

February 19, 2008

Minutes of the Alpine City Planning Commission meeting held February 19, 2008 at Alpine City Hall. The meeting was called to order at 7:00 pm by Chairman Jannicke Brewer. The following commission members were present and constituted a quorum:

Chairman Jannicke Brewer

Commission Members: Jason Thelin, Tracy Wallace, Brad Reneer, Troy Stout, Steve McArthur. Steve Cosper was excused.

Staff: Charmayne Warnock, Ted Stillman

Others: Jim Tracy, Stephanie Pinegar, Stacy Racker, Diane Card, Ross Welch

PUBLIC HEARINGS

Development Code

Article 3.18 – Senior Housing Overlay Zone

Article 3.19 – Assisted Living & Nursing Care Overlay Zone

Ted Stillman said it was proposed they make the following amendments to the Senior Housing Overlay Zone and Assisted Living and Nursing Care Overlay Zone.

Section 3.18.7 (D) and Section 3.19.7 (L) would be amended to increase the minimum project size for both senior housing and assisted living & nursing care from one acre to two acres.

Section 3.18.7 (D) and Section 3.19.7 (L) would be amended to allow an exception to the maximum project size if recommended by the Planning Commission and approved by the City Council. The maximum size of a senior housing project is six acres and 32 units. The maximum size for an assisted living and nursing care project is 4 acres. The exception would allow an increase in size not to exceed 10 acres.

Section 3.18.1, Defn F. and Section 3.19.4 (F) would be amended to require at least 1,000 feet of distance between assisted living or nursing care facilities or senior housing developments.

Article 3.19, Section 3.19.7 (F) would be amended to require one parking spot per three residents in assisted living facilities; 1.3 spaces per dwelling unit in congregate living units; and one parking space per three residents in nursing care facilities.

There were no public comments.

Section 3.25.9.1 – Sign Ordinance – Electronic Message Display Signs

Ted Stillman said the proposed amendment would increase the size of electronic message display signs to 8 feet wide rather than 5 feet wide. Electronic message display signs were allowed only in schools.

Jannicke Brewer said resident Kathy Bailey sent an email to the members of the Planning Commission stating she was opposed to any amendment to increase the size of the marquee because it would add to the traffic problems and confusion around the school, and it was distracting to the neighbors. She said that because of the school newsletters, the marquee was unnecessary.

Stephanie Pinegar said that a bigger sign would actually help the traffic flow because it was bigger and people could see it without having to slow down.

There were no other comments.

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The prayer was offered by Troy Stout.

Ted Stillman said it had been proposed that the Planning Commission change to electronic packets.

Jannicke Brewer said she felt they would still need printed copies of the packets because there were no computers at City Hall for the Planning Commission members to view electronic packets, and not everyone had the capability of printing large files. She said one thing they could do to conserve on printing costs was bring the ongoing information with them to the meeting such as the Park Master Plan so it didn't have to be reprinted. Also, they could just reference relevant ordinances rather than printing the whole ordinance.

1. PUBLIC COMMENT: None

2. PURIRI MINOR SUBDIVISION- 100 WEST 200 SOUTH- HATA PURIRI: Ted Stillman said final approval on the 2-lot subdivision was due for reinstatement. There were no changes to the plat and there were no changes in the ordinances that would affect the subdivision.

Brad Reneer asked if the subdivision had been approved unanimously. Jannicke Brewer said she believed it had.

MOTION: Jason Thelin moved to reinstate the Puriri Minor Subdivision. Troy Stout seconded. Ayes: 4 Nays: 0. Motion passed. Steve McArthur was not present at the time of the motion.

3. PROPOSED AMENDMENTS TO THE DEVELOPMENT CODE – ARTICLE 3.18, SENIOR HOUSING OVERLAY ZONE and ARTICLE 3.19, ASSISTED LIVING & NURSING CARE OVERLAY ZONE: The public hearing on the proposed amendments to the Senior Housing and Assisted Living & Nursing Care Overlay Zones were held at the beginning of the meeting. There were no comments from the public.

Brad Reneer said he had researched West Valley City's ordinance and they had a required distance of 750 feet between group care facilities. He said he wasn't entirely sold on the idea of requiring a distance between projects, but if they did, he thought 1,000 feet might be too high.

