

**ALPINE CITY PLANNING COMMISSION MEETING**  
**Alpine City Hall, 20 North Main, Alpine, UT**  
**October 7, 2025**

**I. GENERAL BUSINESS**

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

Chair: Alan Macdonald

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

Excused:

Staff: Ryan Robinson, Jason Judd, Marla Fox

Others: Dereck Rowley, Paul Gu, Jeanette B., Val Payne,

Bruce Thunell, Laurie Loder, Sherri Page, Troy Page, Todd Page, Kimberly Cameron, Brandon Page, John Ambuehl, Mara Ambuehl, Lynn Jensen, Carole Jensen, Elsa Dell'Ergo, Sheryl DeGroot, Bill DeGroot, Brenda Betteridge, Toriann W. Marshall Johnson, Beth Smith, Matt Smith, Clark Burgess, Ken Berg, Janette Kennedy, Melissa Challis, Chris challis, Robert Jones, Joy Jones, John Magnusson, Andrew Young, Kristin Hagen, David Walter, Rose Fjeldsted, Julia Sorenson, Katana Pace, Bob Schirmer, Kay Holbrook, Jennifer Wadsworth, Sarah Blackwell, Will Jones, JJ Hund, Thomas Olsen, Ashley Brown, Scott Brown, Norah Brown, Chris Satton, Brittany Willison, Clyde Shepherd, Tim McCan, James Lund, Bud Penney, Charleen Poller

- B. Prayer/Opening Comments:** Michelle Schirmer

- C. Pledge of Allegiance:** Susan Whittenburg

**II. REPORTS AND PRESENTATIONS**

None

**III. ACTION ITEMS**

- A. Action Item: Review of proposed Commercial Building Sign “Hidden Gem” located at 62 S Main Street.**

Ryan Robinson said AT Signs Express has submitted an application for a Commercial Building sign for the business located at 62 S Main Street, in the Links & Kings/Reflection Salon building.

The proposed sign is 32 square feet, which complies with the Alpine City Code requirement of less than 60 square feet or 15% of the building façade (15% of this portion of the building is approximately 71.4 square feet). The sign will be installed on the north half of the building (facing toward main street), which is designated for this business.

The submitted lighting plan also complies with city standards. The lighting source is positioned behind the sign to create a halo or outline effect, consistent with code requirements.

Staff have reviewed the application and found that, as proposed, it meets the applicable provisions of the Alpine City Code. Specifically, DCA 3.25.080 outlines the following standards for approval:

1. Signs shall be painted on, attached to, or erected on the building that houses the business or on the property occupied by the business. A maximum of one (1) sign

is allowed per business.

2. Internally illuminated signs that shine through the sign and project light outward are prohibited. Signs may have lighting positioned behind them to create a halo or outline effect.
3. The illuminance of a sign shall not increase ambient lighting conditions by more than 3.3 lumens when measured perpendicular to the sign face at the distance specified in the code.
4. All signs attached to a building must meet Alpine City approval to ensure compliance with applicable building and electrical codes.
5. The total area of all signs on any one building shall not exceed 15% or 60 square feet of the building side where a sign is displayed, whichever is smaller.
6. The area of a sign shall be construed as the area of the overall background. Signs without a background (e.g., individual letters or numbers) shall be assumed to be attached to a background depicted in the application rendering.
7. The color, size, number, lighting, and placement of business signs are subject to Planning Commission approval, consistent with the Gateway/Historic District guidelines.

The Planning Commission is responsible for reviewing the color, size, number, lighting, and placement of the proposed sign to ensure it aligns with the Gateway Historic District guidelines.

Staff have reviewed the application and find that, as proposed, it meets the applicable provisions of the Alpine City Code.

Ryan Robinson said the sign is black with white letters with light coming from behind. The business will be on the north side of the building.

Alan Macdonald asked for a review of the Historic District Guidelines. Ryan Robinson said we need to look at the color, material, and the look of the sign to see if it meets the standards. He said the proposed material is acrylic.

