



## ALPINE CITY PLANNING COMMISSION MEETING

**NOTICE** is hereby given that the **PLANNING COMMISSION** of Alpine City, UT will hold a **Regular Meeting** at **Alpine City Hall**, 20 North Main, Alpine, Utah on **Tuesday, September 3, 2019 at 7:00 pm** as follows:

### I. GENERAL BUSINESS

- A. Welcome and Roll Call: David Fotheringham
- B. Prayer/Opening Comments: Alan MacDonald
- C. Pledge of Allegiance: By Invitation

### II. PUBLIC COMMENT

Any person wishing to comment on any item not on the agenda may address the Planning Commission at this point by stepping to the microphone and giving his or her name and address for the record.

### III. ACTION ITEMS

- A. Public Hearing – Land Swap and Parking Exception – Paul Anderson**  
Planning Commission shall receive public comment and make a recommendation to City Council.
- B. Public Hearing – Major Subdivision Concept Plan – Alpine Ridge Estates – David Gifford**  
Planning Commission shall receive public comment and make a recommendation to City Council.

### IV. COMMUNICATIONS

- V. APPROVAL OF PLANNING COMMISSION MINUTES: August 6, 2019**

### ADJOURN

Chairman David Fotheringham  
September 3, 2019

**THE PUBLIC IS INVITED TO ATTEND ALL PLANNING COMMISSION MEETINGS.** If you need a special accommodation to participate in the meeting, please call the City Recorder's Office at 801-756-6347 ext. 5.

**CERTIFICATION OF POSTING.** The undersigned duly appointed recorder does hereby certify that the above agenda notice was posted at Alpine City Hall, 20 North Main, Alpine, UT. It was also sent by e-mail to The Daily Herald located in Provo, UT a local newspaper circulated in Alpine, UT. This agenda is also available on the City's web site at [www.alpinecity.org](http://www.alpinecity.org) and on the Utah Public Meeting Notices website at [www.utah.gov/pmn/index.html](http://www.utah.gov/pmn/index.html).

# PUBLIC MEETING AND PUBLIC HEARING ETIQUETTE

**Please remember all public meetings and public hearings are now recorded.**

- All comments **must** be recognized by the Chairperson and addressed through the microphone.
- When speaking to the Planning Commission, please stand, speak slowly and clearly into the microphone, and state your name and address for the recorded record.
- Be respectful to others and refrain from disruptions during the meeting. Please refrain from conversation with others in the audience as the microphones are very sensitive and can pick up whispers in the back of the room.
- Keep comments constructive and not disruptive.
- Avoid verbal approval or dissatisfaction of the ongoing discussion (i.e., booing or applauding).
- Exhibits (photos, petitions, etc.) given to the City become the property of the City.
- Please silence all cellular phones, beepers, pagers or other noise making devices.
- Be considerate of others who wish to speak by limiting your comments to a reasonable length, and avoiding repetition of what has already been said. Individuals may be limited to two minutes and group representatives may be limited to five minutes.
- Refrain from congregating near the doors or in the lobby area outside the council room to talk as it can be very noisy and disruptive. If you must carry on conversation in this area, please be as quiet as possible. (The doors must remain open during a public meeting/hearing.)

## **Public Hearing vs. Public Meeting**

If the meeting is a **public hearing**, the public may participate during that time and may present opinions and evidence for the issue for which the hearing is being held. In a public hearing there may be some restrictions on participation such as time limits.

Anyone can observe a **public meeting**, but there is no right to speak or be heard there - the public participates in presenting opinions and evidence at the pleasure of the body conducting the meeting.

## **ALPINE PLANNING COMMISSION AGENDA**

**SUBJECT: Public Hearing – Land Swap and Parking Exception**

**FOR CONSIDERATION ON: 3 September 2019**

**PETITIONER: Paul Anderson**

**ACTION REQUESTED BY PETITIONER: Review and recommend approval of the proposed land swap and parking exception.**

### **BACKGROUND INFORMATION:**

Petitioner is seeking to exchange some of his property for publicly owned property. The proposed exchange would clean up the boundary line between public and private property. Also, the petitioner is seeking two parking spaces within the front setback of his property, which requires an exception to be recommended by the Planning Commission and approved by the City Council.

