Light Manufacturing.

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

Ayes:

Michelle Schirmer
Troy Slade
Susan Whittenburg
Alan Macdonald
John MacKay
Jeff Davis

Nays:

Excused

Greg Butterfield

C. Public Hearing: Proposed Sculpture Garden located at Alpine City Hall/Fire Station Block.

Ryan Robinson said the City has been approached by the Heritage Arts Foundation, led by Rob Hanson, along with residents of Alpine, to create a sculpture garden on the City Hall Block. The proposal has been presented to the City Council, and a Sculpture Garden Committee has been formed to assist in the planning process. This will help inform the Council's decision to either move forward with or reject the proposal. Ryan Robinson said the City Council created a committee, and they have nine members. The requirement is that you must be an Alpine resident to be on the committee.

According to Alpine Development Code 3.16.040, any material changes to city-owned property require a public hearing by the Planning Commission prior to City Council review.

The Planning Commission is tasked with holding a public hearing and making a recommendation to the City Council. Relevant considerations for the Commission are outlined in Section 3.16.090 – Maintenance and Improvements to Public Lands.

Ryan Robinson said the committee has done a good job with providing the city with a site plan showing what they would like to do. He said they are not giving us anything that would not comply with the city code.

Ryan Robinson showed on a map some of the things that the city has been working on in the city block. The outlined yellow part is where the proposed sculpture garden would go, the purple area is where they are looking to add a children's library, and the red area is where the city is looking to expand the fire station. He said there is a lot going on on this block right now and that is why this committee was formed, and we have had so many hearing on it lately.

Ryan Robinson said the yellow area will primarily be a Dennis Smith themed sculpture garden. Dennis Smith is an artist that was born and raised in Alpine and his artwork would be a major part of the garden.

Michelle Schirmer asked if any sports were being played on the grass section of this block. Heidi Smith, with Alpine City, said a couple of young soccer teams and women's lacrosse use that field.

Ardice Lorscheider, 49 S 600 E, said she is a member of the Heritage Arts Foundation, and the city asked us to put together a community board and we have been meeting for several months now. Bob Hanson represents the Heritage Arts Foundation, and we have Emily Brooks Waymant and are very fortunate to have her. She's a landscape designer that has been trained at Oxford and has been recognized in Architectural Digest and is one of the best.

Ardice Lorscheider said their whole purpose was to come together to create a beautiful place for the community to gather that represented our heritage, what we believe in, and who we are. We want a place that we can pass on to the next generation.

Emily Brooks Waymant, landscape designer, said she loves the Alpine community and the history behind it and said she tried to incorporate into the design a historical significance. She said she is trying to bring in sculptures that have a historical history to Alpine and to create a space where all generations will feel welcome. We want to create a place where children can play in water, a place for swings and picnic tables, and a pavilion where you can have gatherings. She said there will be cobblestone pathways that you can take a walk on, and people can pay to have their name on them. She said there will be columns and a gate to create a special, unique place to come gather.

Robert Hanson, Heritage Arts Foundation, said this has always been planned to be funded by the private sector. He said they have spent a lot of time talking about the plants which are low maintenance, natural and appropriate for the area. He said they know that there are still a lot of decisions that have yet to be made about the fire station and how the fire engines will pull in and out, so they are all about being flexible. He said they believe this will be a beautiful asset for the people of Alpine and celebrate our history and future and past generations.

Alan Macdonald asked Robert Hanson to tell them about the funding and the financing. Robert Hanson said he has worked for thirty-five years in fundraising and his biggest project in Utah was the science building at UVU. He said he has raised over \$130,000,000 in various projects and what they do is make public art that has significance available to the public.

Alan Macdonald asked what the safeguards are if funding runs out and the project isn't finished, and the city gets left with a project that is half done. Robert Hanson said we can approach this in a variety of ways. We can secure the funding and if the funding is there, we move forward. He said that is how he has always done projects. He said they don't want to make commitments and then under deliver in any way. He said

there is some flexibility regarding the number of pieces that could be placed here. He said we have a plan with a certain amount of sculptures that can be modified here and there. Currently the budget is between 3.4 and 3.8 million and that is not a small figure but would include the landscaping and everything that would be brought in like the cobblestones are meant to last.

Alan Macdonald asked if the sculptures would be the property of the sculptor Mr. Smith or would they become the property of the city. Mr. Hanson said they would become assets of the city. He said the city can't use the sculptures in any commercial way, and if you do, an arrangement has to be made with the artist.

