

ALPINE CITY PLANNING COMMISSION MEETING
Alpine City Hall, 20 North Main, Alpine, UT
December 4, 2018

I. GENERAL BUSINESS

A. Welcome and Roll Call: The meeting was called to order at 7:00 pm by Chairman David Fotheringham. The following were present and constituted a quorum:

Chairman: Dave Fotheringham

Commission Members: Bryce Higbee, John MacKay, Jane Griener, John Gubler, Sylvia Christiansen

Excused: Alan MacDonald

Staff: Austin Roy, Marla Fox, Jed Muhlestein

Others: Britney Green, Jo White

B. Prayer/Opening Comments: Jane Griener

C. Pledge of Allegiance: Austin Roy

II. PUBLIC COMMENT

III. ACTION ITEMS

A. Public Hearing – Open Space Property Exchange – 539 N. Pfeifferhorn Drive

The petitioner, Jeffrey White with White Diamond Homes, has submitted a request to exchange a 5190 square foot piece of private property for a 5190 square foot piece of public open space. The property is located at 539 North Pfeifferhorn Drive.

The open space in question includes an easement with a large gas pipeline that runs through it, which has been vacated or retired by Dominion Energy. The easement does allow for certain things to be built within it, such as: a driveway, curbing, and landscaping (no deep-rooted trees permitted). The piece of open space also contains a ground moisture box that would have to remain, but any future property owner would be able to landscape around it.

The petitioner is seeking the property exchange in order to add frontage to the existing lot (currently legal non-conforming with 59.9 ft of frontage) and make the lot a more traditional rectangle shaped lot.

Any alteration to public open space requires Planning Commission recommendation, and City Council approval.

Article 3.16.4.2 says:

Land included in these parks 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). A material change shall include, but is not limited to, a change to the park's present and essential defining characteristics, creation of or improvement of roadways or parking lots within the park.

From the piece of private property that would be acquired by the City in the proposed exchange, the City would gain a clean, straight property line between the neighboring private property and the City public open space.

The Planning Commission had a discussion about the City property, the open space area and the trail that runs behind the back of this property running north and south. Jed Muhlestein said there is a ten foot easement for the trail and Highland owns ten feet and Alpine owns ten feet. Austin Roy showed on a map where a ground moisture box was located on the property that was being traded and it was discussed again that nothing could be built on top of that box but that the homeowner could landscape around it. He also showed where the easement was on the property and said the old gas line is no longer active. Austin Roy said the homeowner would have to work with Dominion Energy if they wanted to remove the gas line so they could build something on top of that area.

Jane Griener asked if Dominion Energy would still maintain the right-of-way of the easement. Jed Muhlestein said they would but if the homeowner removed the gas line then Dominion Energy would be more receptive to what they wanted to do on the lot.

David Fotheringham opened the Public Hearing. There were no comments and the Public Hearing was closed.

MOTION: Jane Griener moved to recommend approval of the proposed Open Space Property Exchange at 539 N Pfeifferhorn Drive as written. Sylvia Christiansen seconded the motion. There were 6 Ayes and 0 Nays (recorded below). The motion passed.

Ayes:

Bryce Higbee
John MacKay
David Fotheringham
Jane Griener
John Gubler
Sylvia Christiansen

Nays:

None

B. Public Hearing – Amendment to Ordinance – Dwelling Clusters – Article 3.9.6

Staff have reviewed the Development Code and have recommended changes to Article 3.9.6 (Dwelling Clusters) to clarify what a development cluster is and what is intended by this requirement in the ordinance.

Austin Roy said there was a misunderstanding to the meaning of clustered lots and what can be built in the cluster. He said staff has an intention to add a definition to what a development cluster is. The first part to be amended is in 3.9.6.1 is add the underlined part:

All lots, dwelling, habitable structures, and necessary buildings, shall be located within a designated development cluster.

In 3.9.6.3b add:

Each designated buildable area on any lot shall be clustered with at least 2 other designated buildable areas on neighboring lots, thus forming a designated development cluster.

A project may contain more than one development cluster. Each cluster shall contain not less than three (3) separate lots (except for developments having fewer than 3 lots for the entire development). Where a project contains land located within and outside the Sensitive Lands Overlay Zone, development clusters will be located outside of the Sensitive Lands Overlay Zone, to the maximum extent possible. No portion of lots within a PRD shall be located on lands which are required to be designated as open space.

The Planning Commission had a discussion about cluster developments and asked how other cities deal with this situation. Jed Muhlestein said the definition cluster needs to be defined and that's where you'll see spacing requirements and setbacks. Jane Griener said she would like to see a radius and a percentage of the lot has to lie within that. She said she would like to see a little bit of math put into our definition so developers can't come up with creative ways to get around the ordinance. John Gubler said maybe the ordinance could say all lots within the subdivision have to have similar setbacks from the frontage. Jed Muhlestein said if you eliminate flag lots, you are forcing homes to be closer to their frontage. He also said if we address flag lots, it will help with the cluster lots.

David Fotheringham opened the Public Hearing. No comment was made, and the Public Hearing was closed.

The Planning Commission decided to table this agenda item until the definition was completed and can be brought back.

C. Public Hearing – Amendment to Ordinance – Driveway Cut/Fill – Article 3.12.6.2.f & 4.3.1.6.f

In September 2018 an amendment to Article 3.1.11.7, regarding cut/fill on driveways, was recommended by the Planning Commission and approved by the City Council. It has since been discovered that the same clarification needs be made to Article 3.12.6.2.f and Article 4.3.1.6.f of the Development Code where the same information regarding cut/fill on driveways is mentioned.

Jed Muhlestein said we are making our ordinance consistent with what we've previously done. He said we are clarifying the definition of where you measure your driveway cut or fills.

David Fotheringham opened the Public Hearing. There were no comments and the Public Hearing was closed.

MOTION: Sylvia Christiansen moved to recommend approval of the Amendment to Ordinance – Driveway Cut/Fill – Article **3.12.6.2.f** & Article **4.3.1.6.f** as **proposed**. Jane Griener seconded the motion. There were 6 Ayes and 0 Nays (recorded below). The motion passed.

Ayes:

Bryce Higbee
John MacKay
David Fotheringham
Jane Griener
John Gubler
Sylvia Christiansen

Nays:

None

IV. Communications

Bryce Higbee asked why we are not using our Alpine sign at the entrance to Alpine. Jed Muhlestein said the Alpine Sign was originally put on private property and the city was asked to take it down. Bryce Higbee said the sign could be placed in the round-about and the Art Center could put a big Elk in there as well.

V. APPROVAL OF PLANNING COMMISSION MINUTES: November 6, 2018

MOTION: Jane Griener moved to approve the minutes for November 6, 2018, with the change made by Bryce Higbee. Bryce Higbee seconded the motion. There were 6 Ayes and 0 Nays (recorded below). The motion passed.

Ayes:

Bryce Higbee
John MacKay
David Fotheringham
Jane Griener
John Gubler
Sylvia Christiansen

Nays:

None

The meeting was adjourned at 7:40 pm.