The Development Code states that the Planning Commission may grant exceptions to the parking requirements for the Business/Commercial and Gateway Historic Zone and recommend changes to public property:

#### ***Article 3.16.040.2***

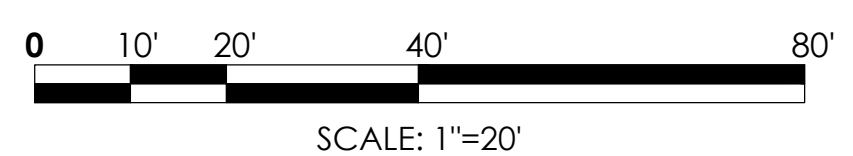
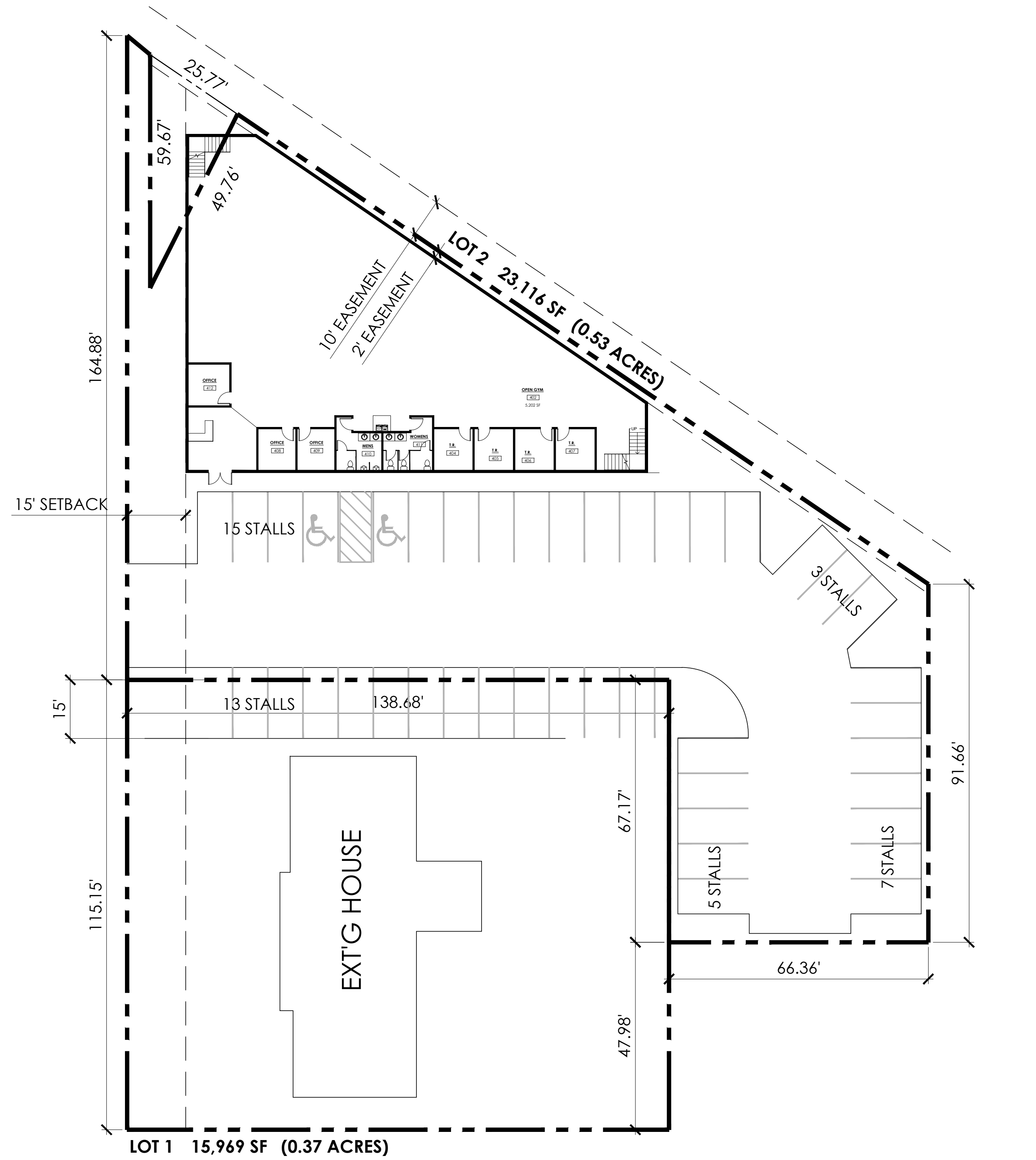
*Land...shall not be materially changed, improved, altered, disposed of in any manner or used for any other purpose except after a recommendation of the Planning Commission following a public hearing and by a super majority vote of the City Council (4 positive votes out of 5 City Council members are required).*

