



## ALPINE CITY PLANNING COMMISSION MEETING

**NOTICE** is hereby given that the **PLANNING COMMISSION** of Alpine City, Utah will hold a **Public Meeting** on **Tuesday, August 3, 2021 at 7:00 pm at City Hall, 20 North Main Street, Alpine, Utah.**

The public may attend the meeting in person or view the meeting via the **Alpine City YouTube Channel**. A direct link to the channel can be found on the home page of the Alpine City website: [alpinecity.org](http://alpinecity.org)

### **I. GENERAL BUSINESS**

- A. Welcome and Roll Call: Jane Griener
- B. Prayer/Opening Comments: Ed Bush
- C. Pledge of Allegiance: Jane Griener

### **II. PUBLIC COMMENT**

Any person wishing to comment on any item not on the agenda may address the Planning Commission. Comments may be given in person at the meeting.

### **III. ACTION ITEMS**

#### **A. Setback Exception – Brookside Meadows PRD Lot 1**

The Planning Commission will review the proposed exception and make a recommendation to the City Council.

#### **B. Discussion – Height & Retaining Wall Ordinances**

The Planning Commission will review and discuss the ordinances that determine the height of a structure and lot.

### **IV. COMMUNICATIONS**

### **V. APPROVAL OF PLANNING COMMISSION MINUTES: July 20, 2021**

### **ADJOURN**

Chair Jane Griener  
July 30, 2021

**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: Setback Exception – Brookside Meadows PRD Lot 1**

**FOR CONSIDERATION ON: 3 August 2021**

**PETITIONER: Brent Sadleir with Legacy Drafting and Design**

**ACTION REQUESTED BY PETITIONER: Approve the proposed setback exception.**

### **BACKGROUND INFORMATION:**

An exception is being requested for the setbacks for Lot 1 of the Brookside Meadows PRD. Specifically, the petitioner is seeking an exception for the rear setback on the east side of the lot. Article 3.01.110 of the Alpine City Development Code defines a Rear Yard as:

*“A space between the back wall of the nearest main building extending the full width of the lot and the lot line that is most distant from, and is most nearly parallel with, the front lot line. If the rear lot line is less than ten feet (10’) in length, or if the lot comes to a point at the rear, the rear lot line shall be deemed to be a ten foot (10’) line parallel to the front line, lying wholly within the lot for the purpose of establishing the minimum rear yard. The depth (or setback) of the rear yard is the minimum distance between the rear lot line and the rearmost part of the primary structure of the nearest main building at the foundation level. (Primary structure includes overhangs, porches and decks..”).*

Brookside Meadows is a Planned Residential Development (PRD), and as such, the City Council may grant exceptions for setbacks following a recommendation from Planning Commission and

*“...upon a finding that such exception is appropriate for the proper development of the lot and that the exception will not result in the establishment of a hazardous condition” (3.09.060.4.d).*

The lot borders open space to the east and south. The proposed exception does not appear to result in the establishment of a hazardous condition.

### **STAFF RECOMMENDATION:**

Review the proposed exception and make a recommendation to the City Council.

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

I move to recommend that an exception be granted and that a 15-foot east rear setback be approved for Lot 1 of the Brookside Meadows PRD as requested by the applicant.

### **SAMPLE MOTION TO TABLE/DENY:**

I move to table/deny the setback exception based on the following:

- \*\*\*Insert Finding\*\*\*

Dear Alpine City,

On behalf of Jeffrey Stern, owner of Lot 1 in the Brookside Meadows PRD Subdivision, I am writing to request a variance for a back deck which currently encroaches on the rear yard setback of 30 feet. Please see the attached site plan and survey in relation to this letter for reference.

Variance Requested: That a deck attached to the home be permitted within the accessory setback of 15' from the rear property line.

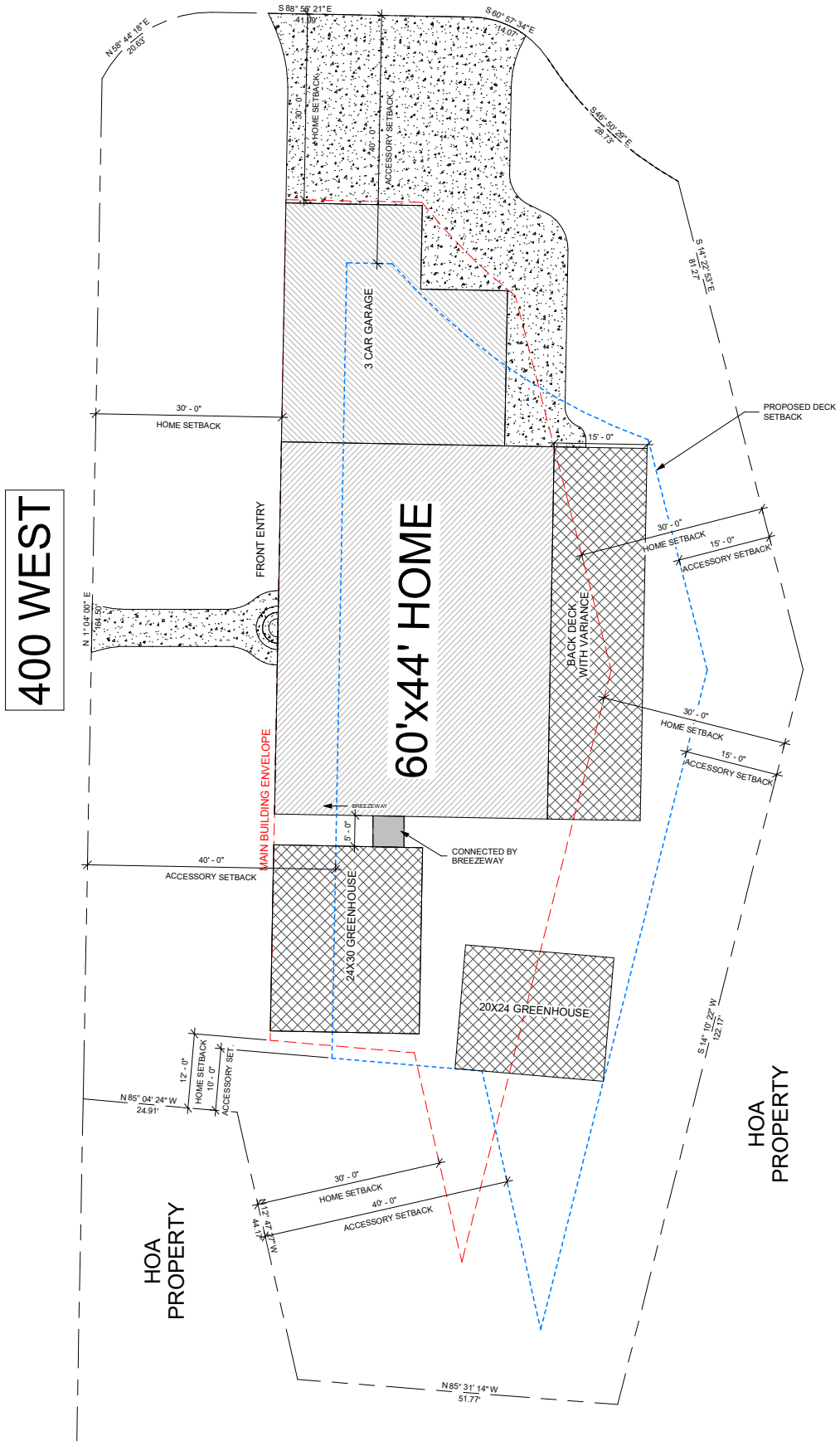
Reasons for Request:

- 1) The odd shape of the property and corner lot setback requirements present design challenges which limit the owner's options.
- 2) The land directly behind Lot 1 is not buildable and therefore a deck will not encroach on any neighbor's property or views.
- 3) The home owner cannot achieve the style of home desired if the front of home faces north on the lot due to width restrictions and garage access. The home is also being designed to face west in order to maximize the great room views to the east and south.

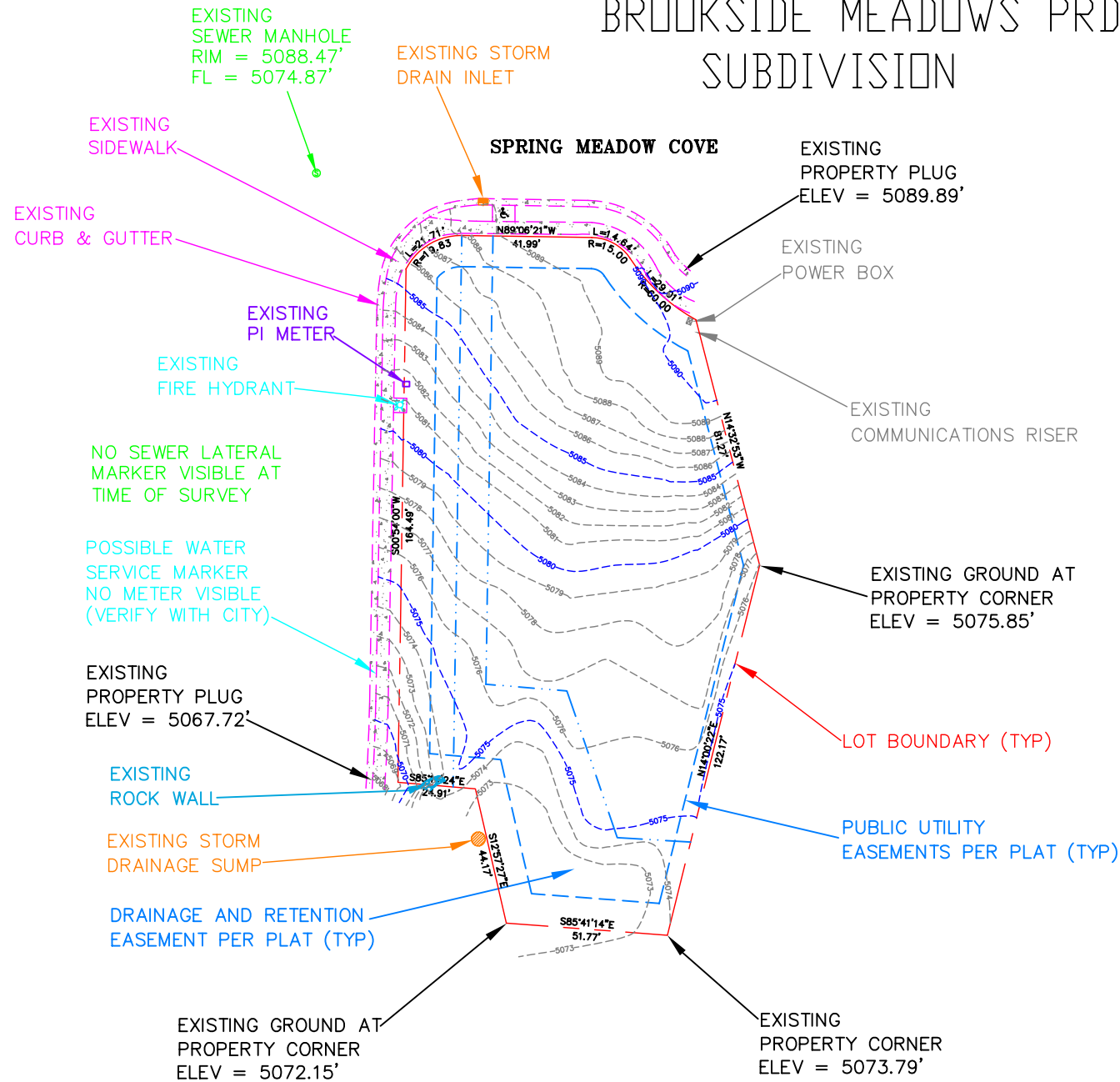
We look forward to joining the Alpine community and designing a home that makes the most of its location. We appreciate your review of our request for variance so that we can design an outdoor space that equally makes the most of its surrounding views.

