
UPDATED STAFF REPORT – October 12, 2023

TOWN COUNCIL PUBLIC HEARING

Minor Subdivision (Re-Plat) Application:
Barry Griest
Lots #1, 2, 3 & 4 of the Griest Addition
to the Town of Alpine

1. Minor Subdivision Application and Supplemental Information were submitted on July 12th, 2023; related filing fees were submitted with the application; Application was reviewed and evaluated by the Zoning Administrator. "Attachment #1 - Application"
2. The replat application was advertised in the Star Valley Independent a public hearing date for the application was scheduled for August 22nd, 2023 at 6:30 PM; advertising has been completed; in anticipation for a scheduled public hearing. "Attachment #2". Included in the notification was the opportunity to attend the scheduled public hearing.
3. As established in the Alpine Land Use and Development Code (LUDC) required all property Owners within a five hundred (500) foot radius of the proposed property re-plat were notified via supplied information of the project re-plat; with the opportunity to provide comment and/or to give a response to the mailing, either in person or in writing. The initial response date was August 18th, 2023.
4. Approximately forty-seven (47) mailings were sent out; of those forty-seven (47) mailings, approximately three (3) of the mailings are held by property owners having more than one (1) property within the given mailing radius.
5. To date the Town has two (2) known verbal public comments from the adjacent property owners. Those inquiries include: "I wish I would have bought that property" and "I think they should keep those lots the way they are, I'm not in favor of this replat".
6. As per the established LUDC regulations the Town has received responses back from Alpine Fire District, the Town Public Works Director and the Town Engineer. (Those comments are attached, Refer to Exhibit #1, #2 and #3.)
7. A copy of the minor subdivision map is attached, further referred as "Attachment #3".
8. Request for Minor Subdivision (Re-Plat); as stated by the Applicant, Barry Griest owns two (2) parcels located on Nelson Lane. The total combined acreage is 2.13 +/- acres. Barry wishes to divide the property into four (4) individual lots – smallest lot is 0.43 +/- acres and the largest lot is 0.64 +/-.

These parcels are known as Parcel 1 and Parcel 2 – Alpine Grid Area, (See Exhibit A for Legal Description).

Planning & Zoning Administrator Evaluation/Report

1. Completeness of the Subdivision Application: An application was submitted with additional information as stipulated in the permit application, this information was received from the authorized representative (Surveyor Scherbel Ltd.). Items received include: Permit application, ownership deed, advanced plat map; property owners within the notification area and a copy of the master plan report.

Additional information has been identified to complete permit application review, those items are identified as: Planned Snow Storage Area; Planned Easements and Planned Covenants and Deed Restrictions.

2. Receipt of the filing fees: All filing fees were received with the minor subdivision application submittal.
3. This property is identified as Single Family Residential {R1}; see zoning map attached hereto.
4. Request for Comments was distributed to Town Public Works Director, Town Engineer and Alpine Fire District; the Town Surveyor was not included, as they are the ones preparing the replat for the applicants have already reviewed the project.

Reports that were distributed were asked to evaluate the following:

- (aa) Consistency of the proposed subdivision with the Town of Alpine Municipal Master Plan;
- (bb) Consistency of the proposed subdivision with subdivision development standards and design criteria outlined in Part 4 of the Alpine Land Use and Development Code;
- (cc) Compatibility and potential impacts of the proposed subdivision and related zone change upon adjoining land uses;
- (dd) Potential impacts of the proposed subdivision upon the Town of Alpine, e.g., municipal roads, water system, wastewater system, storm water management, and other public services; and,
- (ee) Compatibility of the proposed subdivision with adjoining land uses.