#### ***Article 3.24.050.2***

*No portion of the setback area adjacent to a street shall be used for off-street parking unless recommended by the Gateway Historic Committee and Planning Commission, and approved by the City Council.*

#### ***Article 3.11.040.3.e***

*The Planning Commission may recommend exceptions to the Business Commercial Zone requirements regarding parking, building height, signage, setbacks and use if it finds that the plans proposed better implement the design guidelines to the City Council for approval.*



## **ALPINE PLANNING COMMISSION AGENDA**

**SUBJECT: Public Hearing – Major Subdivision Concept Plan – Alpine Ridge Estates**

**FOR CONSIDERATION ON: 3 September 2019**

**PETITIONER: David Gifford**

**ACTION REQUESTED BY PETITIONER: Recommend approval of the Alpine Ridge Estates Concept Plan.**

### **BACKGROUND INFORMATION:**

Alpine Ridge Estates consists of 9 lots on 9.775 acres. The development is located at approximately 430 North 400 West, and in the CR 20,000 zone. The concept plan shows a connection to the Whitby Woodlands Subdivision on the east side of the property. The proposed concept and number of lots is based on bonus density that would be received from a Planned Residential Development (PRD). PRD status is dependent on a recommendation of from Planning Commission and approval by City Council.

### **STAFF RECOMMENDATION:**

Review staff report and findings and make a recommendation, or decision to either approve or deny the proposed subdivision. Findings are outlined below.

#### **SAMPLE MOTION TO APPROVE**

I motion to recommend approval of the Alpine Ridge Estates concept plan with the following conditions:

- The Developer be granted an exception to the slope requirements for Buildable Area on Lots 3 through 5;
- Preliminary and Final plans for Alpine Ridge Estates must run together with the next phase of the Whitby Woodlands PRD Subdivision to ensure that lots 1 through 5 have access to and frontage on a compliant street.
- The Developer consider an alternative name for the subdivision to avoid confusion with other existing subdivisions.

#### **SAMPLE MOTION TO DENY**

I motion to recommend that the Alpine Ridge Estates concept plan be denied based on the following:

- The Developer provide a concept plan that meets the Open Space Ordinance without requiring exceptions to slope within lots;
- The Developer provide calculations showing the percentage of each lot containing 25% or greater slopes;
- The Developer provide rockfall, debris flow, and slide studies showing the lots are viable.