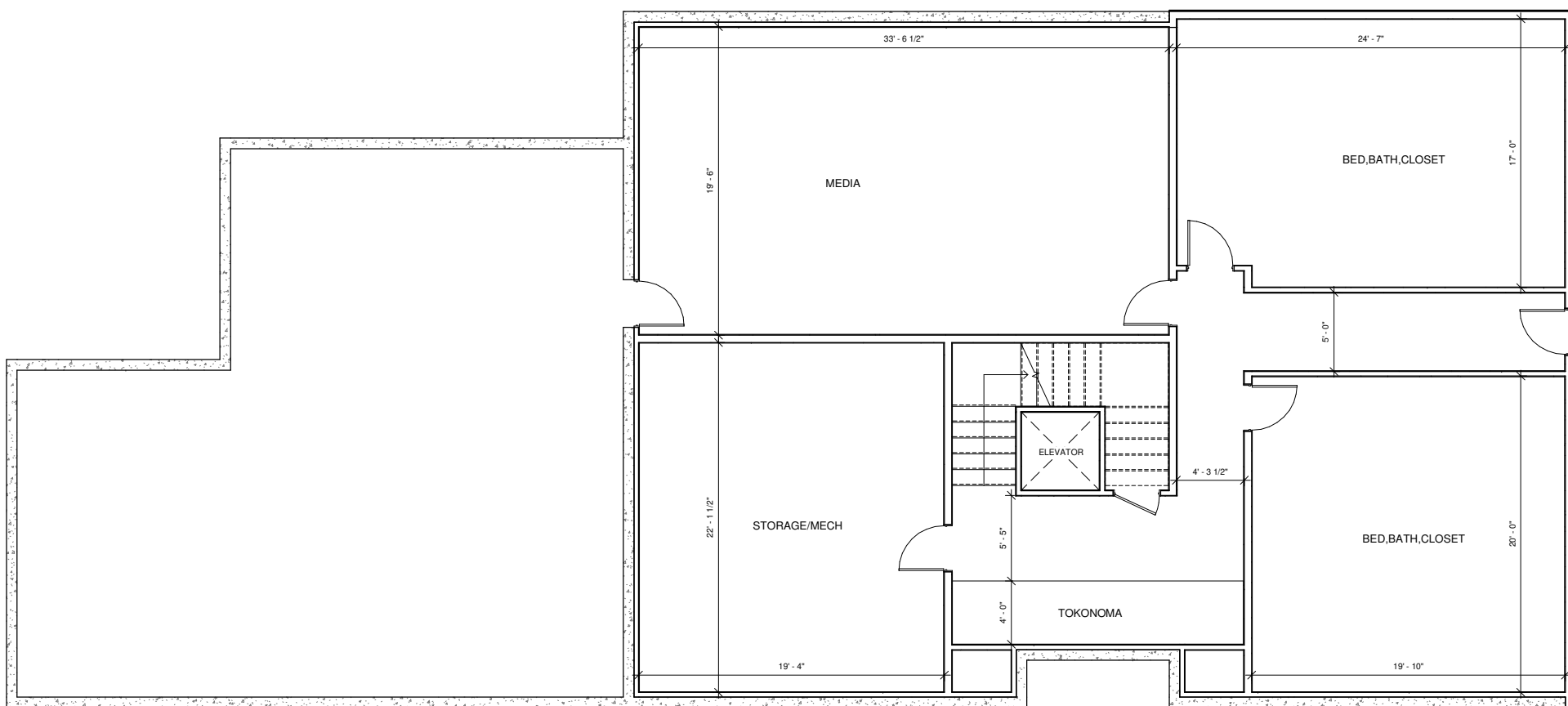
Brent Sadleir  
Legacy Drafting and Design  
brent@legacyhomedesign.com

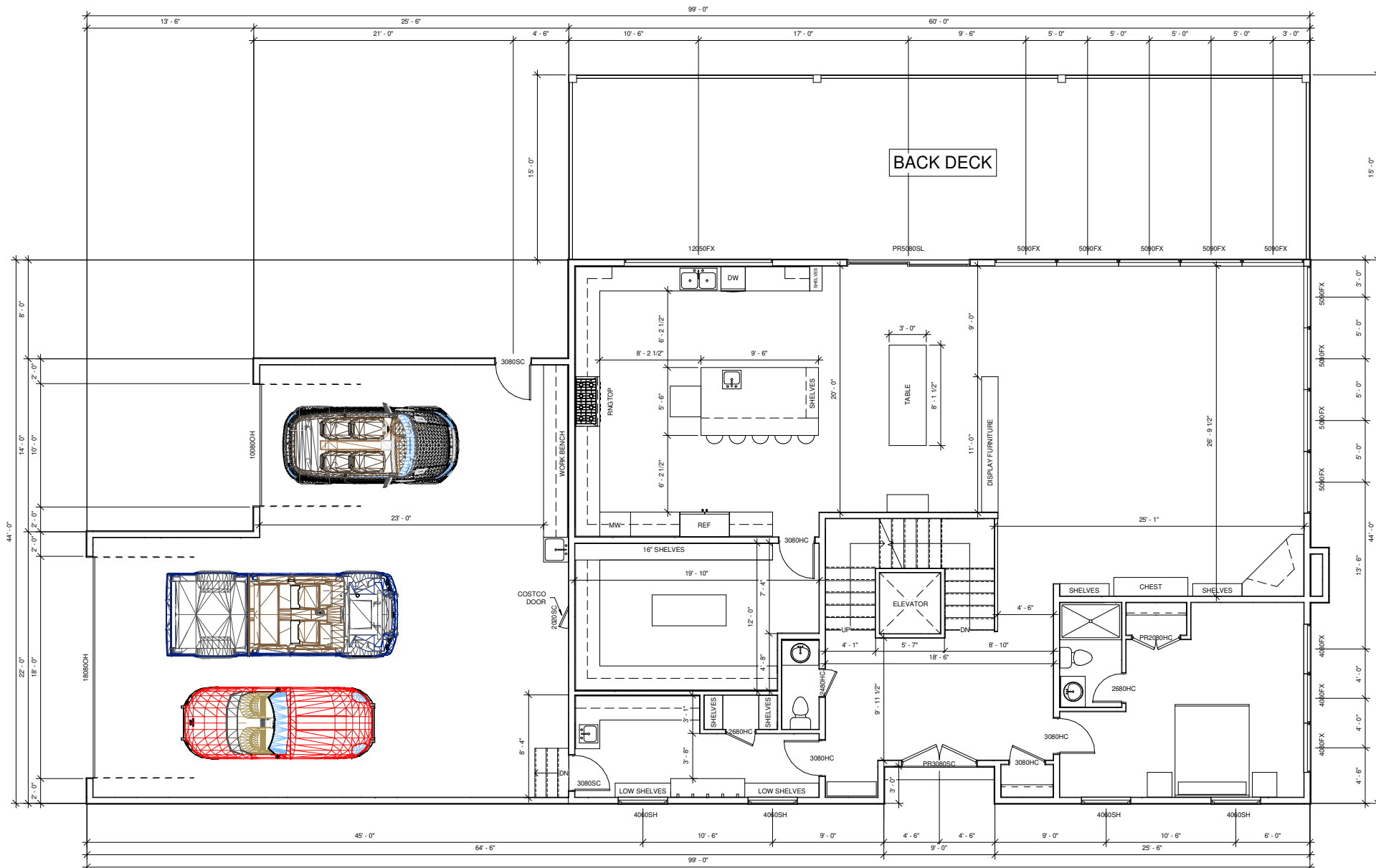
# SPRING MEADOW COVE



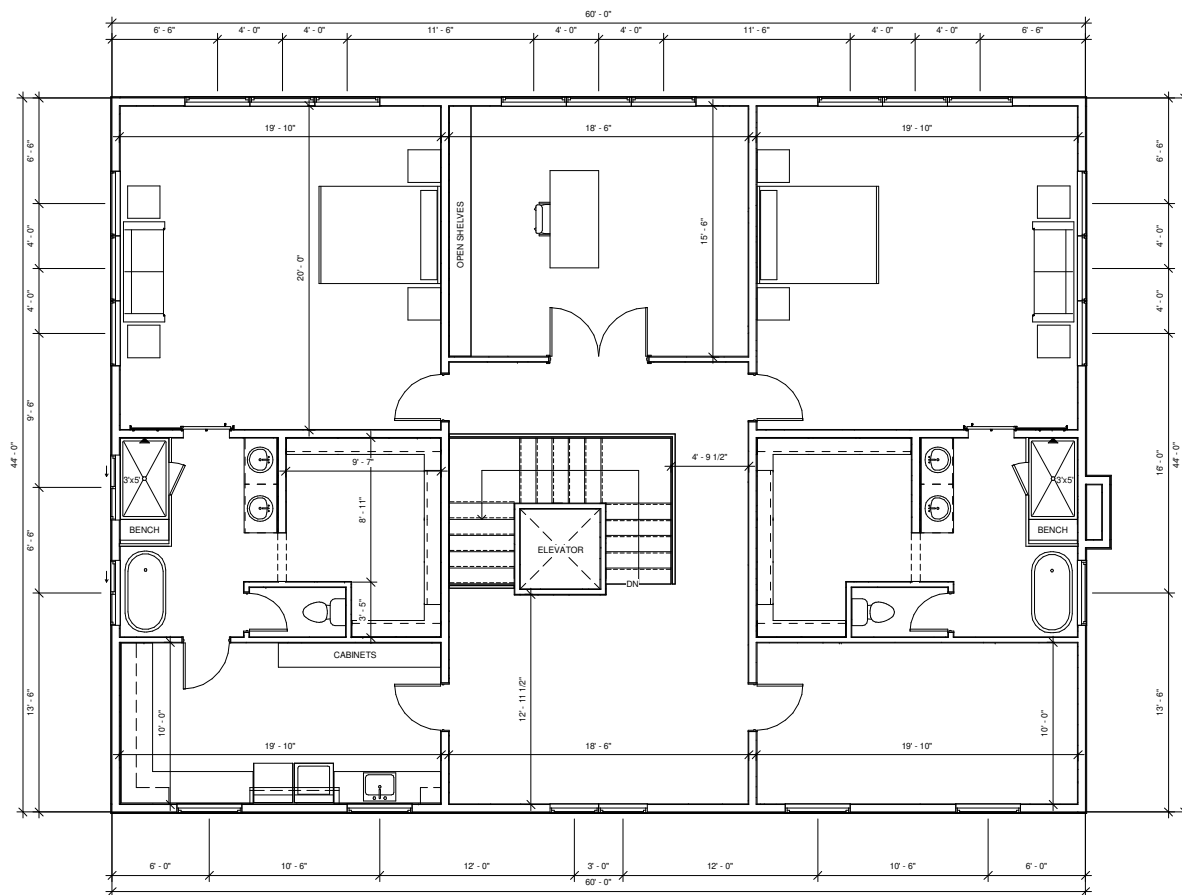
# LOT 1 BROOKSIDE MEADOWS PRD SUBDIVISION