Troy Slade asked about the light on the back of the sign and if we knew how bright it would be. Ryan Robinson said they can have a light, it just can't have a halo effect, and they will have to meet the standard.

John MacKay said he didn't think this met the requirements because it's one layer of vinyl with a light source in a box which is prohibited. Greg Butterfield said Ezra Lee's furniture store has the same type of light and they haven't changed it out.

**MOTION:** Planning Commission member John MacKay moved to Deny the Commercial Building Sign Application for Hidden Gem at 62 S Main Street, finding that the proposed sign does not meet the standards outlined in the Alpine City Code and the Gateway Historic District Design Guidelines. He asked that the applicant come back with a different design.

Jeff Davis seconded the motion. There were 7 Ayes and 0 Nays (recorded below). The motion passed.

**Ayes:**

Michelle Schirmer  
Troy Slade  
Jeff Davis  
John MacKay

**Nays:**

**Excused**

Susan Whittenburg  
 Alan Macdonald  
 Greg Butterfield

**B. Public Hearing: Potential rezone of 243 E Red Pine Drive and 242 East 100 South from the CR-20,000 Zone to the Business Commercial Zone and the Senior Housing Overlay Zone.**

Ryan Robinson said Troy Page has applied to rezone the properties located at 242 and 243 E Red Pine Drive from the CR-20,000 zone to the Business-Commercial (B-C) base zone and the Senior Housing Overlay Zone. The property at 243 E Red Pine Drive is proposed for a full parcel rezone, while 242 E Red Pine Drive will be a partial rezone — only the southern portion (south of the creek on the property) currently zoned CR-20,000 is requested for inclusion. The upper portion will remain TR-10,000.

The applicant proposes 24 units on 3.21 total acres, meeting the minimum overlay zone requirement of at least two acres and no more than 32 total units and no more than 8 units per acre. Ryan Robinson said this meets that requirement.

Per Alpine Development Code Section 3.18.040, the Planning Commission and City Council should consider the following when reviewing a Senior Housing Overlay application:

1. The harmony and compliance of the proposed location with the objectives and requirements of the City General Plan and Zoning Ordinances;
2. Whether the overlay may be injurious to potential or existing development within the vicinity;
3. The current development or lack thereof adjacent to the proposed location and its harmony with existing neighborhood uses;
4. Proximity of the proposed location to major arterial or collector streets;
5. Compatibility with the density analysis of the underlying zone and neighboring development;
6. The economic impact of the proposed facility or use on the surrounding area;
7. Demonstrable need for Senior Housing in the proposed area;
8. The City Council's sole discretion to determine whether a project qualifies under the intent of the Senior Housing Overlay ordinance.

The property to the west is an existing senior housing development. Surrounding properties include approximately half-acre single-family lots to the east, and one-acre lots to the north and south.

Ryan Robinson said if approved, the proposed subdivision will go through another review as part of the subdivision review process. During that time more details will be provided for such items as setbacks, utilities, landscaping, architectural standards and other infrastructure requirements. Restrictive covenants and a Development Agreement will also be provided.

Alan Macdonald opened the Public Hearing.

Kimberly Cameron Bryant, 583 Blackhawk Lane, former City Councilwoman said we have a need for senior housing in Alpine. She said these places make great neighbors, we have a traffic issue and a good thing about a 55 and older community is less traffic. She said residents call her and ask about this issue and want more senior housing so our aging residents can stay in Alpine.

Jeanette B, president of the senior living at River Meadows, said they have had meetings about annexing this property into their HOA and they approve of this plan. She said she has concerns about the traffic and parking with the school on Main Street and has been working with the Page family on how the parking will flow in and out.

Susan Whittenburg asked how emergency vehicles will get in and out and how often they come into the homes. Jeanette B said emergency vehicles come in about two times a week.

Troy Slade asked if kids could live in the 55 and older homes. Jeanette B said they are allowed to live there.