Troy Stout said that Alpine was a small town compared with West Valley City, and there was a more significant impact when they increased the density. By spreading out the projects, they would end up with pockets of high density.

Jannicke Brewer said density was a relative thing. In the business commercial zone, there could be up to 4 homes per acres. With senior living, it increased to 6 units per acre. In assisted living, there could be 43 units per acre, but that would be for single persons, not a family.

Troy Stout said that considering "body count" was only one way to look at density. The density created by "brick and mortar" also had an impact on a community. When you drove through a city with high-density town homes, there was definitely a visual impact. He suggested that the Planning Commission needed to consider both "body count" and "brick and mortar" when talking about density.

Tracy Wallace asked if senior housing was restricted to the business commercial zone in other cities. Ted Stillman said that in larger cities, they were scattered all over.

Jannicke Brewer said that initially the City had chosen to restrict senior housing and assisted living to the business commercial zone because it would be convenient to other service. Also, they weren't sure how it was going to turn out since it was something new to Alpine.

Brad Reneer said that assisted living was more of a business and appropriate for the business commercial zone. But senior living was more residential and wouldn't necessarily need to be in the business commercial zone. He said they wouldn't have to be together.

Jason Thelin said he had some concerns about moving senior housing into areas that were not business commercial because of the visual density created by "brick and mortar" as pointed out by Troy Stout. Was that something they wanted in the long-term plan?

Brad Reneer said he felt it was unfair to force senior living into one spot. It should be in the neighborhoods. He felt they should change senior housing to the residential area, but keep assisted living in the business commercial zone. They could remove the 1,000 foot distance restriction, but keep some kind of density limit on senior housing.

Tracy Wallace said that West Valley City had a senior housing limit for each zone. They had created an overlay that had specific restrictions depending on what zone it was in.

Jason Thelin said he was concerned that expanding senior housing into the residential zone could cause a lot of frustration and anger among Alpine residents. In an area where there were large lots, they could end up with 16 houses on two acres.

Steve McArthur arrived at the meeting at 7:30 pm.

Brad Reneer said he didn't see why they would force senior living into the business commercial zone when it was residential.

Troy Stout said that seniors were getting younger, and many occupants in senior housing were not retired. He could see the potential for neighborhoods developing high density pockets where they didn't actually have that many old people.

Jannicke Brewer said Paradise Cove was a senior housing development and it was a good buffer between the residential areas and business areas. She added that she had a neighbor with a one-acre lot. She didn't know if she would like that many homes next to her even if it were well-maintained and not much traffic. Possibly a Beehive house would be okay because it looked like a larger residence, but she wouldn't want to see a lot of homes.

Jason Thelin said that the #1 goal identified by the most recent survey was to maintain low density in the residential area. Increasing density would fly in the face of that.

Jannicke Brewer agreed that it might be better to keep the senior living in the business commercial zone. There wasn't much commercial use in Alpine and it wasn't likely there would be a lot of commercial use in the future.

Brad Reneer asked why there would be a need for a 1,000-foot separation if they kept the senior living in the business commercial zone. If the business commercial zone was expanded, would they prefer to have a shopping mall or assisted living center?

Jannicke Brewer asked Ted Stillman how big the Whispering Pines project was. He said it was one acre with five houses. With conventional single-family dwellings, one could get four homes on an acre.

Jason Thelin said he thought it was more realistic to expect two single-family homes on an acre in the business commercial zone because they would still need to meet frontage requirement for each lot and if they built a cul-de-sac it would take away from the available ground for building lots.

Steve McArthur said he had proposed a minimum of two acres because it would result in a better plan. There would be room for a hammerhead turn or to locate a dumpster. Developers would try

to get as much density as possible and it could create an awkward layout. With a minimum of two acres, they could have the density but have enough land to design it well.

Jannicke Brewer said she'd heard from the seniors in Paradise Cove that it would be nice to have more space to back up and turn around. They would be happier with more room.

Steve McArthur said he suggested putting some distance between projects to prevent piecemealing it. Some space between projects made sense. In the downtown area, some of the older houses would be coming down and they could possibly be replaced with senior housing because it was a big money-maker. But it would drastically change the look and feel of downtown.