### **3.09.060 Dwelling Clusters; Lot Size; Buildable Area; Setback**

1. All lots shall be located within a designated Dwelling Cluster. A project may contain more than one Dwelling 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, Dwelling 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.
2. (Ord. 97-23: 9/24/97) The size of each individual lot shall conform to the following:

#### **Minimum Lot Size**

Zone District	Minimum Lot Size
CR-20,000	10,000 square feet
CR-40,000	20,000 square feet
CE-5	20,000 square feet
CE-50	N/A

3. (Ord 97-02, 2/25/97). Each individual lot shall contain at least one Designated Buildable Area of not less than five-thousand (5,000) square feet. All dwellings and other habitable structures and accessory buildings shall be located within the Designated Buildable Area.
  - a. Each Designated Buildable Area shall conform to the criteria for qualification as a "buildable area" as defined in this ordinance. Except that the Planning Commission may approve or require the placement of the Designated Buildable Area in a location within the lot which does not conform to one or more of the criteria for buildable area, upon a finding that the proposed Designated Buildable Area:
    - i. will more adequately accommodate subsequent development of the lot,
    - ii. will not constitute a potential hazard to life or property, and
    - iii. will serve to diminish the negative impact of subsequent development upon the lot or community (i.e. extraordinary construction of driveway access, mitigate visual intrusion of structure on ridge line).
  - b. The location of each Designated Buildable Area shall be designated upon the preliminary plan and shall also be identified and described on the final recorded plat, together with a notation to the effect that all main and accessory buildings shall be located within the Designated Buildable Area. Where a Designated Buildable Area is shown on a lot, the boundary of said area shall constitute the Designated Setback envelope applicable to the lot. Where an entire lot area qualifies as a Buildable Area no designation on the final plat shall be required.
  - c. Except as permitted pursuant to Part 3,a, any portion of a lot which has been graded to produce a percent of slope to qualify under the Buildable Area criteria shall be excluded from consideration as part of the Designated Buildable Area.
  - d. The Designated Buildable Area may be amended by the City Planner and City Engineer

as long as the minimum setback requirements of the underlying zone are met. (Ord. 2004-13, 9/28/04)

4. Each dwelling in the project shall be setback from the property line in accordance with the setback lines as shown on the approved plat (Designated Setback Envelope). The Designated Setback Envelope shall be established in accordance with the following (setbacks are measured from the property line to the nearest foundation):
  - a. Front Yard. The minimum front yard setback shall be thirty (30) feet.
  - b. Side Yard - Corner Lots. On corner lots, the side that faces onto a public street shall be not less than thirty (30) feet.
  - c. Side Yard – Interior Lots. The minimum side yard setbacks for interior lots shall be an aggregate of thirty (30) feet with no less than twelve (12) feet on a side.
  - d. Rear Yard. The minimum rear yard setback shall be thirty (30) feet.

Subject to the prior recommendation of the Planning Commission, the City Council may approve an exception to the Designated Setback Envelope standards above for one or more lots within a PRD project, upon a finding that such exception is appropriate for the proper development of the lot and that the exception will not result in the establishment of a hazardous condition.

Where no designated building envelope is provided, the setbacks shall be the same as the minimum requirements within the underlying zone.

5. The maximum height of any dwelling or other main building shall be thirty-four (34) feet, as determined in accordance with the provisions of DCA 3.21.080, (Ord. 96-15, 12/18/96) except in the CE-50 zone the height shall not exceed 25 feet. (See DCA 3.06.070 Part 1)

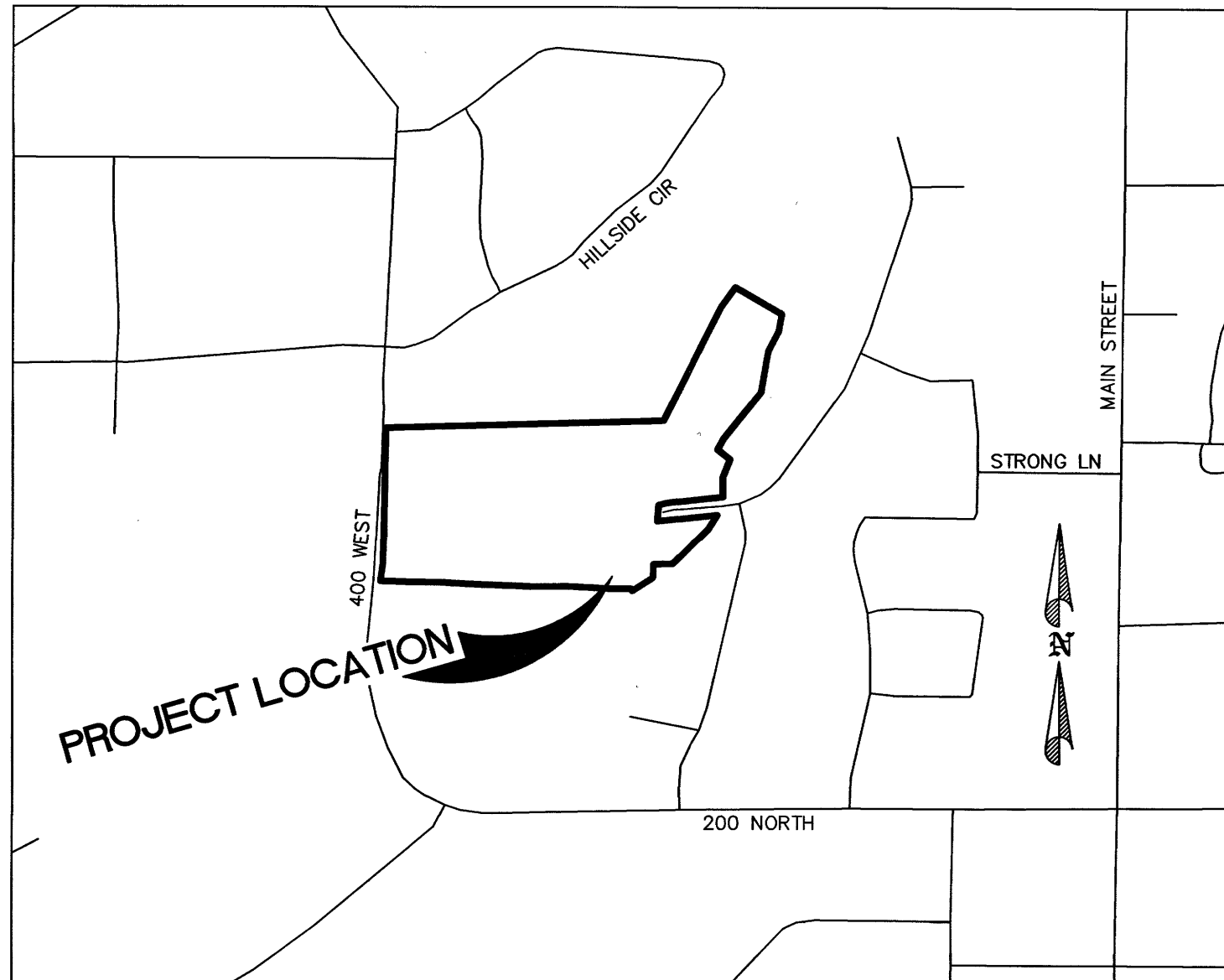
(Ord. No. 95-04, 2/28/95; Amended Ord. No. 95-28, 11/28/95; Ord No. 2001-10, 4/10/01; Ord. No. 2004-13, 9/28/04; Ord. No. 2011-04, 01/11/11; Ord. No. 2012-10, 12/11/12; Ord. No. 2014-14, 09/09/14; Ord. No. 2015-11, 07/28/15)

#### HISTORY

Amended by Ord. [2019-02](#) on 4/23/2019

# BROOKSIDE MEADOWS P.R.D.

LOCATED IN THE NORTH HALF OF SECTION 24,  
TOWNSHIP 4 SOUTH, RANGE 1 EAST,  
SALT LAKE BASE AND MERIDIAN,  
CITY OF ALPINE, UTAH COUNTY, UTAH