Susan Whittenburg said the City Council had concerns about how this would work with the fire station and wanted to know if those issues got worked out. Mr. Hanson said he thought an RFP was going to be done and get feedback from potential builders to build out that space and propose where the drive would go. Ryan Robinson confirmed that an RFP would be done and then a contractor chosen from that to meets the criteria.

Jeff Davis asked what the separation would be: is it a wall, or bushes, or a fence. Robert Hanson said they proposed a hedge. Susan Whittenburg asked with other projects what has been successful with security from vandals. Mr. Hanson said they would keep the art away from the roads and feels like it would be safe because of where it would be located. He said they also install cameras and that tends to dissuade a lot of that.

Jeff Davis asked if the city parks department would be in charge of the maintenance. Mr. Hanson said the statues need cleaning and waxing twice a year and he may be able to get some help with that from the Utah Historical Society. He said they are hoping to minimize landscaping clean up with the plants that are planted.

Alan Macdonald opened the Public Hearing.

Andy Spencer, 154 N 200 E, said he is appreciative that this project won't cost the city any money. He said this project will need long-term maintenance and we need to make sure that it is something our parks department can handle. He said it is very important that we preserve as much open space as we can. There are a lot of pick-up plays that go on in that park and he understands the need to update the fire station but doesn't want to put the cart before the horse. Meaning that we need to see how the new driveway to the fire station is going to function and then it can be planned around as well as leaving open space for open play to use. Mr. Spencer said we already have a sculpture garden and it's in an appropriate place. He said we also have other amazing artists in Utah and if we are going to have a sculpture garden, we should use some other artist which includes some that live here in Alpine. He said he doesn't understand why this is being catered to one artist. He said he believed that land was donated to the city for a park and would like to preserve that open space.

Robert Hanson said the committee has talked about adding other artists work but wanted to focus on Dennis Smith and said this doesn't have to be the only art park in Alpine. He said they have reached out to Adonis Bronze because they have quite a bit of inventory and those art pieces would be acquired at a significant discount. He said they went that way because of the cost savings.

John Nash, 135 N 200 E, said the park gets used a lot and there are other maintenance issues that need to be addressed first. He said the lighting throughout the whole area is on the fritz. He asked who is going to maintain this new infrastructure, and what happens if funding dries up. He said he questions the need for another art park when we already have one. He said maybe a small portion would be okay, but wouldn't want to see it cutting into the park and said that would be more of a detriment than a benefit long term.

Alan Macdonald closed the Public Hearing.

Alan Macdonald said we've had a good presentation with a group that will bring in money for the project along with a renowned artist to provide the artwork and a very renowned landscape architect will be doing all the design and would preserve quite a bit of the open space for soccer and lacrosse. There are still some things to be determined because we're not quite sure what's going to happen with the fire station construction and this all has to play second fiddle to that.

Alan Macdonald said a few months ago, we had the Children's Library come and do a proposal and I think we all said "Okay, looks great, Let's see what happens." He asked what it is that we are supposed to recommend to the City Council at this point because we don't know how concrete this proposal is when it is subject to what happens with the construction of the fire station.

Ryan Robinson said when they're adding sculptures, new landscaping and different things like that, it's a material change to the park, and we have to run it through a Public Hearing. We'll probably come back with the fire station when that is ready and do the same thing because they will be adding new material to the building. He said it is his understanding that they will redo the driveway and it's either going to come across 100 North or Center Street. This is one of the things they are looking at because they want to be able to get the fire engines out as efficiently and safely as possible. So tonight, we are only looking at the sculpture garden and the recommendation could be subject to a final design approved for the fire station.

Alan Macdonald said before the Heritage Art Foundation goes out and raises the money, there needs to be some adoption by the city. He said he understands that Alpine is not on the scale of a Paris or Athens where there are sculptures and fountains and amazing things around every corner. However, he thinks most of us would enjoy a mostly free garden as long as we could incorporate the library, fire station and grass park.

Ryan Robinson said the motion could include a recommendation subject to the final design of the fire station, and from the library. He said this is a unique situation where we have four separate uses for this city block all vying for that space. He said everyone has been great to work with but the first priority is the fire station.

Troy Slade said he would give this a thumbs up.