Troy Stout said he would support a separation between projects. It would give them a basis to reject applications if the projects got too close. He asked if they could make architectural requirement to protect the profile of the downtown area.

Steve McArthur said applicants still had to meet architectural guidelines of the Gateway Historic zone.

Jim Tracy asked for a clarification on how the distance would be measured. Would it be from building to building or from the edge of the project?

MOTION: Jason Thelin moved to recommend the following amendments to Article 3.18, Senior Housing Overlay to the City Council:

1. Section 3.18.1 (F) The location of a project is at least 1,000 feet in distance from another assisted living or nursing care facility or senior housing development to be measured from property line to property line.
2. Section 3.18.7 (D) Minimum acres for a senior housing project shall be two (2) acres and the maximum project area shall be six (6) acres and 32 units. The Planning Commission may recommend and the City Council approve an exception to the maximum project size, not to exceed ten (10) acres.

Brad Reneer seconded. Ayes: 5 Nays: 0. Motion passed unanimously.

MOTION: Jason Thelin moved to recommend the following changes to Article 3.19, Assisted Living and Nursing Care Overlay to the City Council:

1. Section 3.19.4 (F) The location of a project is at least 1,000 feet in distance from another assisted living or nursing care facility or senior housing development to be measure from property line to property line.
2. Section 3.19.7 (F) Minimum parking standards shall be as follows:
 - A. Assisted Living Facilities: one (1) parking spot per three (3) residents.
 - B. Congregate Living Units: 1.3 spaces per dwelling unit.
 - C. Nursing Care Facilities: one (1) parking space per three(3) residents.
3. Section 3.19.7 (L) The minimum project size for an assisted living and nursing care facility shall be two (2) acres and the maximum project size shall be 4 (four) acres. The Planning Commission may recommend and the City Council approval an exception to the maximum project sizes, not to exceed ten (10) acres.

Steve McArthur seconded. Ayes: 5 Nays: 0. Motion passed unanimously.

Ted Stillman said the recommendations would go to the City Council on March 12, 2008.

4. PROPOSED AMENDMENT TO THE DEVELOPMENT CODE- ARTICLE 3.25, SIGN ORDINANCE -ELECTRONIC MESSAGE DISPLAY SIGNS: Timberline Middle School had applied to Alpine City to amend Section 3.25.9.1 of the Sign Ordinance to increase the allowed size of an electronic message display from 2' x 5' to 2' x 8'. Members of the PTA said the 2' x 5' size didn't allow enough room for the text to be seen at a readable size. Ted Stillman said the proposed amendment would increase the allowed size for an electronic message sign to 8 feet wide, plus the sign could be operated at any time of day in the event of an emergency as designated by the police chief and fire chief.

Jannicke Brewer said she was not opposed to increasing the size of an electronic display sign to 2' x 8', but the sign would still not be legal because the casing around the sign would make it wider than 8 feet. She added that the sign at Timberline was currently illegal because it was 11 feet wide and 6 feet high.

Ted Stillman said that if the sign was changed to include the reader board, it would have to be rebuilt to meet City standards.

Jannicke Brewer said that when they talked about it earlier there were about one-third of the signs in Alpine that were out of compliance. Oftentimes the applicant would submit a drawing that showed the sign was in compliance, but when it was actually built, it was bigger than shown in the drawing.

Troy Stout said he sympathized with the woman who wrote the email because people did move to Alpine because of the feel of the community. The more the City began to electrify things, the more they dulled the flavor of the neighborhood. He asked if they really needed to illuminate the sign. If they did allow illuminated signs, could they require it to be turned off earlier in the evening?

Brad Reneer said he didn't find anything in the ordinance setting a size limit on school signs. Commercial signs were limited to 8 feet wide and 6 feet high, but there was nothing that referenced the size on permanent school signs. Jim Tracy said it was probably an oversight in the ordinance.

Diane Card asked what the effect would be if there was no ordinance in place when the sign at the school was built.

Brad Reneer said he thought it would be grandfathered.

Jannicke Brewer pointed out that any alteration of an existing sign required a permit and it would need to conform to the current ordinance. Since the school was requesting permission to alter to their existing sign, it would need to conform to the current ordinance.