Troy Page, 527 High Bench Road, said his parents bought this property in the 60's and raised six kids on the property. Over the years the neighborhood has changed with apple orchards turning into homes. He said in 2008, the city asked if Red Pine could come through his dad's property and his dad did sell some of the property to the city for the road.

Troy Page said he and his siblings have had discussions on what would be best for Alpine and the neighbors. He said they were concerned about their neighbors and didn't want to negatively affect them. The family feels like the best thing to do is to put more 55 and older housing on the property. He said they don't want storage units, or any other commercial building to be built there. He wanted to know if protections could be put in place so that they could not change the use from 55 and older to something else.

Ryan Robinson said the property would have a senior housing overlay put on it and that is what could be built there.

John MacKay asked if the applicant planned to live on the property. Troy Page said he may keep one lot for himself and possibly rent it out until he is ready to move there.

Greg Butterfield asked if this project could be smaller to make the road wider for emergency vehicles. Troy Page said the road into the homes is not the issue, it is Red Pine that has bad traffic. Ryan Robinson said if this gets approved, the applicant will have to show how emergency vehicles will get through or turn around.

Troy Slade asked if a tree line could be planted and no big signs, to protect the neighbors. Troy Page said there are already a lot of trees on the property, and they are willing to plant more.

Michelle Schirmer asked if the three lots on the north side still need to be approved and Troy Page said they do.

Matt Smith, 319 River Meadow Drive, said he is a neighbor of the Page family, and they appreciate what they are doing to try and make this nice for the neighbors. He said he would like to see some conditions like trees planted next to residential, signage to be non-existent or minimal so it still looks residential. He said he would like to see a through street to get traffic out. He would like to see a permanent overlay so the property couldn't be anything more than 55 and older. He would like the traffic issues to be addressed.

Bud Penney, resident of River Meadows, said traffic will be able to get out two different ways on Red Pine Drive. He said it's hard when cars park on both sides of the road. He said the neighbors are trying

to keep one side of the street clear for emergency vehicles and said he is careful when he comes and goes from the neighborhood.

Melissa Challis, 302 Red Pine Drive, said she loves the 55 and older neighborhood but is worried about visitor parking and asked if visitor parking could be put in the plan. Troy Page said there will be visitor parking on the plan.

Andrew Young, resident, said this is going to cause traffic in an area that already has a traffic problem and said would like to see a lower density. He asked Troy Page if he would like this project to be built right next to his beautiful home. He said Alpine is for large lots, large homes, and large families.

Troy Page said he was concerned about River Meadows going right next door to his dad's property when it first came in. He said he now loves them as neighbors because they are quiet, respectful, they go to bed by 8:00 pm, they don't have loud pool parties, and not a lot of traffic.

Charleen Poller, 307 River Meadow, said she does not have a fence in her back yard, and this project is going to disrupt her backyard. She wanted to know if a fence was going to be put up. Troy Page said there will be a fence and trees planted. She said she was concerned about five homes being built in her back yard.

Alan Macdonald closed the public Hearing.

Susan Whittenburg said it feels like there is going to be a good solution. Troy Slade said the best people live in that neighborhood. Susan Whittenburg said there is a need for 55 and older housing and loves that there have been a lot of thought put into this plan.

Alan Macdonald said there are very few places for senior housing, and this is one of them. He said the city is looking into the traffic mess on Main Street and the school there.

Michelle Schirmer said she is concerned about visitor parking because they seem to always be full and then people park where they shouldn't.

Alan Macdonald said he drove through River Meadows today and said there was no one parked in the visitor parking. He said we would love lower density, but we also need units available for our aging population as well.

Jeanette B said we currently have twelve visitor parking spots, and they may have one or two cars parked there unless it's a holiday. She said the Page project would have the same amount in their plan.

Greg Butterfield said the residents have come together with resolutions, and the applicant has worked with them to make this good for everyone.