**ALPINE CITY  
STAFF REPORT**  
August 29, 2019

**To:** Alpine City Planning Commission & City Council

**From:** Staff

**Prepared By:** Austin Roy, City Planner  
Planning & Zoning Department

Jed Muhlestein, City Engineer  
Engineering & Public Works Department

**Re:** **Alpine Ridge Estates – CONCEPT**

Applicant: Greg Wilding of Wilding Engineering, representing David Gifford  
Project Location: Approximately 430 North 400 West  
Zoning: CR-20,000 Zone  
Acreage: 9.775 Acres  
Lot Number & Size: 9 lots ranging from 0.31 acres to 0.50 acres  
Request: Recommend approval of the Concept Plan

**SUMMARY**

Alpine Ridge Estates consists of 9 lots on 9.775 acres. The development is located at approximately 430 North 400 West, and in the CR 20,000 zone. The concept plan shows a connection to the Whitby Woodlands Subdivision on the east side of the property. The proposed concept and number of lots is based on bonus density that would be received from a Planned Residential Development (PRD). PRD status is dependent on a recommendation of from Planning Commission and approval by City Council.

**BACKGROUND**

The property on which the Alpine Ridge Estates Subdivision is proposed is currently a one large lot with a single-family home on it. The property has been owned by the Marsh family for many years and was just recently sold to David Gifford, who is now seeking to subdivide the lot.

**ANALYSIS**

**PRD Status and Requirements**

“It shall be the City’s sole discretion to decide if a project should be a PRD within the intent of the ordinance...the Planning Commission shall make a recommendation to the City Council and

the City Council shall make the final decision in deciding whether a project should be a PRD prior to a concept approval being given” (Article 3.09.010.2). To qualify as a PRD, a project must demonstrate that it will:

- a) Recognize and incorporate natural conditions of site;
- b) Efficiently utilize land resources and benefit the public in delivery of utilities and services;
- c) Help to provide variety to style of dwelling available;
- d) Preserve open space for recreational, scenic and public service needs;
- e) Be consistent with objectives of underlying zone.

The developer has proposed to preserve the hillsides located on the property as open space. However, it is not specified on the plan whether this would be public or private open space. According to the PRD ordinance they would have to dedicate 25% of the overall property as open space. The concept plan shows 59.1% to be dedicated as open space.

This proposed plan ties into utilities off 400 West and Whitby Woodlands Drive, and this is covered further in the Engineering and Public Works Review.

By doing a PRD the developer would be allowed to have smaller lots than they would under the requirements of the CR-20,000 zone. This may allow for diversity of style for home in the area.

Developer has proposed to leave the hillsides as open space which could potentially be used for recreational or scenic purposes. Overall, the proposed concept seems to be consistent with the objectives of the underlying zone.

Planning Commission should review the above requirements for PRD and make recommendation, and City Council shall determine if the proposed subdivision qualifies as a PRD. Ultimately, the proposed plan only works as a PRD. If PRD status is not granted plans should be revised to meet the requirements of the underlying zone (CR-20,000).

#### Lot Width and Area

Lot width requirements for the CR-20,000 zone are 110 feet for a standard lot, and 80 feet for a cul-de-sac lot located on a curve. Lots located within a PRD shall have a width of not less than 90 feet (measured 30 feet back from the front property line) and the length of the front lot line abutting the City street shall not be less than 60 feet. The proposed lots appear to meet the lot with requirements for a PRD.

Lots in the CR-20,000 zone are required to be a minimum of 20,000 square feet in size. However, the Alpine Ridge Estates Subdivision is being proposed as a PRD, which grants density bonuses for the dedication of public and/or private open space. According to a slope analysis of the property (see attached), they have a base density of 8 lots. With the dedication of the appropriate amount of private open space density would increase to 9 lots, and with the dedication of the appropriate amount of public open space density would increase to 10 lots potentially. The proposed concept appears to meet the density requirements set forth in the PRD ordinance.

As mentioned under the PRD Status and Requirements section above, the developer needs to specify what type of opens space is being proposed (public or private). However, based on the plans showing 59.1% of the land to be dedicate as open space it would meet the 25% minimum for the zone.

#### Use

The developer is proposing that the lots be used for single-unit detached dwellings, which is consistent with the permitted uses for the CR-20,000 zone.