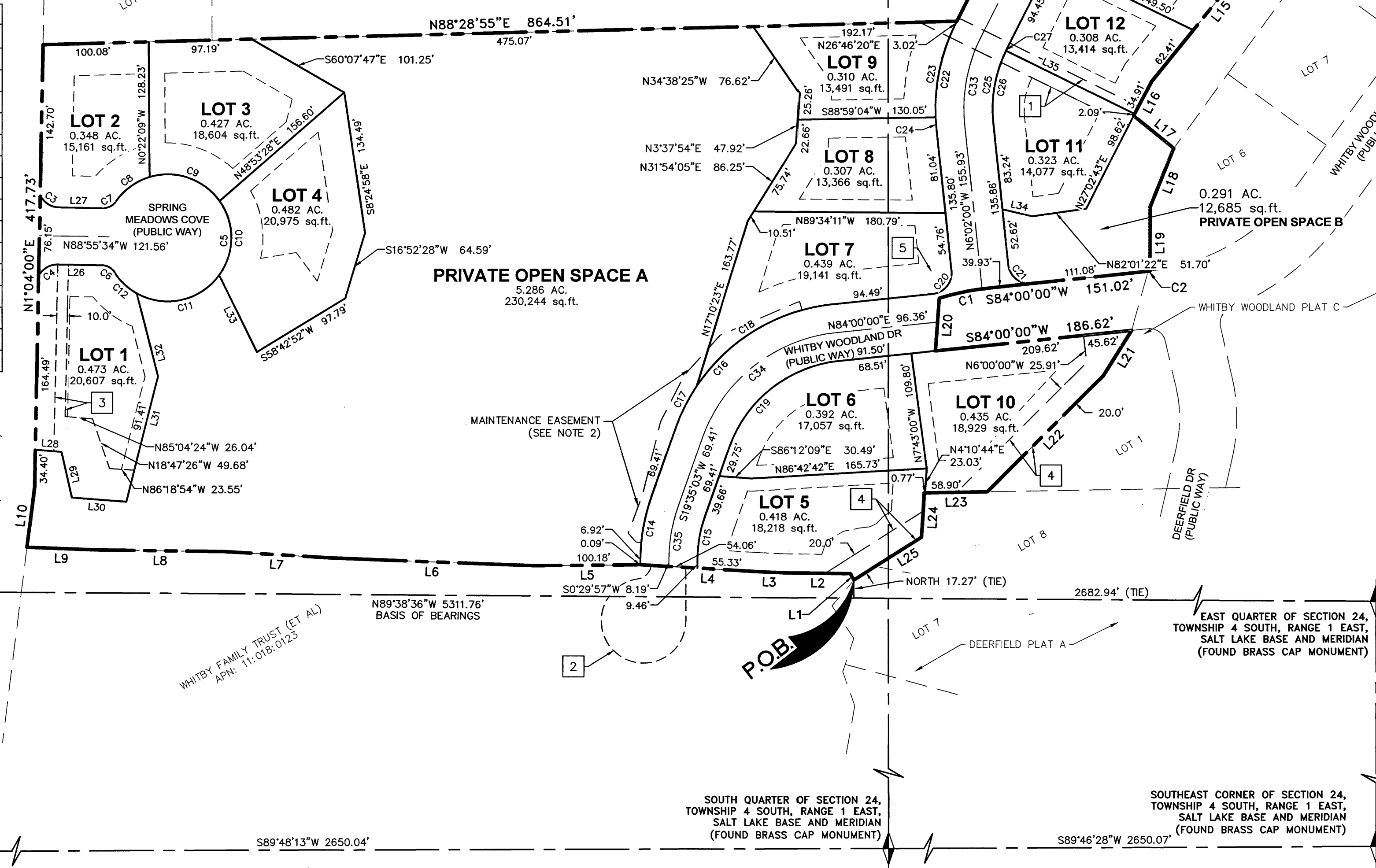
VICINITY MAP  
SCALE: 1" = 500'  
ALPINE, UTAH

- 20' WIDE DRAINAGE EASEMENT (12' ON LOT 11 AND 8' ON LOT 12)
- 80' DIAMETER TEMPORARY TURN-AROUND EASEMENT ENTRY: 135.5497, 140.29
- DRAINAGE AND RETENTION EASEMENT
- WESTFIELD DITCH EASEMENT
- NO LANDSCAPING OR OTHER OBSTRUCTION IS ALLOWED TALLER THAN 1 FOOT IN THE SIGHT TRIANGLE ON LOT 7

## LEGEND

- STREET CENTERLINE
- BOUNDARY LINE
- EASEMENT LINE
- SETRBACK LINE
- SECTION CORNER AND LINE

Parcel Line Table	Parcel Line Table
Line # Length Direction	Line # Length Direction
L1 6.91' N30°16'09"W	L21 50.78' S32°00'00"W
L2 61.10' N89°15'56"W	L22 155.00' S45°00'00"W
L3 27.89' N87°26'36"W	L23 59.67' S89°00'44"W
L4 109.48' N86°48'27"W	L24 41.92' S03°23'29"W
L5 100.18' S89°28'07"W	L25 75.64' S57°26'29"W
L6 193.36' N87°50'37"W	L26 41.99' S88°55'21"E
L7 100.37' N86°42'12"W	L27 41.12' N88°55'06"W
L8 120.91' N89°08'14"W	L28 24.91' N85°04'24"W
L9 65.93' N87°48'00"W	L29 44.17' N12°47'27"W
L10 58.16' N07°04'00"E	L30 51.77' N85°31'14"W
L11 74.92' N36°03'20"E	L31 122.17' S14°10'22"W
L12 52.88' S10°00'00"W	L32 81.27' S14°22'53"E
L13 69.81' S27°39'52"W	L33 80.87' N26°06'26"W
L14 130.00' S10°00'00"W	L34 28.86' S77°02'00"E
L15 187.00' S39°00'00"W	L35 135.73' S63°48'47"E
L16 37.00' S27°40'00"W	
L17 48.84' S51°16'59"E	
L18 60.16' S22°00'00"W	
L19 60.52' S00°00'00"E	
L20 50.18' S04°12'04"W	



## NOTES:

- THE DEVELOPER IS TO INSTALL THE RETAINING WALLS, LANDSCAPING AND DRIP IRRIGATION SYSTEM IN THE OPEN SPACE AREAS. THE DEVELOPER IS TO MAINTAIN THE LANDSCAPING FOR ONE YEAR THROUGH THE WARRANTY PERIOD. AFTER THE WARRANTY PERIOD AND THE PLANTS ARE ESTABLISHED THE CITY WILL TAKE OVER MAINTENANCE OF THE LANDSCAPING AROUND THE RETAINING WALLS.
- A PUBLIC UTILITY EASEMENT EXISTING ON LOT 7 AND THE PRIVATE OPEN SPACE FOR THE MAINTENANCE AND OPERATION OF THE RETAINING WALLS AND ASSOCIATED LANDSCAPING, FENCES, AND OTHER APPLICABLE CITY INFRASTRUCTURE.
- ALL OF OPEN SPACE A AND OPEN SPACE B IS A PUBLIC UTILITY, PRIVATE DETENTION, AND PRIVATE DRAINAGE EASEMENT.
- ALL LOTS SHALL BE SUBJECT TO PUBLIC UTILITY EASEMENTS AS FOLLOWS:  
10 FEET ON FRONT AND REAR  
5 FEET ON SIDE LOT LINES OF SUBDIVISION
- THE SETBACK ADJACENT TO THE SLOPES SHALL BE THE MORE RESTRICTIVE OF EITHER THE READ SETBACK SPECIFIED ON THIS PLAT OR THE SETBACK FROM THE SLOPE AS SPECIFIED IN THE SOILS REPORT REPORT PREPARED BY WILDING ENGINEERING DATED 4-30-2019 & 9-10-2019. THIS NOTE AFFECTS LOTS 1, 3, 4, 5-10, AND 15.
- CUT SLOPES ON THE LOTS TO BE GRADED BACK AND RETAINING WALLS TO BE USED AS NECESSARY TO CREATE BUILDABLE PADS.
- OPEN SPACES AS SHOWN ON THIS PLAT ARE UNDEVELOPABLE.

Parcel Address Table	Parcel Address Table
Lot # Address	Lot # Address
1 394 W SPRING MEADOWS COVE or 376 N 400 W	11 428 N SOLDIER CIRCLE
2 387 W SPRING MEADOWS COVE or 424 N 400 W	12 446 N SOLDIER CIRCLE
3 365 W SPRING MEADOWS COVE	13 468 N SOLDIER CIRCLE
4 352 W SPRING MEADOWS COVE	14 490 N SOLDIER CIRCLE
5 354 N WHITBY WOODLANDS DRIVE	15 496 N SOLDIER CIRCLE
6 372 N WHITBY WOODLANDS DRIVE	PRIVATE OPEN SPACE A 363 N WHITBY WOODLANDS DRIVE
7 401 N SOLDIER CIRCLE or 389 N WHITBY WOODLANDS DRIVE	PRIVATE OPEN SPACE B 397 N WHITBY WOODLANDS DRIVE
8 421 N SOLDIER CIRCLE	
9 435 N SOLDIER CIRCLE	
10 394 N WHITBY WOODLANDS DRIVE	

Parcel Address Table	Parcel Address Table
Lot # Address	Lot # Address
1 394 W SPRING MEADOWS COVE or 376 N 400 W	11 428 N SOLDIER CIRCLE
2 387 W SPRING MEADOWS COVE or 424 N 400 W	12 446 N SOLDIER CIRCLE
3 365 W SPRING MEADOWS COVE	13 468 N SOLDIER CIRCLE
4 352 W SPRING MEADOWS COVE	14 490 N SOLDIER CIRCLE
5 354 N WHITBY WOODLANDS DRIVE	15 496 N SOLDIER CIRCLE
6 372 N WHITBY WOODLANDS DRIVE	PRIVATE OPEN SPACE A 363 N WHITBY WOODLANDS DRIVE
7 401 N SOLDIER CIRCLE or 389 N WHITBY WOODLANDS DRIVE	PRIVATE OPEN SPACE B 397 N WHITBY WOODLANDS DRIVE
8 421 N SOLDIER CIRCLE	
9 435 N SOLDIER CIRCLE	
10 394 N WHITBY WOODLANDS DRIVE	

Curve #	Length	Radius	Delta	Chord Bearing	Chord Distance
C1	48.46'	254.00'	10°55'54"	S78°32'03"W	48.39'
C2	1.76'	200.00'	0°30'10"	N83°44'27"E	1.76'
C3	22.59'	19.93'	64°57'55"	S57°43'58"E	21.40'
C4	21.71'	19.83'	62°42'06"	S58°43'02"W	20.64'
C5	305.66'	60.00'	291°53'18"	N01°04'00"E	67.20'
C6	14.65'	15.00'	55°56'39"	N60°57'37"W	14.07'
C7	14.65'	15.00'	55°56'39"	N63°05'40"E	14.07'
C8	39.91'	60.00'	38°06'51"	S54°10'46"W	39.18'
C9	74.59'	60.00'	71°13'56"	N71°08'50"W	69.88'
C10	74.81'	60.00'	71°26'17"	N00°11'16"E	70.06'
C11	87.34'	60.00'	83°24'01"	N77°36'25"E	79.83'
C12	29.01'	60.00'	27°42'14"	S46°50'28"E	28.73'
C14	58.96'	177.00'	19°05'06"	S10°02'29"W	58.69'
C15	40.97'	123.00'	19°05'06"	S10°02'30"W	40.78'
C16	199.00'	177.00'	64°24'57"	S51°47'31"W	188.68'
C17	43.75'	177.00'	14°09'44"	S26°39'55"W	43.64'
C18	155.25'	177.00'	50°15'13"	S58°52'23"W	150.32'
C19	138.29'	123.00'	64°24'57"	S51°47'31"W	131.12'
C20	31.43'	20.00'	90°02'00"	N38°59'00"E	28.29'
C21	31.40'	20.00'	89°58'00"	S51°01'00"E	28.28'
C22	101.34'	177.00'	32°48'20"	S10°22'10"W	99.97'
C23	91.32'	177.00'	29°33'42"	S11°59'29"W	90.31'
C24	10.02'	177.00'	3°14'38"	S04°24'41"E	10.02'
C25	70.43'	123.00'	32°48'20"	S10°22'10"W	69.47'
C26	69.49'	123.00'	32°22'15"	S10°09'08"W	68.57'
C27	0.93'	123.00'	0°26'05"	S26°33'18"W	0.93'
C28	272.19'	60.00'	259°55'17"	N23°16'02"W	91.98'
C29	113.64'	60.00'	108°31'06"	S81°01'54"W	97.40'
C30	62.25'	60.00'	59°26'46"	N14°59'09"W	59.50'
C31	96.30'	60.00'	91°57'23"	N60°42'55"E	86.29'
C32	27.90'	20.00'	79°55'18"	S66°43'58"W	25.69'
C33	85.88'	150.00'	32°48'20"	S10°22'10"W	84.72'
C34	168.64'	150.00'	64°24'57"	S51°47'31"W	159.90'
C35	49.96'	150.00'	19°05'06"	S10°02'30"W	49.73'