Jeff Davis said he is in favor of more senior housing and said it makes sense to go next to the current 55 and older housing.

**MOTION:** Planning Commission Greg Butterfield member moved to recommend approval of the proposed rezone of 242 & 243 E Red Pine Drive to the Business-Commercial and Senior Housing Overlay Zone with conditions:

1. 55 and older
2. Privacy fence
3. Pathway for neighbors to park
- 4 Minimal signage
- 5 HOA Standards

Susan Whittenburg seconded the motion. There were 7 Ayes and 0 Nays (recorded below). The motion passed.

**Ayes:**

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

**Nays:**

**Excused**

**C. Public Hearing: Request to upgrade equipment for a wireless cell tower located at 694 Rocky Mountain Drive**

Ryan Robinson said Crown Castle Inc. has applied to add or replace antennas, ancillary equipment, and ground equipment as shown in the submitted plans for an existing carrier on an existing wireless communication facility. The facility is located at 694 Rocky Mountain Drive on private property.

Staff have reviewed the proposal and determined it to be a substantial change, requiring a public hearing and Planning Commission recommendation, followed by review by the City Council.

According to the submitted plans, the proposed modifications include:

- Installation of underground conduit connecting to facilities within the leased area.
- Running a new feedline cable up the existing pole.
- Installation of four (4) new wireless antennas at the top of the existing pole.

The new antennas are approximately seven (7) feet at their longest dimension and will extend approximately two (2) feet from the pole. No additional height will be added—the pole will remain at 25 feet, and the original footprint will not change.

Because this project involves the upgrade and maintenance of an existing structure, most applicable requirements have already been satisfied. The Planning Commission may, however, require that the color and materials meet city standards. City Code allows for an administrative decision regarding color, requiring that equipment extending above surrounding vegetation be painted in a non-reflective light gray, light blue, or brown tone to blend with the skyline or hillside. The existing pole is brown, which blends with the surrounding hillside.

This proposal is also subject to all applicable FCC and FAA regulations.

Michelle Schirmer said this pole is old and it sits on city land in open space on the top of the hill. She asked if we could camouflage the pole to look like a tree to blend in with the landscaping. She said trees were planted at one point, but they didn't get water and died. Ryan Robinson said this pole is on Clyde Sherherd's property.

Alan Macdonald opened the Public Hearing.

Andrew Young, resident, said there are residents who are concerned about their views. He said we have several options where we can put these poles in places that are not next to residential properties. He said it is good to camouflage them, but they are becoming obsolete.

Kay Holbrook, resident, said she would love to see the towers moved to a park or somewhere else. She is in favor of disguising them or running water to that location so real trees can grow there. She asked if the towers can be limited to what goes on them.

Clyde Shepherd, property owner, said the towers are not on city property and were there before the residents moved in, they were there before the neighbors were. He said making the pole a tree will stick out like a sore thumb. He said he watered the trees that were planted there to try and accommodate the concerns and said he is not going to plant trees there again. He said he is not adding more to the cell tower; he is just updating what is currently there. He feels like he has gone out of his way to accommodate the neighbors.

John MacKay said we've talked about camouflaging poles in the past and decided it looks bad, and we didn't do it. Troy Slade said he wouldn't be in favor of a tree because he agrees that it would look bad.

Alan Macdonald closed the Public Hearing.

**MOTION:** Planning Commission member Susan Whittenburg moved to recommend approval of the Wireless Cell Tower Equipment Upgrade located at 694 Rocky Mountain Drive with conditions.

1. City Council consider camouflaging options.

John MacKay seconded the motion. There were 7 Ayes and 0 Nays (recorded below). The motion passed.