Michelle Schirmer asked if the current fire station is staying the same and a new part will be built on the East side. Ryan Robinson said they are going to add an east wing that will include new bedrooms and a living space. He said their current living space is going to be a community senior center with one big open room. He said the fire trucks will stay in the middle and that's why the driveway has to swing off of 100 North or Center Street. So the open space may be cut in half by the remodel of the fire station, and it doesn't look like the sculpture garden will encroach into the playground open space.

Angelica Nash, 135 North 200 East, said her family uses the park area quite a bit and mostly the red area because they don't want to go down to Creekside Park. She said she would like to keep the park open so they can still enjoy that area.

Ardice Lorscheider, 49 South 600 East, said the detailed plans that Emily made for the art sculpture park between what is proposed for the children's library we have proposed to do an old-fashioned water pump that the kids could play in kind of like a splash area and also other activities that the children can do. She said the plans are a bit of work in progress, but they are thinking of the whole family and the children.

Ms. Lorscheider said there was originally a fort in this area, and they would like to duplicate something similar to that in honor of the forts that people lived in when they first came here. She said they want to duplicate an original bench that was once here and place it in the garden. She said they are trying to bring things of significance here that represent our history and not new things that don't mean anything.

John MacKay said he hasn't seen enough to know how the finalized plans are and said he feels uncomfortable recommending something he hasn't seen for the fire station. He said really the only thing we could recommend is the space in yellow would be used for the sculpture garden.

Ryan Robinson said what's being proposed is just the yellow area so what we are acting on tonight is recommending the designated area found in the outlined yellow for the sculpture park. John Mackay said he was good with recommending that.

Ryan Robinson said we'll come back with the fire station when it gets more hammered out and then if the children's library comes back with a plan, we'll look at those separately. He said all of this will be subject to the needs of the fire department.

Susan Whittenburg said everything is so contingent on other stuff and she feels bad that so much detail has been put into this that she hopes it can come to fruition.

Alan Macdonald asked what the timeline was for the fire department. Ryan Robison said we have the RFP ready for the City Council to look at, but the issue is that the city has never gone through the CMG GC process before. He said it's a little different than what we do. Basically, they run the process of it with us as a partner. Once the RFP goes out, we'll be able to pick a contractor and an architect that can help it move along.

Ryan Robinson said we've been working an architect to get some concepts down but need to wait for the RFP to go out so we can select a general contractor.

MOTION: Planning Commission member John MacKay moved to recommend approval of the proposed site plan to the City Hall Block Park subject to the design needs of the fire station construction.

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

Ayes:

Michelle Schirmer
Troy Slade
Susan Whittenburg
Alan Macdonald
John MacKay
Jeff Davis

Nays:

Excused

Greg Butterfield

D. Action Item: Off-Street Parking Exception Request 645 S Alpine Highway

Ryan Robinson said Cherry Hill Farms at Burgess Orchards currently operates a produce stand located at 625 S Alpine Highway. The lot to the east, across from Bateman Lane (491 S Alpine Highway), was purchased to add additional parking spaces.

According to Alpine Development Code 3.24.020 – *Parking Lot Characteristics*, specific conditions must be met for off-street parking approval. However, exceptions may be granted if the applicant addresses these conditions adequately.

The applicant seeks exceptions to the following requirements:

- **Surface Material:** Rather than paving with asphalt or cement, the applicant proposes using a hard-packed surface, similar to their existing main parking lot.
- **Striping:** Parking spaces will be designated by wheel stops instead of painted lines.
- **Lighting:** No additional lighting is proposed, as their current Conditional Use Permit (CUP) requires the stand to close at sunset.

As required by Alpine Development Code 3.24.030, the applicant has submitted a separate document addressing these exception standards:

- The unique nature of the lot configuration or use justifies the exception.
- No historically significant structures or natural features will be removed or altered. A structure is considered historic if it is over 100 years old or listed on a federal, state, or local historical registry.
- The exception will not adversely affect public health, safety, or welfare.
- The design includes adequate measures to mitigate any potential adverse effects caused by the exceptions.

The applicant is also requesting an exception under Alpine Development Code 3.24.060 – *Location of Required Off-Street Parking*. To be granted, the following conditions must be met (addressed in a memo submitted by the applicant):

- The parking lot and the lot it serves are under the same ownership. If not, a legally binding agreement (e.g., easement, lease, or covenant) recorded with the Utah County Recorder's Office must be provided.
- All off-site parking spaces must be on an adjacent lot or within 200 feet of the main use, measured across or along a public street.
- Safe, accessible pedestrian routes must be provided between the parking area and the main use. This may include ADA-compliant sidewalks, lighting, and marked crosswalks.
- A traffic and parking site plan must demonstrate that off-site parking will not cause undue congestion or negatively affect nearby residential areas.