Consistency of the proposed subdivision with subdivision development standards and design criteria outing in Part 4 of the LUDC. {Comments prepared by Zoning Administrator}

ARTICLE 4.3 SUBDIVISION STANDARDS

Section 4-301. Pedestrian and Vehicular Access

(a) Pedestrian Areas Supporting Single Family Residential Subdivisions:

- (1) At least one (1) walkway shall extend from an existing sidewalk or street to the main entrance of the subdivision. **Project is proposed for single family residential homes; all the proposed lots have driveway locations that extend to Nelson Lane, which is just off of Greys River Road.**
- (2) If a new subdivision is adjacent to the planned community trail system route, an existing municipal park, or other existing public recreational facility, a paved walkway shall be constructed that provides a direct connection from the subdivision to the proposed trail route or municipal park. The walkway shall be eight (8) feet in width to accommodate use by pedestrians, bicyclists, and cross-country skiers. **There is no community trail system, municipal park or other public recreational facility in the area of the proposed development.**

(b) Vehicular Access: Vehicular access to each lot may be provided from a street frontage or alley.

It appears that access will be given to lots #1 and #2 through a shared driveway easement; is there going to be access given to lots #3 and #4?

Section 4-302. Lots

(a) Buildings on Lot: Every building shall be located on a lot unless otherwise provided in the applicable zoning district regulations.

The addition has been identified as: R1 – Single Family Residential Zoning; the Master Plan report identifies this project will be constructed in a single phase. This phase will consist of water and sewer installation to the four (4) lots as well as paving on the shared driveway between lots 3 and 4. Water curb stop installation will be completed in this phasing plan; connection and meter pit installation will be completed by future lot owners at the time of construction.

(b) Frontage:

- (1) All lots shall front on a public or private street. **The public street is established and is known as Nelson Lane.**
- (2) A minimum street frontage of sixty (60) feet shall be required for all lots. **Nelson Lane is an existing Town of Alpine public road; it is unknown what the minimum width of Nelson Lane is. All four (4) of the proposed lots have a sixty (60) foot wide shared driveway easement.**

(c) Front and Side Setbacks: Front and side setbacks, which are adjacent to municipal streets, county roads, or state

highways, shall be shown on all subdivision plans. A subdivider may elect to impose greater setbacks through restrictive covenants. However, the Town of Alpine shall only enforce the setback requirements outlined in the Zoning District regulations (Part 3). **The provided plat map does not depict any setbacks; therefore the setbacks that have been established in the Alpine Land Use and Development Code (LUDC) will apply to this Addition.**

(d) **Corner Lots:**

- (1) For corner lots, the address of record shall be considered the front of the lot. The Planning & Zoning Commission may waive this requirement and determine the front yard to be on the street front that is in line with an established pattern of front yards along the street. **There are no corner lots in this Addition.**
- (2) Corner lots shall have two (2) front setbacks and two (2) side setbacks. **There are no corner lots in this Addition.**

- (e) **Flag Lots:** **Lots #1 and #2 have not been identified as flag lots; as they have approximately one hundred forty-eight (148) feet of a shared driveway (easement).**

Section 4-303. **Blocks – This section of the LUDC does not apply to this Addition.**

Section 4-304. **Roads and Streets - This section of the LUDC does not apply to this Addition.**

Land Use and Development Code

Section 2-207.2 – Minor Subdivision Review & Approval Process

Sub-Section (i):

Merits:

The intrinsic value of property re-platting is to allow for more single-family home construction within the incorporated Town boundaries. The applicant will have the availability to construct homes on these lots for re-sale and/or utilize them for rental properties or the property owner could sell the platted lots; this could offset the overall costs of installing the infrastructure to the project.

Disadvantages:

I see **no apparent** disadvantages to this minor subdivision (re-plat) project; yes, it will increase the noted population by adding two (2) additional homesites, however the Town of Alpine' current infrastructure should be able to handle these two (2) additional homesites. By adding two (2), most likely four (4) vehicles, to the already highly trafficked Greys River Road route does not appear to be a disadvantage. Furthermore, I do not believe there will be a significant traffic increase on Nelson Lane, as this road already has six (6) potential homesites, of which has two (2) existing homes.