**Ayes:**

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

**Nays:**

**Excused**

**D. Public hearing: Proposed code Change to Section 3.01 Definitions for a Produce Stand.**

Ryan Robinson said Paul Gu and Derek Rowley, the owner and manager of the Burgess Orchards Produce Stand located at 625 S. Alpine Highway, have submitted an application to amend the definition of a "Produce Stand" in Section 3.01.110 of the Alpine Development Code. The purpose of the proposed amendment is to update and clarify the types of products that may be sold from a produce stand. The proposed text amendment is attached, with new language shown in **green text** and removal in **red** for reference. This definition will apply if approved to any future produce stand located within the city.

Ryan Robinson said Staff has reviewed the proposed amendment and provides the following considerations for the Planning Commission's discussion:

- **“Not limited to” phrasing:** Staff recommends removing any language that states “not limited to,” as it could broaden the scope of allowable products beyond the original intent of a produce stand.
- **Prepared meats:** The proposed language allowing “prepared meats in licensed facilities” could include items such as hamburgers, hotdogs, and deli meats. The Planning Commission should consider whether these types of products are appropriate for a produce stand or if they belong in zones designated for restaurant-type uses.
- **Beverages:** The term “beverages” could be interpreted broadly to include items like fountain drinks. Staff recommends limiting this to fruit- or vegetable-based beverages (e.g., apple juice, cider) to remain consistent with the agricultural intent.
- **Ready-to-eat items:** Products described as “raw or ready-to-eat” may include items commonly found in restaurant businesses. The Planning Commission should discuss whether such items align with the purpose and character of a produce stand.

Based on these considerations, Staff recommends that the Planning Commission discuss potential modifications to ensure the code remains consistent with the city’s intent for agricultural and produce-related sales.

Dereck Rowley, 625 S Alpine Highway, applicant, said from the feedback he has received, this plan is what everyone is comfortable with. He said they had a commercial application in with the city, but the residents don’t want that, and they took it off the agenda. He said they would provide adequate parking; they would not be open late.

Alan Macdonald asked to see the current definition of a produce stand. He read the list that was approved. Dereck Rowley said they would like to sell items that come off-site and change the language to say that and that they don’t have to devote five acres to grow what they sell.

Greg Butterfield asked what percentage of the things they sell come from the property. Dereck Rowley said they sell about 55% of onsite grown produce and fruit.

Paul Gu said they want to sell fresh flowers and meat. He said they would like to sell prepared foods like breakfast sandwiches that are not pre-packaged. He said they would like to sell Burgess Orchards T-shirts and hats. Other items would be other farm items such as honey, dairy, eggs, baked goods, jams, preserves, beverages, other food products, fruits, vegetables, and animal products. They would also like to sell food prep related products, household goods, canning jars, preserving supplies, holiday décor like live wreaths.

Greg Butterfield said he is concerned about the traffic and the time it would take for someone to come and get a sandwich or burrito made.

Dereck Rowley said they would get the meat from a butcher and sell it, they would not become a butcher. He mentioned other farms and businesses in Utah County that sell similar items and are successful.

Greg Butterfield said the farms the applicants referenced are all in commercial zones.

Susan Whittenburg said what is being proposed is a store and not a fruit stand. She said the applicants say they aren't in this to make money, but every time they come, they ask for more. She said they should have put their business in a commercial zone instead of trying to put a commercial business in a residential zone.

Paul Gu said he is not doing this business to make money, he just wanted to preserve what was currently there and said it is an amenity for the residents. Susan Whittenburg said what Paul Gu is trying to do there just doesn't fit the area.

Troy Slade asked if people would stay to eat their hamburger. Dereck Rowley said they will put in a couple more picnic tables.

John MacKay asked about grease separators in a commercial kitchen. Jason Judd said that would be required and the applicant knows that. Dereck Rowley said they wouldn't do it if it was too expensive.

Alan Macdonald opened the Public Hearing.

Norah Brown, resident, said she loves Burgess Orchards and said she has worked there for three years. She said while she has worked for Burgess Orchards she has been involved in many school activities, and they have worked around her schedule which she appreciated.

Greg Butterfield asked if Burgess Orchards is advertising sales online. Ms. Brown said they are not selling online.