Ryan Robinson said staff have talked about pedestrian safety and recommend adding signs on the East side of Bateman Lane. The recommendation is every fifty feet to show no parking along the lot they own. We ask that the signs have the Alpine logo on them because if it comes from the city, it's enforceable and the police officers can write tickets. He said there's also language in there for parking lots that are abutting residential property, and they need to show fencing, a masonry wall, or a solid visual barrier. He said we need to see a fencing plan before this goes to City Council, and a sign that says no produce parking past

this point up on the corner by Cascade. He said the city engineer is working to identify potential crosswalk locations or other alternative routes for pedestrian crossing.

Ryan Robinson showed on a map the new proposal being submitted which would include an additional twenty five parking spots and shows that it is within 200 feet of the structure.

John MacKay asked why the area to the north of the driveway is excluded from parking. Ryan Robinson said parking has to be on the same lot as the business or on an adjacent lot within 200 feet. John MacKay asked if there have been changes to the parking at the existing business.

Ryan Robinson said not to his knowledge. He said we're not looking at their existing parking, we're looking at the parking across the street, but they went above and beyond the required parking on their current lot. Our ordinance states that they have to provide sufficient off-street parking for clients, customers, and employees. They were required to have thirteen spaces, and they have twenty-one.

Michelle Schirmer asked if they could reduce parking. Ryan Robinson said if they did, they would be in violation of the code.

Alan Macdonald said that was a good point. He said they are operating under a conditional use permit and can maintain that conditional use permit as long as they are in good standing and compliant with the conditions that the city has required. He said one of those is traffic and safety concerns and that's been the big issue. He said Jecco Farms, because of the popularity of their peach shakes and other products, need to figure out how to mitigate the traffic hazard they've created.

Alan Macdonald said Jecco Farms need to solve that or risk losing their conditional use permit. He said they need more parking, and one spot is right there next to the fruit stand on the same property. There are fruit trees there, but there is a lot of room to expand that does not require customers to walk across Bateman. The other option is to add parking to the lot across Bateman Lane which is within 200 feet of the structure. He said this is not the most elegant option and he understands that they don't want to take out trees, but the trees were taken out to build their homes.

Alan Macdonald said we need to determine if we want parking to go across the street or if we would like the business to figure out a way to keep the parking next to the building on the same property.

Susan Whittenburg said she would take the loss of trees any day over the loss of a child. She said she loves that the business has had success and thinks it's awesome, but said we need to remember that this was supposed to be a fruit stand and now it's an ice-cream place. She wanted to know if any type of traffic study has been done on Bateman.

Michelle Schirmer said the traffic is horrific, but has never heard of or seen Jecco Farms producing any kind of traffic report of how many people come in and out per hour, what's the spillover, what's the sale per hour, and said as far as she knows, there has been no study.

Alan Macdonald said Ken Burg, and Engineer, sent a memo to Alpine City which states that safe and accessible pedestrian routes are provided between the alternative parking lot and the primary use. This may include well-lit ADA compliant sidewalks, crosswalks or other features to ensure pedestrian safety. Alan Macdonald said those are our requirements and the response from Jecco is a 4-foot-wide concrete sidewalk that is proposed from the off-site parking lot to the intersection of Bateman Lane and Alpine Highway to the crosswalk to ensure pedestrian safety. He said the response from Jecco is they are going to send people down the sidewalk and over to a crosswalk where people will cross in both directions while cars are trying to turn left onto Bateman and turn right off of Alpine Highway. He said they are going to stack up at certain

times of the day in the shoulder while pedestrians are crossing back and forth on the crosswalk. He said he is not aware of any type of traffic plan, he said he's just looking at the response of Jecco to our ordinance.

Alan Macdonald said if you look at 3.24.030 Exception of Off-Street Parking Characteristics, the requirement is the exception will not adversely affect public health, safety, or welfare. He said Jecco's response is that the proposed exception does not adversely affect public health, safety or welfare. The proposed off-site parking lot is to provide a safer parking area instead of the existing parking along the public street.