Potential Issues:

Building/Construction on these lots will impact the area residents while construction is commencing, this will be a minor imposition for those area residents. The shared drive easement could prove to be an issue for those Griest Addition residents, figure 11.3.3 – Site Drainage denotes lots #3 and #4 appear to have their access off the shared drive easement. This should be identified prior to plat approval. Furthermore, it should be noted that no parking should/would be allowed on that shared driveway easement.

There has not been any identification of Snow Storage areas for the Addition and/or the individual lots; property owners will need to contain storage to their individual lots. How will snow removal be completed on the shared driveway? Where will that driveway snow be deposited.

The Master Plan Report states a draft of the planned covenants is in process and will be delivered under a separate cover. As of the date of this staff report, no DCCR's have been delivered to the Town.

Additional clarification on the above-mentioned items is requested.

Recommendation from the Planning and Zoning Administrator is:

In closing, I have conducted a review of the application and the associated paperwork for this minor subdivision application; As of the date of this staff report; I have not received any written opposition considering the re-plat project, but have taken a couple verbal comments, in which those citizens have been encouraged to attend the Public Hearing to voice their opinions. **(An update to the staff report will be made available, should there be any additional submittals by the public.)**

I believe that the proposed re-plat would not readily impede the properties in the surrounding area, only with construction efforts when building homes, the most impact that I can see is the access off Nelson Lane. I believe this project will add benefit to the community with single family homes, rather than a property re-zone for more multi-family structures, (that was previously discussed) and the Town has been seeing lately.

It is the recommendation of the Planning and Zoning Administrator to approve with conditions and/or modifications the preliminary re-plat for the Griest Addition to the Town of Alpine, Lincoln County, Wyoming, owned by Barry Griest.

Items to be addressed before the final plat submittal should include:

- o Items requested and/or identified in the Engineers Report, provided by Jorgensen;
- o Infrastructure Installation Timeline;
- o Applicant to provide record drawings for infrastructure installation, within sixty (60) days of infrastructure completion date;
- o Approval of Subdivision/Development Agreement – Sign and Approved by Developer and Town of Alpine Officials;
- o Utility easement documents/agreements, including the Shared Driveway Easement;
- o Snow Storage Plan Identification;
- o Clarification/Identification of Lot #3 & #4 access points;
- o Preliminary Landscaping Site Plan;
- o Final Approved/Issuance of the Griest Addition DCCR's; and
- o Performance surety bond submittal/documentation that reflects the costs of subdivision improvements, with final review and approval by the Alpine Town Attorney and Alpine Town Council before final plat approval; and
- o Any other contingencies and/or conditions that the Planning and Zoning Commission members deem needed for approvals.

The Alpine Town Council will hold an additional public hearing on the minor subdivision replat; this public hearing will need to have a thirty (30) day publication period, therefore there will not be enough time to have that publication notice prior to the scheduled September 19th Town Council Meeting.

Upon the decision of the Planning and Zoning Commission, it is suggested that the applicant and/or their representatives gather the requested information. The Town can move forward with publications and notices for a Town Council public hearing, (October 17th) should they decide to table this permit application until the next scheduled meeting of the Planning and Zoning Commission, for final review and Council recommendation. It should be noted, if the permit application is tabled there will still be enough time for publications and notices for a public hearing at the town council level for their October meeting.

Updates Available:

August 21, 2023 – Update:

As of Friday, August 18, 2023, two (2) written comments have been received. The comments submitted are from adjacent neighbors located at: 514 Nelson Lane.

These letters are attached hereto and incorporated into the staff report. Refer to Exhibit #4 and #5. Both submittals are against the property re-plat.

August 22nd, 2023 – Update:

The Planning and Zoning Commission held the scheduled public hearing to take public comments; then at the regularly scheduled Commission meeting.

An additional objection letter was presented and submitted to the Planning Commission. The aforementioned letter is included, as Exhibit #6.