Ted Stillman said that the ordinance had traditionally been interpreted to include school signs under the size requirements for commercial signs.

MOTION: Jason Thelin moved to modify the Sign Ordinance Section 3.25.9.1 to read: Electronic message display signs shall not exceed an area two (2) feet in height and eight (8) feet in width, and add that the sign may be operated at any time in an emergency as designated by the Police Chief and/or Fire Chief. Brad Reneer seconded. Ayes: 4 Nays: 1. Troy Stout voted nay.

MOTION: Brad Reneer moved to recommend that the size requirements for a sign as set forth in Section 3.25.8.5 be included in General Standards Section 3.25.2 and add to it "unless specified otherwise in the ordinance." Troy Stout seconded. Ayes: 4 Nay: 1. Motion passed. Brad Reneer voted nay.

Stephanie Pinegar asked if she could go back to Mr. Reneer's statement that their sign was grandfathered.

Ted Stillman said it was not grandfathered. The architect of Timberline chose to build a sign that didn't meet the City's ordinance. The school never applied for a permit so the sign was never approved. Later on when Timberline approached the City two years ago, it was made clear that they needed to bring the sign into compliance.

Jannicke Brewer reiterated that anytime a sign was reconstructed or altered, they would have to get a permit, and they had to conform to the ordinance in place at the time of the alteration.

Ted Stillman said the historical interpretation of the ordinance was that signs which were not residential fell under commercial requirements.

Jim Tracy suggested that the school put up a second sign by the driveway for their reader board. That way they wouldn't have to change the existing sign.

Stephanie Pinegar said she objected to moving the size requirements to General Standards because they would have to tear down the sign.

Ted Stillman said that if they wanted to put the reader board on the monument sign, they would have to reconstruct it. He said that the Timberline sign was never reviewed by the City because it was built when the school was built, and schools were exempt from building permit requirements. But they were not exempt from zoning requirements, so they should have applied for a permit for the sign. The Mountainville Academy had applied for a sign permit and the sign was under construction. Alpine Elementary and Westfield Elementary also went through the sign permit process.

5. DEVELOPMENT CODE - TEMPORARY SIGNS: Ted Stillman recommended that they postpone the discussion on temporary signs until April Riley was present so she could discuss it with them since she was the one that had been working on it.

Brad Reneer said that at the training he had attended, Neil Lindberg had said cities could not regulate what was on signs. Ted Stillman said that was correct. Cities could not legislate content. They could only regulate such things as size and location.

6. PARKS MASTER PLAN AND MAPS: Jannicke Brewer said no comments had been returned on the Parks Master Plan and maps. The public hearing on the proposed update would be at the next meeting on March 4 2008.

Tracy Wallace said there were some corrections to the Master Plan that needed to be made. Ted Stillman said they had been noted.

Ross Welch asked about the property belonging to Patterson that was designated as park on the Master Park Plan, but the property lay outside city limits.

Ted Stillman said the property was listed on the Annexation Policy Plan and bordered Alpine City on three sides so it was shown on the Park Plan.

Jannicke Brewer said that the Pack and Brown properties were shown on the City planning maps before they were annexed. As a municipality, they could plan and show what their intent was.

Jannicke Brewer said the PRO Committee had felt there needed to be a neighborhood park on the west side of town since there weren't any.

Jason Thelin said there weren't any parks on the northeast side either, except for Lambert Park.

Tracy Wallace said that, generally, the larger the lots the less park space was needed. The east side had all the trails. There weren't many trails on the west side.

Jason Thelin said that a one-acre lot didn't compensate for a soccer field.

Troy Stout asked what was being done with trails on private property and if an economic exchange had been offered.

Jannicke Brewer said trails on private property couldn't be shown on the trail-use map without written approval of the property owner. Otherwise they were just shown on the planning map. No money had been exchanged for trails on private property. The owners were asked if the City could show a trail on the property. Some said yes, others said no.

Brad Reneer noted that it would be useful to show where bridges might be placed.

7. APPROVE MINUTES OF FEBRUARY 5, 2008

MOTION: Troy Stout moved to accept the minutes of February 5, 2008 as amended and adjourn. Jason Thelin seconded. Ayes: 5 Nays: 0. Motion passed.

The meeting was adjourned at 9:10 pm.