Bill DeGroot, resident, said the applicants have taken steps at great expense to themselves to improve the parking lot and fence to improve his property. He said Bateman Lane is easy access now with the improvements. He said the no parking signs are working on Bateman and Cascade. He said we need no parking on the Highway. Mr. DeGroot asked how much traffic would be added if the store were to expand. Paul Gu didn't think it would add traffic and said they mostly sell peach ice cream and apples and the people in like would most likely shop at the store.

Sheryl DeGroot, resident, read neighbors comments which said the produce stand has clear requirements of what they can sell, if that is changed, this becomes a commercial store, and they should be limited to sell what is grown on site. Items listed to sell are not consistent with a produce stand. Another resident is concerned about traffic and accidents on Bateman Lane.

Sheryl DeGroot, resident, said the majority of items sold should come from the property, meat should be removed, they are not a butcher, baked goods removed, they are not a bakery. Ready-made food should not be allowed; they are not a restaurant.

Clark Burgess, resident, said his family owned the orchard for over 100 years. He said they made a little bit of money. He said he was thrilled that Paul Gu wanted to keep the property as an orchard. He said he loves what they are doing and doesn't like the city telling them they can't sell bread, honey, or other baked goods. He loves the idea of selling fresh flowers. He doesn't think the traffic is that bad and said they have put a lot of money into the fruit stand, the road, and the parking lot.

Tim McCan, resident, said the Burgess Orchard peaches are the best and give him a sense of pride that the fruit stand is in Alpine. He said he is in favor of expanding the fruit stand. He said the new owners had made this place into a gem and a safe workplace for Alpine youth.

James Lund said this is a reasonable request for the orchard. Selling a few more items like a breakfast sandwich and a coke is not going to hurt anything. He said hundreds of customers are coming for the fruit, but the produce stand is now on site and said it's reasonable to sell these other items.

A resident said he doesn't like selling meat or prepackaged items. He also said selling kitchen items is not appropriate.

Laurie Loader, 248 Sunset Drive, said she has lived in Alpine for 34 years and the applicants have only been here for two years. This should only be a fruit stand and nothing more, they knew what they signed up for.

Sarah Blackwell, resident, asked if the conditional use permit could be changed. She said we have rules and ordinances and that is what we should follow or get a commercial building somewhere else so they could do what they want to do and keep this just a produce stand.

Robert Jones, resident, said there is no reason to change what is sold at the produce stand. This would only bring in more traffic. Leave it the way it is.

Janette Kennedy, resident, said this is a new concept and said she loves the fruit farm. She said she is against changing the definition of what a fruit stand is. She doesn't want the extra traffic and parking issues. She said the applicants have music nights during the summer causing people to stay longer. She doesn't want food to be sold there because people will stay longer.

Chris Sutton, resident, said she thought the city was updating the master plan and said we should finish that first before we make changes to the fruit stand. She said it's okay to have a produce stand and an orchard, but we shouldn't put a commercial business in a residential zone.

Thomas Olsen, resident, said produce are things that are grown in the dirt, and on trees. He said this is past what a produce stand is. We need a new definition for a farm stand and get this right. We need to set up a new blueprint for future businesses.

Alan Macdonald said a farm store is expanded to where it needs to be on a commercial property.

Chris Challis, resident, said the applicants have bent over backwards to keep the community happy. He said he loves the produce stand and said he supports allowing the applicants to sell more items. He is concerned about selling hamburgers and said that it would turn it into a restaurant.

Andrew Young, resident, said this is the resident's decision, those who live next to it, this is your decision. He said the City Council will be gone in a few years. He said the applicants gave up the commercial application which he applauds them for. He said we sell cigarettes and energy drinks around the corner from the produce stand. We have the threat of developers who want to put high-density housing or car washes on this property, and we should consider what the applicants want to do.

Brittney Willison, resident, said she lives next to the orchard and was pleased when the produce stand went in. She loves how they improved the property, road and parking lot. She supports the additional items for sale, especially the meat and locally made and artisan goods.