## SURVEYOR'S CERTIFICATE

I, KAGAN M. DIXON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD LICENSE NO. 9061091 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS HEREAFTER TO BE KNOWN AS:

## BROOKSIDE MEADOWS P.R.D.

AND THAT SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT. I FURTHER CERTIFY THAT ALL LOTS MEET FRONTAGE, WIDTH, AND AREA REQUIREMENTS OF THE APPLICABLE ZONING ORDINANCES.

## BOUNDARY DESCRIPTION

A TRACT OF LAND BEING SITUATE IN THE NORTH HALF OF SECTION 24, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, HAVING A BASIS OF BEARINGS OF NORTH 89°38'36" WEST BETWEEN THE EAST QUARTER AND THE WEST QUARTER OF SAID SECTION 24, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS NORTH 89°38'36" WEST ALONG THE QUARTER SECTION LINE A DISTANCE OF 2882.94 FEET AND NORTH 17°27' FEET FROM THE EAST QUARTER OF SECTION 24, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT ALSO BEING THE NORTHWESTERLY CORNER OF LOT 7, PLAT A, DEERFIELD SUBDIVISION, ON FILE WITH THE OFFICE OF THE UTAH COUNTY RECORDER AS MAP FILING NO. 10153, AND RUNNING THENCE NORTH 301°09' WEST 6.91 FEET; THENCE NORTH 89°58'58" WEST 61.10 FEET; THENCE NORTH 87°26'36" WEST 27.89 FEET; THENCE NORTH 109.48 FEET; THENCE SOUTH 89°28'07" WEST 100.18 FEET; THENCE NORTH 87°50'37" WEST 193.36 FEET; THENCE NORTH 86°42'12" WEST 100.37 FEET; THENCE NORTH 89°08'14" WEST 120.91 FEET; THENCE NORTH 87°48'00" WEST 65.93 FEET TO THE EAST RIGHT-OF-WAY LINE OF 400 WEST STREET; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES, 1) NORTH 07°04'00" EAST 58.16 FEET, 2) NORTH 01°04'00" EAST 417.73 FEET TO THE SOUTHWEST CORNER OF MOUNTAINVILLE HEIGHTS PUD, ON FILE WITH THE OFFICE OF THE UTAH COUNTY RECORDER AS MAP FILING NO. 2498; THENCE ALONG SAID PLAT THE FOLLOWING THREE (3) COURSES, 1) NORTH 88°28'55" EAST 86.45 FEET, 2) NORTH 26°46'20" EAST 395.43 FEET, 3) NORTH 36°03'20" EAST 74.92 FEET TO THE WESTERLY CORNER OF PARCEL 101C, PLAT C, WHITBY WOODLANDS PRD, ON FILE WITH THE OFFICE OF THE UTAH COUNTY RECORDER AS MAP FILING NO. 11809; THENCE ALONG SAID PLAT THE FOLLOWING TEN (10) COURSES, 1) SOUTH 60°00'00" EAST 166.36 FEET, 2) SOUTH 10°00'00" WEST 52.88 FEET, 3) SOUTH 27°39'52" WEST 69.81 FEET, 4) SOUTH 10°00'00" WEST 130.00 FEET, 5) SOUTH 39°00'00" WEST 187.00 FEET, 6) SOUTH 27°40'00" WEST 37.00 FEET, 7) SOUTH 51°16'59" EAST 48.84 FEET, 8) SOUTH 22°00'00" WEST 60.16 FEET, 9) SOUTH 60.52 FEET TO THE POINT OF A NON-TANGENT 200.00 FOOT RADIUS CURVE TO THE RIGHT, 10) ALONG SAID CURVE A DISTANCE OF 1.76 FEET THROUGH A CENTRAL ANGLE OF 0°30'10" (CHORD BEARS SOUTH 83°44'27" WEST 1.76 FEET) TO THE NORTHEAST CORNER OF THAT CERTAIN WARRANTY DEED RECORDED ON AUGUST 11, 2005, AS ENTRY 88437/2005, ON FILE WITH THE OFFICE OF THE UTAH COUNTY RECORDER, AND RUNNING THENCE ALONG SAID WARRANTY DEED THE FOLLOWING THREE (3) COURSES, 1) SOUTH 84°00'00" WEST 151.02 FEET TO THE POINT OF A 254.00 FOOT RADIUS CURVE TO THE LEFT, 2) ALONG SAID CURVE A DISTANCE OF 48.46 FEET THROUGH A CENTRAL ANGLE OF 10°55'54" (CHORD BEARS SOUTH 78°32'03" WEST 48.39 FEET), 3) SOUTH 04°12'04" WEST 50.18 FEET, THENCE NORTH 84°00'00" EAST 186.62 FEET TO THE WEST LINE OF SAID PLAT C, WHITBY WOODLANDS PRD; THENCE ALONG SAID WEST LINE THE FOLLOWING TWO (2) COURSES, 1) SOUTH 32°00'00" WEST 50.78 FEET, 2) SOUTH 45°00'00" WEST 155.00 FEET TO THE NORTH LINE OF SAID PLAT A, DEERFIELD SUBDIVISION; THENCE ALONG SAID SUBDIVISION THE FOLLOWING THREE (3) COURSES, 1) SOUTH 89°00'44" WEST 59.67 FEET, 2) SOUTH 03°23'29" WEST 41.92 FEET, 3) SOUTH 57°26'29" WEST 75.64 FEET TO THE POINT OF BEGINNING.

CONTAINS 15 LOTS, 576,669 SQUARE FEET, OR 13.238 ACRES, MORE OR LESS.

## OWNERS' DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, PARCELS, AND STREETS, TOGETHER WITH EASEMENTS AND RIGHTS-OF-WAY, TO BE HEREAFTER KNOWN AS:

## BROOKSIDE MEADOWS P.R.D.

AND DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC AND CITY ALL PARCELS, LOTS, STREETS, EASEMENTS, RIGHTS-OF-WAY, AND PUBLIC AMENITIES SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC OR CITY USE. THE OWNER(S) VOLUNTARILY DEED, CONFIRM, AND SAVE HARMLESS THE CITY AGAINST ANY EASEMENTS OR OTHER ENCUMBRANCE ON A DEDICATED STREET WHICH WILL INTERFERE WITH THE CITY'S USE, MAINTENANCE, AND OPERATION OF THE STREET. THE OWNER(S) AND ALL AGENTS, SUCCESSORS, AND ASSIGNS VOLUNTARILY DEFEND, INDEMNIFY, AND HOLD HARMLESS THE CITY FROM ANY CLAIM ARISING FROM THE OWNER'S CREATION OF THIS SUBDIVISION, THE ALTERATION OF THE GROUND SURFACE, VEGETATION, DRAINAGE, OR SURFACE OR SUB-SURFACE WATER FLOWS WITHIN THIS SUBDIVISION, AND THE DEVELOPMENT AND ACTIVITY WITHIN THIS SUBDIVISION BY THE OWNERS AND ALL AGENTS, SUCCESSORS, AND ASSIGNS. FURTHERMORE, PURSUANT TO UTAH CODE 10-9A-604(D), THE OWNER HEREBY CONVEYS ALL OPEN SPACE, AS INDICATED HEREON, TO THE BROOKSIDE MEADOWS HOA, INC., A UTAH NONPROFIT CORPORATION, WITH A REGISTERED ADDRESS OF 6944 WEST 9720 NORTH, HIGHLAND, UTAH 84003.

IN WITNESS WHEREOF I HAVE SET FORTH MY HAND THIS 11th DAY OF SEPTEMBER, A.D. 2020.

DAVID O. GIFFORD, MANAGING MEMBER  
ALPINE RIDGE ESTATES, LLC  
DAVID GIFFORD, MANAGING MEMBER  
ALPINE RIDGE ESTATES 2, LLC

ALPINE CITY  
SHANE L. SORENSEN, City Administrator  
PRINTED NAME, TITLE

ENT 143856/2020 Pp 4 of 1722  
JEFFERY SMITH  
UTAH COUNTY RECORDER  
2020 Sep 21 11:53 am FEE \$4.00 BY H  
RECORDED FOR ALPINE CITY CORPORATION

## APPROVAL BY LEGISLATIVE BODY

THE CITY COUNCIL OF THE CITY OF ALPINE, COUNTY OF UTAH, APPROVES THIS SUBDIVISION SUBMISSION AND THE CONDITIONS AND STATED HEREON, AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR THE PUBLIC PURPOSE OF THE PERPETUAL USE OF THE PUBLIC.

THIS 15th DAY OF September, A.D. 2020.

Troy Stout - Mayor

ENGINEER  
CITY RECORDER (SEE SEAL BELOW)

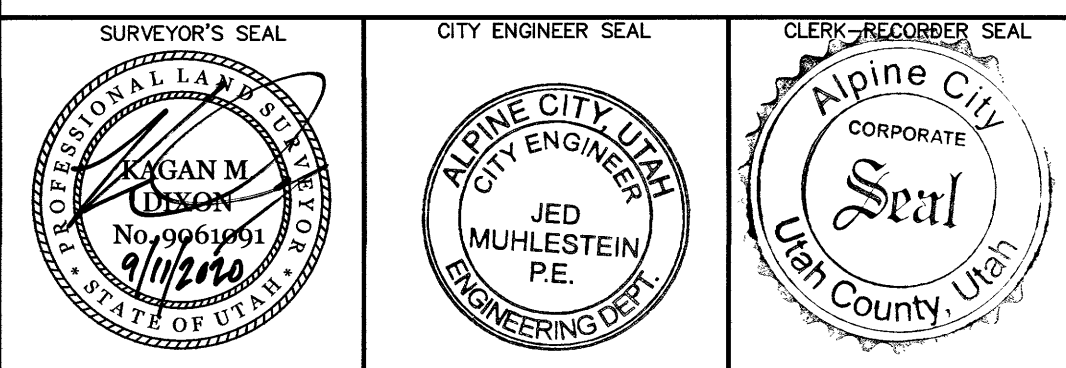
## PLANNING COMMISSION APPROVAL

APPROVED THIS 14th DAY OF SEPTEMBER, A.D. 2020, BY THE ALPINE CITY PLANNING COMMISSION.