Alan Macdonald said he agrees with that, but it totally ignores the fact that there's still a lot of land between the homes and the fruit stand. They would have to take out some trees, but then you're not sending people down the sidewalk and across Bateman at all. He said he understands why they don't want to do that but are those reasons in the best interest of the City of Alpine and its residents.

Jeff Davis asked if 25 parking spaces eliminate parking on Cascade and most of Bateman. Michelle Schirmer said no, it will not cover it, especially if you take parking away from the north side of Bateman. You will basically only get about 15 parking spaces out of it when there's up to 60 on the highway, Bateman and Cascade at peak times. Jeff Davis said there have been 100 cars counted there at one point. Alan Macdonald said certain times will have more cars, but not all hours are that busy.

Michelle Schirmer said the topography and slope are steep on part of the new parking lot. Retaining walls will need to be built because a six-foot fence will not help and will not provide the DeGroots, or my property any privacy. Alan Macdonald said the fence has always been low. Michelle Schirmer said that is correct, but it is one thing to have a low fence between neighbors, and another to have a low fence between a business or a parking lot on a residential lot. She said when Ken Berg came to her house and showed her a drawing, it looked like the parking was going to be in the front and the home was the business.

Alan Macdonald said that Michelle Schirmer was in a difficult position because she is a member of the Planning Commission but also a resident that lives next door to this. He said it's possible that in a few years, that property could have a business on it, so is it better to look at the back of a building, or an open parking lot. Michelle Schirmer said she and her neighbors should be protected and our city code states privacy screening between a business and residential is required and a six-foot white vinyl fence doesn't do it. She said fences and retaining walls are important to protect residents from a business.

Ryan Robinson said the retaining wall next to Annie Park that Michelle Schirmer was talking about had to go through the variance process with our Hearing Officer. He said retaining walls can go up to nine feet tall and if they are going to be taller than that, you have to tier them. Michelle said in that case, the homeowner chose to pay for that wall because he was trying to flip the property, and the park was there first. She said in this case, neighbors have been here for 24 years, and the parking lot is new. For 24 years, residents have lived next to residents. So now, to put in a parking lot without any protection in place for the homeowners except for a six-foot fence that may as well not even be there, is not providing privacy and screening.

Alan Macdonald said we have a proposal for parking across the street. He said we haven't seen a plan to create additional on-site parking to the south of the building, which seems to be viable even though it is not the preferred option. He said it is a good option that doesn't require customers to park on the other side of Bateman or to walk across the street even in a crosswalk. He said he would like to see an option and a rendering of what that would look like with sufficient parking to mitigate the issue.

Joun MacKay said the question has already been asked and answered. Jecco farms said they have the land for green belt status and they're not going to interfere with that. Alan Macdonald said that is a tax issue that is unique to Jecco farms and that's not necessarily our consideration or the city's consideration. John

MacKay said it won't help to table this because they have already said they are not going to take trees out to add more parking on-site. He said he agrees that 25 spaces will help, but will not solve the problem.

Susan Whittenburg said if they were just selling apples and produce, we wouldn't have this problem, Van Burgess sold what he grew. Alan Macdonald said the citizens of Alpine like the peach shakes, but it's not a fruit stand, it's now a Dairy Queen. He said if we can't fix this problem, then the conditional use permit can be revoked if the safety issues, and nuisance issues just cannot be resolved. If you're going to sell peach shakes and a hundred cars are there, then it's just not the location for it and the City Council will or will not make that conclusion.

Jeff Davis asked Michelle Schirmer if she would like the motion to include a barrier. She said there is nowhere else in Alpine where residential meets commercial like this. She said she is concerned about the DeGroot property and said a six-foot fence will not cut it for safety and privacy.

John MacKay said we need to determine what privacy screening means. He said there is vegetation that can grow as tall as 20 feet or more. Alan Macdonald said yes, but that would take 10 to 15 years to grow. Michelle Schirmer said a solid retaining wall with a fence on top is better than vegetation for screening and privacy and the back slope needs to be built up.

The Planning Commission had a discussion about adding the additional parking lot and said something has to be done but were concerned for safety reasons.

MOTION: Planning Commission member John MacKay moved to recommend approval of the off-street parking exception located at 645 S Alpine Highway, finding that it substantially meets all of the exception requirements specified in the Alpine City Code. However, the existing design is insufficient to provide privacy screening to the residential properties adjacent to it. I recommend that additional landscaping and a retaining wall and fencing be built suitable to block the line of sight from adjoining properties.