Tyler Hogge, resident, said he would love to buy more items from the fruit stand. He said they have preserved the orchard which he appreciates because they could have sold it for housing. He said it is unusual that the applicant can't sell what he wants to at his business.

A resident said she is concerned about the traffic and parking even though they have added parking. She is okay with a few new products like fresh flowers but is not in favor of a lot of the other items.

Kristen Hagen, resident, said the positive thing is that this is a successful business when so many others have failed. She said she is grateful for this place to come together, for our youth and families to gather. This is a positive thing for Alpine.

Jennifer Wadsworth, resident, said the produce stand is popular because it is a gathering place to see neighbors and connect with friends. She said our youth are sad and changing the code would help the produce stand be more successful than they already are.

Alan Macdonald closed the Public Hearing.

John MacKay said there were a lot of good comments. He said the applicants have been good stewards of the land and have managed it in a very proactive way. They have recognized our concerns and removed some things to comply. He said his concern about selling some of these items is turning this into a commercial kitchen. He said he doesn't have an issue with meat or baked items as long as they are made in an appropriate facility because he's concerned about food safety. He would recommend approval.

Troy Slade said he agrees with John MacKay. He said his concern is the traffic and doesn't want it to turn into a store. He said some of the items are appropriate.

Alan Macdonald asked if we want to remove the five-acre criteria so others could operate on a smaller plot. He also asked if we would be okay with someone else selling all the same things this applicant wants to sell at a different location within the city.

John Mackay said there won't be very many opportunities for someone else to replicate this. He said it is already limited by the five-acre rule.

Michelle Schirmer said it has been said tonight that this produce stand is a gathering place for the community. She said we need to remember that it is a neighborhood first; this is not a restaurant or a park. A gathering place is a detriment to the neighborhood. She said the applicants didn't want parking on their property and pushed it into the neighborhood.

Susan Whittenburg said she loves the orchard and the green space but wants to wait for the revisions to the master plan.

Greg Butterfield said he would like to wait until the master plan is done. He said he has concerns about the commercial kitchen and the place becoming a gathering place, extended months and hours, traffic and what it does to the neighborhood. He said we need more time to review this.

Jeff Davis said he appreciates and recognizes how popular the business is. He said he likes the idea of the Planning Commission having some control by tabling this issue so it will come back to us. He said these changes do not fit in any way a produce stand. He would like to have more time to work something out with the owners. He said the applicants will continue to be successful, but if they add these other things, they will be a commercial business, a mini store, a mini-Meyers.

Greg Butterfield said if we don't change the definition and help the applicants be successful, will they fail and sell the property to developers.

Paul Gu said he has spent a lot of money to preserve this land. Tyler Hogge said he was the one who said the applicant could sell the land if he wasn't allowed to sell what he wanted to.

Alan Macdonald said this has become more than just a produce stand and it is on a residential property. He said the applicants are running a farm store which is a commercial business in residential on a conditional use permit, not a commercial permit. He said the applicants have been operating with a conditional use permit and have been successful. He suggests working with the City Planner and a couple of people from the Planning Commission members to come up with a good plan to sell a few more items without bringing more traffic to the neighborhood.

Paul Gu said it would be inappropriate to table this because he has sacrificed to be here. He said he wants it to go to City Council so they can decide. Alan Macdonald said this plan was dropped on the Planning Commission today and some of us haven't had a chance to review it and we have the right to table this if we feel like it is the best thing to do. The city has two weeks to review this and then it is sent to the Planning Commission to review. Paul Gu said they have spent a lot of time working on this and if you ask us to bring it back, we'll bring back the same thing. He said he would rather the Planning Commission deny the plan instead of tabling it so it could go to the City Council to decide.

Alan Macdonald said the season is almost over, so what is the rush. Paul Gu said this is a small family business and he has spent so much time fighting over selling sour dough bread and it is crazy.