The Planning Commission made a motion for approval with conditions and/or modifications to the preliminary re-plat -- Items to be addressed before the final plat submittal should include:

- o Items requested and/or identified in the Engineers Report, provided by Jorgensen;
- o Infrastructure Installation Timeline;
- o Applicant to provide record drawings for infrastructure installation, within sixty (60) days of infrastructure completion date;
- o Approval of Subdivision/Development Agreement – Sign and Approved by Developer and Town of Alpine Officials;
- o Utility easement documents/agreements, including the Shared Driveway Easement;
- o Snow Storage Plan Identification;
- o Clarification/Identification of Lot #3 & #4 access points;
- o Preliminary Landscaping Site Plan;
- o Final Approved/Issuance of the Griest Addition DCCR's; and
- o Performance surety bond submittal/documentation that reflects the costs of subdivision improvements, with final review and approval by the Alpine Town Attorney and Alpine Town Council before final plat approval; and
- o Any other contingencies and/or conditions that the Planning and Zoning Commission members deem needed for approvals.

September 7, 2023 – Update:

Legal publication has been initiated for the Town Council Public Hearing; the Town Council Public Hearing is scheduled for October 17th at 6:15 PM.

September 8, 2023 – Update:

Town Council Public Hearing mailing notifications have been prepared and sent to property owners.

It should be noted that no new information has been submitted, it is estimated that there could be new information available at the scheduled Planning and Zoning Commission Meeting that is to be held on September 12th, 2023. Any new information that is presented and/or submitted will be made available to the public via the Town Website and/or a request made to the Town office.

September 26, 2023 – Update:

Griest, Replat Updates – Mr. Karl Scherbel, Surveyor Scherbel, LTD, Mr. Dave Kennington, Sunrise Engineering and Mr. Barry Griest were in attendance to give the Commission an update on the re-plat project. **Refer to the letter submitted by Surveyor Scherbel, LTD., and the Master Plan Report.**

This information has been made available to the Commission, Council, and the public, through an additional mailing. The re-plat will move forward with a public hearing at the Town Council level on Tuesday, October 17th, 2023. Information about the replat is available at Alpine Town Hall office.

October 12, 2023 – Update:

Letter of opposition was received by property owners Parkin, Clements and Rogers, which is attached. Property owners are opposed to the Griest Replat Permit Application (Attached); This is the only letter that has been submitted for the Town Council Public Hearing.

October 17th, 2023 – Town Council Public Hearing:

Alpine Town Council held a public hearing to take comments from the public regarding subsequent approval and/or denial of the property replat.

October 17th, 2023 – Town Council Meeting:

Town Council members discussed the replat and made a motion to table the re-plat resolution #2023-517 Griest Addition to the Town of Alpine. The replat application was remanded back to the Planning and Zoning Commission for items to be addressed. Items to be addressed were:

- Consistency of the proposed subdivision with the Town of Alpine Municipal Master Plan; and
- Compatibility of the proposed subdivision with adjoining land uses.

October 30th, 2023 – Update:

Legal advertisements were initiated with Star Valley Independent for public hearings to be held in December 2023.

Public Hearing Schedule is as follows:

Planning & Zoning Commission – December 12th, 2023 at 6:30 PM;

Town Council Public Hearing – December 19th, 2023 at 6:30 PM.

Comments for the public hearings are to be submitted by:

December 1st, 2023 for the P&Z Hearing, and

December 13th, 2023 for the Town Council Hearing.

Additional comments were email to Mayor Green, by Mr. Jim Rogers; the aforementioned comments were forward to the Town Clerk on October 31st, 2023; in which those comments were forwarded on to the Planning and Zoning Administrator on November 1st, 2023.

November 1st, 2023 – Update:

Comments submitted by Mr. Jim Rogers were forwarded onto the Planning and Zoning Commission members.