DIRECTOR-SECRETARY  
CHAIRMAN, PLANNING COMMISSION

## BROOKSIDE MEADOWS P.R.D.

LOCATED IN THE NORTH HALF OF SECTION 24,  
TOWNSHIP 4 SOUTH, RANGE 1 EAST,  
SALT LAKE BASE AND MERIDIAN,  
CITY OF ALPINE, UTAH COUNTY, UTAH



## LLC ACKNOWLEDGEMENT

STATE OF UTAH

COUNTY OF Utah

ON THIS 11th DAY OF SEPTEMBER, A.D. 2020, PERSONALLY APPEARED BEFORE ME DAVID O. GIFFORD, WHO BEING DULY SWORN OF AFFIRMED, DID SAY THAT HE IS THE MANAGING MEMBER OF ALPINE RIDGE ESTATES, LLC, AND THAT THE WITHIN OWNER'S DEDICATION WAS SIGNED BY HIM ON BEHALF OF SAID LLC BY AUTHORITY OF ITS BYLAWS, OR BOARD OF DIRECTORS, AND THAT SAID CORPORATION EXECUTED THE SAME.

SIGNATURE  
COMMISSION NUMBER  
PRINTED NAME, A NOTARY PUBLIC COMMISSIONED IN UTAH  
RACHEL WILSON  
EXPIRATION DATE  
NOTARY PUBLIC - STATE OF UTAH  
My Commission Expires October 10, 2022  
COMMISSION NUMBER 70262

## LLC ACKNOWLEDGEMENT

STATE OF UTAH

COUNTY OF Utah

ON THIS 11th DAY OF SEPTEMBER, A.D. 2020, PERSONALLY APPEARED BEFORE ME DAVID GIFFORD, WHO BEING DULY SWORN OF AFFIRMED, DID SAY THAT HE IS THE MANAGING MEMBER OF ALPINE RIDGE ESTATES 2, LLC, AND THAT THE WITHIN OWNER'S DEDICATION WAS SIGNED BY HIM ON BEHALF OF SAID LLC BY AUTHORITY OF ITS BYLAWS, OR BOARD OF DIRECTORS, AND THAT SAID CORPORATION EXECUTED THE SAME.

SIGNATURE  
COMMISSION NUMBER  
PRINTED NAME, A NOTARY PUBLIC COMMISSIONED IN UTAH  
RACHEL WILSON  
EXPIRATION DATE  
NOTARY PUBLIC - STATE OF UTAH  
My Commission Expires October 10, 2022  
COMMISSION NUMBER 70262

## CORPORATE ACKNOWLEDGMENT

STATE OF UTAH

COUNTY OF Utah

ON THIS 15th DAY OF September, A.D. 2020, PERSONALLY APPEARED BEFORE ME SHANE L. SORENSEN, WHO BEING DULY SWORN OF AFFIRMED, DID SAY THAT (S)HE IS THE City Administrator OF ALPINE CITY, AND THAT THE WITHIN OWNER'S DEDICATION WAS SIGNED BY HIM/HER ON BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BYLAWS, OR BOARD OF DIRECTORS, AND THAT SAID CORPORATION EXECUTED THE SAME.

SIGNATURE  
COMMISSION NUMBER  
PRINTED NAME, A NOTARY PUBLIC COMMISSIONED IN UTAH  
BONNIE B. COOPER  
EXPIRATION DATE  
NOTARY PUBLIC - STATE OF UTAH  
My Commission Expires May 21, 2024  
COMMISSION NUMBER 71210

## APPROVAL AS TO FORM

APPROVED TO FORM THIS 12th DAY OF September, A.D. 2020.

CITY ATTORNEY





## **ALPINE CITY PLANNING COMMISSION AGENDA**

**SUBJECT: Discussion – Height & Retaining Wall Ordinances**

**FOR CONSIDERATION ON: 3 August 2021**

**PETITIONER: Planning Commission**

**ACTION REQUESTED BY PETITIONER: Review and discuss.**

### **BACKGROUND INFORMATION:**

On July 20, 2021, the Planning Commission briefly discussed a new structure being built. Several Planning Commission members had been contacted by residents who had concerns about the height of the new structure. Among those concerns, was the fact that the structure was not being built from the natural grade and instead the builder had brought in fill dirt to raise up the south side of the lot.

Alpine City regulates the height of a structure by measuring the height of the structure from the “finished grade” of a lot. With Alpine City being a hillside community, it is not uncommon for a lot to require some fill dirt. In some cases, retention (i.e., retaining wall) may be required to keep fill on a lot. Where retention is required, the retaining wall ordinance would take effect.

Per request of the Planning Commission, staff have put together the ordinances (Articles 3.04.080, 3.21.080, and 3.32) that might be used in determining the overall maximum height and elevation of a structure.

### **STAFF RECOMMENDATION:**

Review and discuss the height and retaining wall ordinances.

### **3.21.080 Rules For Determining Height Of Dwellings And Other Main Buildings**

1. Wherever the terms of this Ordinance require a building height, said height shall be the vertical distance from the "average elevation of the finished grade" of the structure to the "roof line of the structure" except in the CE-50 zone. For purposes of compliance with this Ordinance:
  - a. Average elevation of the finished grade shall be the proposed finished grade of each major corner of the structure, divided by the number of corners.
  - b. Roof line of the structure shall be as follows, as applicable:
    - i. Flat roof - the highest of a flat roof or top of any adjacent parapet wall, whichever is higher.
    - ii. Mansard type roof - the deck line.
    - iii. Gable, hip or gambrel roof - the elevation measured at the midway point between the highest part of the roof ridge line and the lowest elevation of the eaves or cornice of the main roof structure (not including independent, incidental roof structures over porches, garages and similar add-on portions of the structure).

Notwithstanding the provisions above, buildings which exceed the maximum height of thirty-four (34) feet may be approved by the issuance of a conditional use permit upon findings of no significant loss of light, air, and views of surrounding properties, or where by reason of topography one side of the dwelling may exceed thirty-four (34) feet. (Ord 96-15, 12/18/96)

2. Taller accessory buildings may be permitted as a conditional use upon approval by the Planning Commission if the following conditions are met:
  - a. Accessory buildings are listed as a conditional use within the zone.
  - b. The lot or parcel upon which the accessory building is proposed to be placed shall have a lot area of not less than two (2) acres.
  - c. The accessory building shall be located not less than 75 feet to the primary dwelling and not closer than 50 feet to any side or rear property line.
  - d. Prior to approval, a site plan showing the proposed location of the accessory building shall be submitted, and approved by the Planning Commission.
  - e. The Planning Commission may attach other conditions as deemed necessary.
  - f. The height of the accessory building shall not exceed 34 feet as measured from average finished grade to the ridgeline.

(Amended by Ordinance No. 2001-06)

### **3.04.080 Building Requirements**

1. **Height of Dwellings.** The maximum height of any dwelling or other main building shall be thirty-four (34) feet, as determined in accordance with the provisions of DCA 3.21.080. (Ord. 96-15, 12/18/96).
2. **Height of Accessory Buildings.** The maximum height of any accessory building shall be twenty (20) feet as measured from the average finished grade of the ground surface adjacent to the foundation of the structure to the top of the ridgeline.

For every one (1) foot of additional height above twenty (20) feet, an additional two (2) feet of side yard and rear yard setback will be required. The maximum height of an accessory building as measured to the ridgeline shall be thirty (30) feet.

3. **Exceptions to Height Requirements.** Chimneys, flag poles, television antennas, and similar ancillary structures not used for human occupancy shall be excluded in determining height, provided that no such ancillary structure shall extend to a height in excess of fifteen (15) feet above the building.
4. **Buildable Area Required** (Ord. 97-02, 2/25/97)
  - a. Each zoning lot shall contain at least one Designated Buildable Area of not less than five thousand (5,000) sq. ft. All dwellings and other habitable structures and accessory buildings shall be located within the Designated Buildable Area.
  - b. Each Designated Buildable Area shall conform to the criteria for qualification as a "Buildable Area" as defined in this Ordinance. Except that the Planning Commission may approve or require the placement of the Designated Buildable Area in a location within the lot which does not conform to one or more of the criteria for Buildable Area, upon a finding that the proposed Designated Buildable Area: (1) will more adequately accommodate subsequent development of the lot, and (2) will not constitute a potential hazard to life or property, and/or (3) will serve to diminish the negative impact of subsequent development upon the lot or community (i.e. extra-ordinary construction of driveway access, mitigate visual intrusion of structure on ridge line).
  - c. Where considered appropriate, the Planning Commission may require a subdivider to identify a Designated Building Area on one or more of the lots within a proposed subdivision. The location of each Designated Buildable Area shall be shown upon the preliminary plan and shall also be identified and described on the final plat, together with a notation to the effect that all main and accessory buildings shall be located within the Designated Buildable Area.
  - d. On any lot where a Designated Buildable Area is shown, the boundary of said area shall be deemed to constitute the setback requirements applicable to the lot. Where an entire lot area qualifies as a Buildable Area, no designation on the final plat shall be required.
  - e. Except as permitted pursuant to Part 4,b, any portion of a lot which has been graded to produce a percent of slope to qualify under the Buildable Area, criteria shall be excluded from consideration as part of the Designated Buildable Area.

(CR-1 Created by Ord. 91-01, 4/9/91 and amended by Ord. 95-04, 2/3/95; Ord. 2014-11, 6/24/14)

### **3.32 Retaining Walls**

#### **3.32.010 Applicability**

#### **3.32.020 Exceptions From DCA 3.32**

#### **3.32.030 Purpose And Intent**

#### **3.32.010 Applicability**

This section applies to all retaining walls as defined in DCA 3.01.110 (retaining wall).

(Ord. No. 2015-07, 06/09/15)

#### **3.32.020 Exceptions From DCA 3.32**

The City Council may grant an exception from these standards. Prior to the City Council considering the exception, the City Engineer shall submit a written recommendation to the Planning Commission. The recommended exception shall be based on generally accepted engineering practices. The Planning Commission shall review the recommendation and advise the City Council as to whether or not the exception should or should not be granted.