Jeff Davis said we have codes and ordinances, and zones and we have already stretched the definition of a fruit stand. He said the applicant has expanded and expanded and really should be commercial.

Susan Whittenburg said she understands that Mr. Gu is frustrated and has spent a lot of time on this, but he knew what he was getting with the produce stand requirements.

Paul Gu said he wants the City Council to make this decision and would like it sent up to them.

John Mackay said he can't remember an applicant writing the code and telling us to take it or leave it. He said he would like to take the time to look at this further and tighten it up and present it without debate in our next meeting.

**MOTION:** Planning Commission member John Mackay moved to table the proposed amendment to the definition of a Produce Stand in Section 3.01.110 of the Alpine Development Code to allow the applicants and City staff additional time to revise language regarding product types, prepared food, flowers, baked goods, prepackaged meats and to return at a future meeting for further consideration."

1. Prepared food prepared in a regulated kitchen.

Greg Butterfield seconded the motion. There were 6 Ayes and 1 Nays (recorded below). The motion passed.

<u>Ayes:</u>	<u>Nays:</u>	<u>Excused</u>
Michelle Schirmer	Jeff Davis	
John MacKay		
Troy Slade		
Susan Whittenburg		
Greg Butterfield		
Alan Macdonald		

**E. Public Hearing: Proposed Code Amendment to Section 3.07 – Business commercial Zone to remove single-unit detached dwellings as a permitted and conditional use, and to create an overlay zone for single-unit detached dwellings applicable only within the Business Commercial Zone.**

Ryan Robinson said currently, within the Alpine City Development Code, a single-unit detached dwelling within a recorded subdivision is listed as a *permitted use*, and a single-family dwelling not located within a recorded subdivision is listed as a *conditional use* within the Business Commercial (B-C) Zone. The proposed amendment would remove both of these uses from the permitted and conditional use sections of the B-C Zone.

This change would not affect existing residential dwellings currently located within the B-C Zone. Those properties would be considered legal nonconforming uses and may continue to operate as such. The Development Code also includes provisions for the extension or expansion of a legal nonconforming structure, if applicable.

The proposal would also create a new overlay zone, applicable only to areas with a Business Commercial (B-C) base zone. This overlay would allow the City to consider specific residential components through a separate rezoning and public hearing process, rather than through the base commercial zoning.

The purpose of this amendment is to eliminate the potential for a property rezoned to B-C to be developed with residential lots (e.g., 10,000 square feet) in addition to the commercial uses currently permitted or conditionally allowed in that zone.

A final section numbering is still being developed, and proposed language is attached for Planning Commission review.

Alan Macdonald opened the Public Hearing there were no comments and Alan Macdonald closed the Public Hearing.

**MOTION:** Planning Commission member Susan Whittenburg moved to recommend approval of the proposed code amendment to the Business Commercial Zone and creation of the Town Center Residential Overlay Zone as presented.

John Mackay seconded the motion. There were 7 Ayes and 0 Nays (recorded below). The motion passed.

<u>Ayes:</u>	<u>Nays:</u>	<u>Excused</u>
Michelle Schirmer		
Jeff Davis		

John MacKay  
Troy Slade  
Susan Whittenburg  
Greg Butterfield  
Alan Macdonald

**IV. COMMUNICATIONS**

Ryan Robinson said we will meet again on November 18, 2025.

**V. APPROVAL OF PLANNING COMMISSION MINUTES:** October 1, 2025

**MOTION:** Planning Commissioner Greg Butterfield moved to approve the minutes for October 1, 2025, as written.

Susan Whittenburg seconded the motion. There were 7 Ayes and 0 Nays (recorded below). The motion passed.

<u>Ayes:</u>	<u>Nays:</u>	<u>Excused:</u>
Michelle Schirmer Troy Slade Jeff Davis John MacKay Susan Whittenburg Greg Butterfield Alan Macdonald		

The meeting was adjourned at 10:35 p.m.