Jeff Davis seconded the motion. There were 2 Ayes and 4 Nays (recorded below). The motion did not pass.

Ayes:

John MacKay
Jeff Davis

Nays:

Michelle Schirmer
Troy Slade
Susan Whittenburg
Alan Macdonald

Excused

Greg Butterfield

Alan Macdonald said even though this plan provides some parking, he doesn't think this is the best solution. He said other than one person saying a crosswalk would be put in, he doesn't think safety concerns have been addressed, or a traffic study been done. He said there are more comprehensive plans that could have been presented to us but the applicant has chosen not to. He said he doesn't think they have met the standard for the exceptions that are outlined in the off-street parking ordinance.

Susan Whittenburg said the city is the one doing all the compromising. She said we are trying to keep them in business by giving them a permit and we should ask them to reconsider doing something on their own property.

Alan Macdonald said the applicants are happy to inconvenience the adjacent neighbors even if they encroach on their own views. He said if they are going to sell a product that brings in 80-100 cars, then

they should find a solution on their own property. He said he doesn't think they've checked all the boxes to show exceptions to the off-street parking ordinance we passed a few months ago.

Jeff Davis said this is being brought to us by Jecco Farms and they can say they tried. Alan Macdonald said it is up to the City Council to decide if they want to continue with this or say we're not going to renew the conditional use permit. He said this is a classic negotiation with some willingness, but the proposal is not adequate to solve the issues we've had on Bateman and in the neighborhood, and on Alpine Highway that is caused by the popularity of the products being sold and the customers they are attracting. He said they have not shown the city a reasonable solution and there needs to be a little more compromise.

Jeff Davis said we can all agree that it is not enough, but it will at least be something and make a small difference and maybe ends up being no cars parked on Cascade.

Alan Macdonald said the obvious solution is to expand the parking lot to the south and in conjunction with that, a little more concern for the view corridor for the DeGroot and Schirmer homes. He said the property exists to get all of those cars that want to patronize the fruit stand off the street. He said he doesn't think an adequate solution has been proposed to the city.

MOTION: Planning Commissioner member Troy Slade moved to recommend Denying the Off-Street Parking exception located at 645 S Alpine Highway as proposed based on:

1. The proposal doesn't address safety issues sufficiently.
2. It does not address privacy and screening sufficiently from the neighbors.
3. It doesn't address sufficient additional parking.

Susan Whittenburg seconded the motion. There were 4 Ayes and 2 Nays (recorded below). The motion passed.

Ayes:

Michelle Schirmer
Troy Slade
Susan Whittenburg
Alan Macdonald

Nays:

John MacKay
Jeff Davis

Excused

Greg Butterfield

E. Action Item: Guest House Request Mary Young 1831 N Fort Canyon Road

Ryan Robinson said a proposal has been submitted to construct a guest house on the property located at 1831 N Fort Canyon Road. The property is currently owned by Mary Young, who owns over 15 acres across various adjoining parcels near her primary residence. The neighboring parcel that will be closest to the proposed guest house is owned by Mary Young and due to the slopes on the lot, unlikely to ever be developed. The side yard has a 12' setback as is required for a guest house and is over 30' away from the main dwelling.

This property is located within the CR-40,000 zone, where guest houses are permitted through a Conditional Use Permit (CUP). Additional standards for such uses are outlined in Section 3.23.060, "Review Conditions and Criteria for Certain Conditional Uses," of the Alpine Development Code.

City staff have reviewed the application in accordance with Section 3.23 and found that the required standards have been met. Since guest houses are a conditional use within this zone, the City may impose additional conditions to mitigate any potential detrimental impacts of the proposed use.

If the City Council approves this application, further review will be conducted by City staff and the Building Department for such things as setbacks, height of buildings, and building code requirements.

Guest Houses (Ord. 94-06, 5/24/94). Guest houses may be allowed as a conditional use, upon approval of the designated land use authority and subject to compliance with the following:

1. Guest Houses are listed as a conditional use within the zone.
2. The lot or parcel upon which the guesthouse is proposed to be placed shall have a lot area of not less than five (5) acres.
3. The guesthouse shall be located not less than 30 ft. to the rear of the primary dwelling and not closer than twelve (12) ft. to any side or rear property line.
4. The water and sewer service shall be the same as for the principal dwelling.
5. The hookup fees for a single-unit dwelling with a guest house shall be one and one-half (1 and 1/2) times the rate for a single-family dwelling.
6. The guesthouse shall be an integral part of the site plan for the principle dwelling and attendant lot area. Vehicular access to the guest house shall be over the same driveway as for the primary dwelling, unless a secondary driveway can be accessed from another public right of way.
7. Prior to approval, a site plan showing the proposed location of the guesthouse and provision for utilities, vehicular access and other standards and conditions shall be submitted and approved by the Planning Commission.
8. Any person desiring to construct a guest house shall convey to the City water rights in the amount of 1/2 acre foot.