(Ord. No. 2015-07, 06/09/15)

#### **3.32.030 Purpose And Intent**

The purpose of this ordinance and the intent of the City Council in its adoption is to promote the health and safety and general welfare of the present and future inhabitants of Alpine City. The ordinance will accomplish this purpose by:

1. **Building Permit Required.** Except as otherwise provided in Part 2, all retaining walls require a building permit prior to construction or alteration. Permit applications shall be processed and issued in accordance with building permit procedures and applicable provisions of this section. Building permit review fees will be assessed and collected at the time the permit is issued.
2. **Building Permit Exemptions.** The following do not require a building permit:
  - a. Retaining walls less than four feet in exposed height with less than 10H:1V (Horizontal: Vertical) front and back slopes within ten feet of the wall;
  - b. Non-tiered retaining walls less than four feet in exposed height with back slopes flatter than or equal to 2H:1V and having front slopes no steeper than or equal to 4H:1V;
  - c. Double tiered retaining walls less than four feet in exposed height per wall and which have front slopes and back slopes of each wall no steeper than or equal to 10H:1V within ten feet of the walls, 2 foot spacing between front face of the upper wall and back edge of the lower wall;
  - d. Retaining walls less than 50 square feet in size, less than 4 feet tall.
3. **Geologic Hazards.** If construction of any retaining wall, which requires a building permit, occurs within sensitive land areas as outlined by ADC 3.12, then all analyses required for the design of retaining walls or rock protected slopes shall follow the Sensitive Lands Ordinance, specifically in regards to limits of disturbance and the required geologic hazard and engineering geology reports (ADC 3.12.060 Part 4)
4. **Engineer Design Required.** All retaining walls required to obtain a building permit shall be designed by an engineer licensed by the State of Utah.



## 5. Location, Height, Separation and Plantings

- a. Location. The retaining wall will not be placed on land designated as a recorded easement, such as a utility or trail easement, unless the owner(s) of said easement agree(s) to allow the encroachment. Documentation of the agreement shall be provided to the City.
- b. For the purposes of this Part, the height of a retaining wall is measured as exposed height (H) of wall of an individual tier.
- c. A single retaining wall shall not exceed nine feet in exposed height if it can be seen from the nearest public right-of-way or adjacent properties to which it is exposed.
- d. Terracing of retaining walls is permitted where justified by topographic conditions, but the combined height of all walls shall not exceed a height of 18 feet if exposed or can be seen from the nearest public right-of-way or adjacent properties. Walls with a separation of at least  $2H$  (H of largest of 2 walls) from face of wall to face of wall shall be considered as separate walls for analysis purposes and applicability to this ordinance. If walls are within  $2H$  (H of largest of 2 walls), then the combined height of the terrace shall be used for limitation of height.
- e. In a terrace of retaining walls, a minimum horizontal separation of  $H/2$  (H of largest of 2 walls) is required as measured from back of lower wall to face of higher wall. If the walls are not viewable from the nearest public right-of-way or adjacent properties, then there is no limitation of height.
- f. The view of the nearest public right-of-way or adjacent property shall be verified by the City Official during the review process and prior to permit for construction.
- g. For terraced walls viewable from the nearest public right-of-way, the horizontal separation between walls shall be planted with a minimum of five shrubs for every 20 linear feet of planting area. The size of the shrubs shall be less than one-half the width of the terrace. Shrubs shall be drip irrigated to minimize erosion, and when possible, the use of drought resistant vegetation shall be used to minimize future watering needs. The responsibility of drip irrigation resides with the property owner on which the majority of the structure is built. If the majority of the structure is built on private or public open space, a pressurized irrigation service and drip irrigation system shall be installed by the Developer and the future owner(s) of the open space shall be responsible for the drip irrigation maintenance and cost of operation after the warranty period expires.
- h. Walls greater than four (4) feet in height (H) placed within  $H/2$  of an adjacent property line, which would create a drop-off for the adjacent property, shall install a fence along the top of the wall in accordance with ADC 3.21.060.
- i. No retaining wall component shall extend beyond the property lines unless written permission is obtained from the affected property owner.

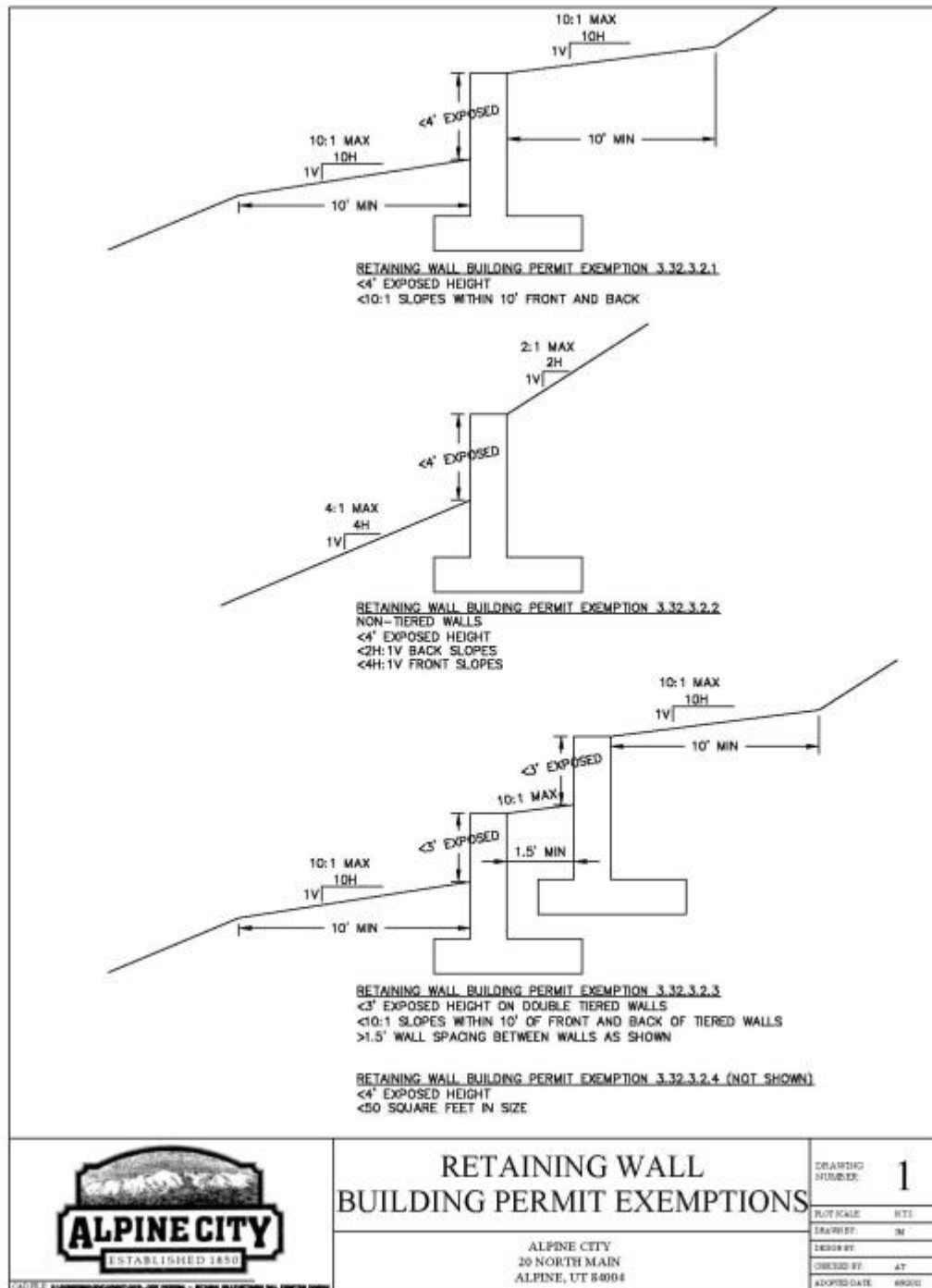
## 6. Submittals. The following documents and calculations prepared by a licensed engineer of the State of Utah shall be submitted with each retaining wall building permit application:

- a. profile drawings if the retaining wall is longer than 50 lineal feet, with the base elevation, exposed base elevation and top of wall labeled at the ends of the wall and every 50 linear feet or change in grade;
- b. cross-sectional drawings including surface grades and structures located in front and behind the retaining wall a distance equivalent to three times the height of the retaining wall, and if the retaining wall is supporting a slope, then the cross section shall include the entire slope plus surface grades and structures within a horizontal distance equivalent to one times the height of slope;

- c. a site plan showing the location of the retaining walls with the base elevation, exposed base elevation and top of wall labeled at the ends of wall and every 50 lineal feet or change in grade;
- d. a copy of the geotechnical report used by the design engineer. The geotechnical report shall include requirement of Part 6,e otherwise additional laboratory testing is required in Part 6,e;
- e. material strength parameters used in the design of the retaining wall, substantiated with laboratory testing of the materials as follows:
  - i. for soils, this may include, but is not limited to, unit weights, direct shear tests, triaxial shear tests and unconfined compression tests;
  - ii. if laboratory testing was conducted from off-site but similar soils within a 2000 foot radius of the proposed wall location, the results of the testing with similar soil classification testing needs to be submitted;
  - iii. minimum laboratory submittal requirements are the unit weight of retained soils, gradation for cohesionless soils, Atterberg limits for cohesive soils, and shear test data;
  - iv. soil classification testing shall be submitted for all direct shear or triaxial shear tests;
  - v. if a Proctor is completed, classification testing shall be submitted with the Proctor result; and,
  - vi. laboratory testing should be completed in accordance with applicable American Society for Testing and Materials (ASTM) standards;
  - vii. for segmented block walls, the manufacturer's test data for the wall facing, soil reinforcement, and connection parameters shall be submitted in an appendix.
- f. the design engineer shall indicate the design standard used and supply a printout of the input and output of the files in an appendix with factors of safety within the design standard used as follows:
  - i. design calculations ensuring stability against overturning, base sliding, excessive foundation settlement, bearing capacity, internal shear and global stability;
  - ii. calculations shall include analysis under static and seismic loads, which shall be based on the PGA as determined from probabilistic analysis for the maximum credible earthquake (MCE), with spectral acceleration factored for site conditions in accordance with the current IBC;
  - iii. Mechanically Stabilized Earth (MSE) walls shall be designed in general accordance with current FHWA or AASHTO standards for design of Mechanically Stabilized Earth Walls and Reinforced Soil Slopes or the current National Concrete Masonry Association (NCMA) Design Manual for Segmental Retaining Walls;
  - iv. rock walls shall be designed in general accordance with 2006 FHWA-CFL/TD-06-006 "Rockery Design and Construction Guidelines," or current FHWA standard of care and;
  - v. concrete cantilever walls shall be designed in general accordance with specifications provided in current American Concrete Institute or American Society of Civil Engineers standards and specifications.