#### Sensitive Lands (Wildland Urban Interface)

The property is not located in the Wildland Urban Interface; however, it does have a lot of slope and natural vegetation. See the Engineering and Public Works, and the Lone Peak Fire Department Reviews below for further comments on sensitive lands requirements.

#### Trails

The City Trail Master Plan shows no trails within the development area, and there are no nor does it show any proposed trails, and thus trails would not be a requirement for this subdivision.

#### General Plan

As part of the City General Plan, the Street Master Plan, shows a proposed new local street running through the Alpine Ridge Estates property, connecting Whitby Woodlands Drive with 200 North street. The proposed concept plan has incorporated the proposed new local street from the street master plan, which connects earlier phases of the Whitby Woodlands PRD Subdivision to future phases of the Whitby Woodlands PRD Subdivision.

Lots 1 through 5, and thus the entire east side of this development, are only viable if the Alpine Ridge Estates Subdivision is able to coordinate and be integrated with the Whitby Woodlands PRD Subdivision. Lots 3, 4, and 5 all have frontage on Whitby Woodlands Circle, and lots 1, 2, and 3 fronting on Whitby Woodlands Drive with a temporary turnaround located south of the Alpine Ridge Estates property in a future phase of the Whitby Woodlands Subdivision. The road appears to have shifted slightly from what was previously approved for the Whitby Woodlands PRD Subdivision. Because of the change, that phase of the Whitby Woodlands development will need to re-apply for preliminary approval.

**Staff recommends Preliminary and Final plans of the proposed Alpine Ridge Estates subdivision and the next phase of the Whitby Woodlands PRD Subdivision be processed together or the proposed lots 1 through 5 will not be legal lots since they will not have access to a compliant street.**

#### Other

Alpine City already has a subdivision named Alpine Ridge Subdivision and another named The Ridge at Alpine. Though the proposed name is different (Alpine Ridge Estates), **staff would recommend that the owner consider an alternative name to avoid confusion with other subdivisions.**



## REVIEWS

### PLANNING AND ZONING DEPARTMENT REVIEW

The analysis section in the body of this report serves as the Planning and Zoning Department review.

### ENGINEERING AND PUBLIC WORKS DEPARTMENT REVIEW

#### Streets

At Concept Engineering checks the streets for general compliance with the Street Master Plan. The plans shows a compliant cul-de-sac extending off 400 West (less than 450 feet), an extension of Whitby Woodlands Drive which terminates in a temporary turn-a-round, and shows a portion of roadway headed northward which appears to complete a future phase of a previously approved development, Whitby Woodlands PRD Subdivision, as mentioned in the Planners portion of the review letter. As previously mentioned, that phase of Whitby Woodlands would need to be approved and constructed at the same time of this development for this plan to be complaint with code. **Without the Whitby Woodlands PRD subdivision future phase running concurrent with this one, this subdivision would create a non-compliant partial width street** (see DC 4.07.040.8). At Preliminary and Final, both developments should be approved together and constructed together.

#### Lots

Every lot is required to show “Buildable Area” for a home. One of the requirements for Buildable Area is that “*The area contains no territory having a natural slope of twenty (20) percent or greater;*” (Section 3.01.110). Lots 3 through 5 have an existing/abandoned irrigation ditch that ran through the property which causes anomalies within the Buildable Area shown. **Staff would recommend an exception to the Buildable Area requirements on Lots 3 through 5 due to the topography being altered from the irrigation ditch.** If graded back to pre-irrigation grades, the area would clearly meet the ordinance.