Ryan Robinson showed on a map where the property is located at the end of Fort Canyon Road. He said the City Council may require the existing home and the new home to go on the city sewer system.

MOTION: Planning Commission member Jeff Davis moved to recommend approval of a Conditional Use Permit for a guest house located at 1831 N Fort Canyon Road as proposed.

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

Ayes:

Michelle Schirmer
Troy Slade
Susan Whittenburg
Alan Macdonald
John MacKay
Jeff Davis

Nays:

Excused

Greg Butterfield

F. Action Item: Double Frontage Lot Request Country Manor Lane and Bald Mountain Drive

Ryan Robinson said an application has been submitted to consolidate three existing lots—578 N Country Manor Ln, 614 N Country Manor Ln, and 601 N Bald Mountain Drive—into a single lot. According to

Alpine Development Code Section 4.07.030 (Lots), all lots in a subdivision must have frontage on a public street.

The same section prohibits the creation of double-frontage lots unless recommended by the Planning Commission and approved by the City Council. Section 3.01.110 (Definitions) defines a double-frontage lot as: A lot where the front and rear lot lines both front on a street. The proposed combined lot also creates a lot with more than five sides.

This will also require an exception as allowed in Section 3.01.110 Definitions of a lot: LOT. A tract of land regardless of any label, that is created by and shown on a subdivision plat that has been recorded in the Office of the County Recorder. Lots shall be generally rectangular in nature and shall have no more than five sides without an exception being recommended by the Planning Commission and approved by the City Council; the front of a property, located at the front right of way, does not count against this requirement.

The applicant is requesting approval to create a double-frontage lot from the parcels listed above. A single-family home currently exists at 601 N Bald Mountain Drive. This structure will be demolished, and a new residence will be constructed facing Country Manor Ln. The applicant has also proposed installing a fence with no access along the Bald Mountain Drive frontage. Historically, cities have discouraged double frontage lots due to concerns related to traffic and safety, aesthetics and urban design, and zoning complications.

STAFF RECOMMENDATION: Given the applicant's proposal to construct a fence along the Bald Mountain Drive frontage—effectively eliminating secondary access—staff does not have concerns with approving the proposed double-frontage lot as proposed.

Susan Whittenburg said this is a beautiful spot but she's concerned about walking along the frontage of Bald Mountain and all of a sudden there's a big fence. Greg Young, contractor, said the fence will be set back with trees in the front of it so it will look beautiful.

MOTION: Planning Commission member Jeff Davis moved to recommend approval of the creation of a single double-frontage lot with more than five sides including the parcels at 578 N Country Manor Ln, 614 N Country Manor Ln, and 601 N Bald Mountain Drive with this condition:

1. Pull the fence back off the street and plant trees on the outside of the fence along Bald Mountain Drive.

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

Ayes:

Michelle Schirmer
Troy Slade
Susan Whittenburg
Alan Macdonald
John MacKay
Jeff Davis

Nays:

Excused

Greg Butterfield

IV. COMMUNICATIONS

Ryan Robinson said the next Planning Commission meeting will be held on May 20, 2025.

Ryan Robinson said we hired a new City Engineer, Justin Judd, and he will start on May 8, 2025.

V. APPROVAL OF PLANNING COMMISSION MINUTES: March 18, 2025

MOTION: Planning Commissioner Troy Slade moved to approve the minutes for March 18, 2025, as written.

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

Ayes:

Michelle Schirmer
Troy Slade
Susan Whittenburg
Alan Macdonald
John MacKay
Jeff Davis

Nays:

Excused:

Greg Butterfield

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

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

Ayes:

Michelle Schirmer
Troy Slade
Susan Whittenburg
Alan Macdonald
John MacKay
Jeff Davis

Nays:

Excused

Greg Butterfield

The meeting was adjourned at 8:52 p.m.