November 30th, 2023 – Update:

Ms. Angie Parkin sent an email to Town office; routed to Town Clerk and Zoning Administrator, requesting the October 17th, meeting minutes. Response sent to Ms. Parkin by both the Town Clerk and Zoning Administrator. Zoning Administrator provided Ms. Parkin with the P&Z meeting minutes and the public hearing that was held on August 22nd, 2023. It was also identified that there will be a secondary hearing on December 12th, with a comment deadline submission of December 1st, 2023.

December 1st, 2023 @ 4:39 PM – Update:

Ms. Angie Parkin submitted an email to the Zoning Administrator regarding the comment submission deadline; which established timeline provided as December 1st, by 11:00 AM; Ms. Parkin identified that she did not receive notification, and further requested to submit comments for consideration. A return email was prepared and sent to Ms. Parkin identifying the deadlines for both P&Z and Town Council Public Hearings, the approved project process as identified by the Town's legal Counsel, for a re-hearing on the replat.

December 4th, 2023 – Update:

Ms. Natalie Clement submitted an email to the City Council, and a secondary email was also submitted on the same day emails identifying no notification regarding comment submission for the property re-plat, property overdevelopment, deadline timeframe, etc., (See Attached Email.) A return email was prepared and sent to Ms. Clement.

December 6th, 2023 – Update:

Mr. Leslie Parkin came into the office to voice his opposition to the proposed replat as he will not be able to attend the meeting.

December 11th, 2023 - Update:

Mr. James Rogers came into the office to express his opposition; Mr. Rogers inquired as to if the Commission members had a chance to review his submitted comments from October 30th, 2023. Mr. Rogers was informed that his comments were streamlined (condensed) from 50 pages to 26 pages, Mr. Rogers was provided a copy of the streamlined comments.

Mr. James Roger came in for a second time to request a copy of the Land Use and Development regulations for flag lots.

Planning & Zoning Administrator Review Update December 11, 2023

Re-notifications were mailed/distributed, in total there was forty-seven (47) mailings were sent out; of those forty-seven (47) mailings, three (3) of the mailings are held by property owners having more than one (1) property within the given mailing radius. It should be noted that some of the property owners in the notification area have additional properties within the incorporated boundaries.

Written objections were received by two (2) legal property owners (Rogers and Parkin) however additional objections/opposition were received by members of the Parkin family (Clements, Parkin & Moses – See Attached) who utilize the property.

Additional Review identified:

- Consistency of the proposed subdivision with the Town of Alpine Municipal Master Plan.

The proposed subdivision is consistent with the Municipal Master Plan, which identified that single family homes represent 92 percent of all housing in the community, utilizing stick-built construction; single-family housing is located in almost every subdivision within Alpine.

The master plan identifies all of the improved property sales included properties that were less than one acre in size. Most properties were less than 0.5-acre in size. The Master Plan also identifies potential opportunities for future residential expansion. Future residential demands will occur in various subdivisions within the community and represent other potential locations for future housing development. The master plan identifies that continued increases in the cost of residential housing in Teton county will continue to attract a growing number of working Teton County residents to Alpine. It is expected that this "working commuter" market will primarily desire to purchase single-family homes.

It is noted that the Town of Alpine Municipal Master Plan, although developed and finalized in 2006; identifies that the proposed subdivision is consistent with the Town of Alpine Municipal Master Plan.

- Compatibility of the proposed subdivision with adjoining land uses.

Upon review of the adjoining land in the immediate area of the proposed replat; all adjoining lands are within the Single-Family Residential Zoning District.

Although parcel sizes do vary; if allowed to replat the subject parcel appears to be compatible/consistent with the adjoining land uses: Size identification shows that:

1.88% of the properties are 1.0 acre in size; and
10.34% of the properties are within 0.50 to 0.59 in size; and
6.58% of the properties are within 0.40 to 0.49 in size; and
0.47% of the properties are within 0.70 to 0.79 in size; and
0.94% of the properties are within 0.60 to 0.69 in size.

In closing it appears that the subject replat application does fit within the Town of Alpine Municipal Master Plan and that the adjoining land use would be consistent with the Alpine Land Use and Development Code Regulations.