If approved to be developed as a PRD, Development Code section 3.09.040.3 has strict requirements regarding open space. In general, this section states that all hazardous areas (rockfall, slide, flood, etc.) and all areas containing slopes greater than 25% must be included in the open space areas. Subsections of the same ordinance give allowances for lots to contain 25% slopes, but the applicant must show that they have first tried to follow the ordinance, and then show how their development would be better using the exception. A plan that meets ordinance without needing an exception to this ordinance was not submitted. **Staff would recommend the applicant bring a plan that meets the Open Space ordinance so the two concept plans can be compared. Staff has also not received data regarding the percentage of slopes greater than 25% are in each lot and would not recommend approval until the Planning Commission has seen this information.**

#### Utilities – All

The utilities will be discussed at length at Preliminary Review. At concept the overall ability of the City to serve the area is evaluated. In this situation, the necessary infrastructure to serve the area exists on both the east and west sides of the development. The development is well below

the 5,350-foot elevation, which is the highest elevation the existing water system can serve and still provide the minimum 40 psi required by ordinance. The master plans for all city utilities do account for the area.

### Natural Hazards

The proposed development falls within the Geologic Hazards Overlay Zone which has areas identified as having the potential for rockfall, slide, and debris flows. Within these areas the Sensitive Lands Ordinance applies (DC 3.12). Section 3.12.090.4.e states “*Development shall not be allowed within fifty (50) feet of slopes in excess of forty (40) percent, areas subject to landsliding, or other high-hazard geologic areas as determined by a soils report and/or geology report produced pursuant to the requirements of item H-5 documentation.*” Lots 3-5 and 7-9 would be affected by this ordinance and be required to show setbacks from the 40% and greater slopes at a minimum. A rockfall study, if more restrictive, would override that. Lot 9 would be impacted the most as the 50-foot setback extends deep into the lot. Slope stability is the concern when building on top of steep slopes. The added pressure of a structure could cause the slope to fail. **If the applicant can show, through a slope stability analysis, that the stability of Lot 9 would be safe if built to the regular zoning setbacks, then the 50-foot setback could be reduced to the typical setbacks of the zone.** If not, the Buildable Area for Lot 9 will be quite small. 10,000 square foot lots do not have a minimum size limit for Buildable Area, but with such a small one the lot could potentially be unbuildable. A geotechnical report was submitted which did show slope stability tests in three locations but there was no clear explanation of the results and one such test was not done near Lot 9.

**Rockfall, debris flow, and slides were mentioned as not being within the scope of the study. Staff would recommend the applicant revise the study or have new studies performed to provide more information regarding these items.**

### Other

The property has existing buildings onsite. Prior to the recordation of any phase of development that contains existing buildings, the existing building(s) must be removed, existing services either re-used or cut/capped/removed; or a bond provided to ensure those things will happen prior to a building permit being issued on the affected lot(s).

### LONE PEAK FIRE DEPARTMENT REVIEW

See the attached review from the Lone Peak Fire Department.

### HORROCKS ENGINEER’S REVIEW

See the attached review from Horrocks Engineering.

### NOTICING

Notice has been properly issued in the manner outlined in City and State Code

### **STAFF RECOMMENDATION**

Review staff report and findings and make a recommendation, or decision to either approve or deny the proposed subdivision. Findings are outlined below.

**Findings for a Positive Motion:**

- A. The streets and general layout appear to meet ordinance;
- B. Proposed roadway construction appears to meet Alpine City design standards;
- C. Frontage improvements are shown throughout the development;
- D. Plan appears to comply with the General Plan and Street Master Plan, showing a local street running through the southeast corner of the property, connecting Whitby Woodlands Drive to future phases of the Whitby Woodlands PRD Subdivision.
- E. The property appears to meet the requirements of a PRD, based on slope analysis, lot width, and density requirements, as well as the other requirements including:
  - a. Recognize and incorporate natural conditions of site;
  - b. Efficiently utilize land resources and benefit the public in delivery of utilities and services;
  - c. Help to provide variety to style of dwelling available;
  - d. Preserve open space for recreational, scenic and public service needs;
  - e. Be consistent with objectives of underlying zone.

**Findings for Negative Motion:**

- A. A concept plan that meets Open Space requirements was not submitted;
- B. Rockfall, debris flow, and slide studies were not submitted showing the lots are buildable lots.

**MODEL MOTIONS**

**SAMPLE MOTION TO APPROVE**

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