- g. a global stability analysis with minimum factors of safety of at least 1.50 under static conditions and at least 1.10 under seismic loading conditions as follows:
  - i. factors of safety results shall be presented to the nearest hundredth;
  - ii. seismic loads shall be based on the PGA as determined from probabilistic analysis for the maximum credible earthquake (MCE), with spectral acceleration factored for site conditions in accordance with the current IBC;
  - iii. the cross-sectional view of each analysis shall be included, and the printout of the input and output files placed in an appendix; and,
  - iv. the global stability analysis may be omitted for concrete cantilever retaining walls that extend to frost depth, that are less than nine feet in exposed height, absent of supporting structures within 30 feet of the top of the wall, and which have less than 10H:1V front and back slopes within 30 feet of the retaining structure.
- h. a drainage design, including a free draining gravel layer wrapped in filter fabric located behind the retaining wall with drain pipe day-lighting to a proper outlet or weep holes placed through the base of the wall, however:
  - i. a synthetic drainage composite may be used behind MSE walls if a materials specific shear testing is completed to determined friction properties between the backfill and synthetic drainage composite;
  - ii. a synthetic drainage composite is not allowed behind rock walls;
  - iii. a synthetic drainage composite may be used behind the stem of the concrete cantilever walls;
  - iv. if the engineering can substantiate proper filtering between the retained soils and the drain rock, then the filter fabric may be omitted, and;
  - v. if the retaining wall is designed to withstand hydrostatic pressures or the retained soils or backfill is free-draining as substantiated through appropriate testing, then drainage material may be omitted from the design.
- i. the design engineer's acknowledgement that the site is suitable for the retaining wall;
- j. an inspection frequency schedule.

- 7. **Preconstruction Meeting.** At least 48 hours prior to the construction of any approved retaining wall, a preconstruction meeting shall be held as directed by the Building Official. The meeting shall include the Building Official, the design engineer, the contractor and the project or property owner. The preconstruction meeting can be waived at the discretion of the Building Official.
- 8. **Inspections and Final Report.** The design engineer shall make all inspections needed during construction. A final report from the design engineer shall state that the retaining wall was built according to the submitted design. The design engineer shall submit the final report to the Building Official to close out the permit. The report shall include detail of the inspections of the wall in accordance with the inspection frequency schedule. All pertinent compaction testing shall also be included with the final report.
- 9. **Maintenance.** All retaining walls shall be maintained in a structurally safe and sound condition and in good repair.



(Ord. No. 2015-07, 06/09/15)

#### HISTORY

Amended by Ord. [2018-05](#) on 9/11/2018

Amended by Ord. [2020-13](#) on 10/13/2020

Amended by Ord. [2021-12](#) on 6/8/2021



## **ALPINE PLANNING COMMISSION AGENDA**

**SUBJECT:** Planning Commission Minutes July 20, 2021

**FOR CONSIDERATION ON:** 3 August 2021

**PETITIONER:** Staff

**ACTION REQUESTED BY PETITIONER:** Approve Minutes

**BACKGROUND INFORMATION:**

Minutes from the July 20, 2021, Planning Commission Meeting.

**STAFF RECOMMENDATION:**

Review and approve the Planning Commission Minutes.

**ALPINE CITY PLANNING COMMISSION MEETING**  
**Alpine City Hall, 20 North Main, Alpine, UT**  
**July 20, 2021**

**I. GENERAL BUSINESS**

**A. Welcome and Roll Call:** The meeting was called to order at 7:00 p.m. by Chairwoman Jane Griener. The following were present and constituted a quorum:

Chairwoman: Jane Griener

Commission Members: Alan MacDonald, John MacKay, Ethan Allen, Ed Bush, Troy Slade

Excused:

Staff: Austin Roy, Jed Muhlestein, Marla Fox

**B. Prayer/Opening Comments:** Alan MacDonald

**C. Pledge of Allegiance:** Ed Bush

**II. PUBLIC COMMENT**

There were no comments.

**III. ACTION ITEMS**

**A. Final Plat – Fort Creek Landing Subdivision (Formerly Koroem Court)**

Austin Roy presented the staff report as well as an aerial map of the subject property. He said the Fort Creek Landing Subdivision consists of three lots on 8.44 acres, with lots ranging in size from 1.56 acres to 4.37 acres. The development was located in the CR-20,000 zone at approximately 662 North Whitby Woodlands Drive. The applicant was seeking approval of the Final Plat. Austin Roy said all the zoning requirements have been met.

Jen Muhlestein said the developer was still working on getting the signed offsite utility easement documents and hoped to have them by the next meeting. Lot 1 had a retaining wall and the developer provided plans for the wall. Water rights were going to acquire water shares to meet the water policy. Minor red lines had been taken care of and a few still need to be provided.

Jane Griener asked about the different name from the intersection and the circle. She said it would be confusing for people trying to find the address or making deliveries. Austin Roy read from the ordinance and said an argument could be made for the circle to be the same name as the road entering it.

The Planning Commission discussed changing the name of the cul-de-sac or including the name of the existing street. It was noted that all street names needed to be recommended by the Planning Commission. The group then reviewed various options for how to approach naming the cul-de-sac.

**MOTION:** Commission Member Ethan Allen moved to recommend approval of Fort Creek Landing Final Plat with these conditions prior to recording:

1. Meet the water policy;
2. Provide a construction cost estimate;
3. Provide roadway preservation funds;
4. Provide signed offsite utility easement documents;
5. Change cul-de-sac name to include circle or court.

Alan MacDonald seconded the motion. Motion died.

Brian Hansen, developer, explained the intent behind the name change request on the street north of 600 North.

**MOTION:** Commission Member Alan MacDonald moved to recommend approval of Fort Creek Landing Final Plat with these conditions prior to recording:

1. Meet the water policy;
2. Provide a construction cost estimate;
3. Provide roadway preservation funds;
4. Provide signed offsite utility easement documents;
5. Change cul-de-sac name to Fort Creek Court.

Ed Bush seconded the motion.

There were 6 Ayes and 0 Nays (recorded below). The motion passed.

**Ayes:**

Ed Bush  
Alan MacDonald  
Ethan Allen  
John MacKay  
Jane Griener  
Troy Slade

**Nays:**

None

**B. Final Plat – Alpine Layton Subdivision (Formerly Whitby Woodlands Plat I)**

Austin Roy presented the staff report and aerial map of the subject property. He said the Alpine Layton Subdivision consisted of five lots on 9.7 acres, with lots ranging from 0.94 acres to 4.76 acres in size. The development was located at approximately 200 North 400 West, and in the CR 20,000 zone. The Alpine Layton Subdivision Plat A was the final plat of the final phase of the Whitby Woodlands Development. Austin Roy said this subdivision met all the zoning requirements.

The developer wanted to change the street name, but Jane Griener said she didn't think that fit the ordinance because the road was continuous. Jed Muhlestein said fifteen years ago, this subdivision was approved for 15 lots. The developer was now proposing only four lots. Sidewalks would be connected which will be a great improvement. He also explained that a traffic study was done a few years ago at the intersection and the report came back recommending a four-way stop when this development was complete. There was a proposed crosswalk striping for the school as well.

Jed Muhlestein said the developer was asking for an exception to the 50-foot grading rule and he said it made sense in this situation. He said the hillside would be disturbed to install the sidewalk, but then would be put back together and reseeded.

**MOTION:** Commission member Alan MacDonald moved to recommend approval of the proposed the Alpine Layton Subdivision Plat A with the following conditions:

1. An exception be granted for grading beyond the 50-foot clear zone
2. Prior to recording the Developer:



- Meet the water policy and provide escrow funds for a roadway preservation coat;
- Provide a cost estimate for development;
- Address the redlines on the plat and plans;
- Keep street name Whitby Woodlands Drive.

Jed Muhlestein said there was a typo on one of the documents and stated that the minutes needed to reflect the name as Whitby Woodlands Drive.

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

**Ayes:**

Jane Griener  
 Alan MacDonald  
 John MacKay  
 Ethan Allen  
 Ed Bush  
 Troy Slade

**Nays:**

None

**C. Public Hearing – Ordinance 2021-15 Storm Water Detention and Retention Basins**

Austin Roy said with the development of the Alpine West Meadows Subdivision staff noticed that every lot with a storm water pond easement had issues with placing a home on the lot and driveway access design difficulties. The lots with storm water pond easements had less lot area to work with and as a result design issues were common. Staff would recommend that storm water pond easements located on a lot do not count towards the lot area, in the same way that flood plain areas currently do not count towards the minimum area of a lot. The Planning Commission unanimously recommended approval of the proposed amendments at the June 15, 2021, meeting.

On June 22, 2021, the City Council briefly discussed this item, and it was decided that the amendment should be redrafted and moved to a different section within the Development Code. The City Council tabled the item and asked that staff with the make the identified corrections and that the Planning Commission hold a public hearing and make a recommendation based on the changes.

Jane Griener opened the Public Hearing. There were no comments and Jane Griener closed the Public Hearing.

**MOTION:** Commission Member Ed Bush moved to recommend that Ordinance 2021-15 Storm Water Easement be adopted as proposed.

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

**Ayes:**

Jane Griener  
 Alan MacDonald  
 John MacKay  
 Ethan Allen  
 Ed Bush  
 Troy Slade

**Nays:**

None

**IV. COMMUNICATIONS**

Jane Griener said the Alpine Days Committee would like the Planning Commission to partner with their group in cooking the food for the family dinner.

Troy Slade asked about the large building on Healey Boulevard. He said it was being constructed on a built-up area which made it look very tall. Austin Roy said at this point, the building met the City's ordinance. Troy Slade asked if the retaining wall was approved.

**V. APPROVAL OF PLANNING COMMISSION MINUTES: June 15, 2021**

**MOTION:** John MacKay moved to approve the minutes for June 15, 2021, as written.

Alan Macdonald seconded the motion. There were 6 Ayes and 0 Nays (recorded below). The motion passed unanimously.

**Ayes:**

Jane Griener  
Alan MacDonald  
Ed Bush  
John MacKay  
Ethan Allen  
Troy Slade

**Nays:**

None

**MOTION:** Alan MacDonald moved to adjourn the meeting.

Ed Bush seconded the motion. There were 6 Ayes and 0 Nays (recorded below). The motion passed unanimously.

**Ayes:**

Jane Griener  
Alan MacDonald  
Ed Bush  
Ethan Allen  
Troy Slade  
John MacKay

**Nays:**

None

The meeting was adjourned at 8:13 p.m.