

NOTICE: THE BOX ELDER SOUTH SUBDIVISION ANNEXATION PUBLIC HEARING HAS BEEN CANCELLED.



ALPINE CITY COUNCIL MEETING AGENDA

NOTICE is hereby given that the **CITY COUNCIL** of Alpine City, Utah will hold a meeting on **Tuesday, October 27, 2015** at the Alpine City Hall, 20 North Main, Alpine, Utah as follows:

- I. CALL MEETING TO ORDER***
 - A. Roll Call:** Mayor Don Watkins
 - B. Prayer:** Kimberly Bryant
 - C. Pledge of Allegiance:** By Invitation
 - II. PUBLIC COMMENT:** The public may comment on items that are not on the agenda.
 - III. CONSENT CALENDAR**
 - A. Approve the Minutes of October 13, 2015**
 - IV. REPORTS AND PRESENTATIONS**
 - A. Mayor Watkins 2015 Survey Results**
 - V. ACTION/DISCUSSION ITEMS**
 - A. Box Elder South Annexation Public Hearing.** The public hearing on the Box Elder South annexation has been cancelled. Patterson Construction has protested the annexation. The reason that Patterson Construction protested the annexation is because they have not yet recorded the approved County plat of the Box Elder South subdivision with the County. This item will be discussed in January when the plat has been recorded.
 - B. Oberee (Zolman) Annexation.** The City Council will review information regarding the proposed Oberee annexation request.
 - C. A Resolution of the Governing Body of Alpine City Indicating its Position Regarding the Annexation of Certain Property into Alpine City.** The City Council will approve a resolution dealing with the Oberee annexation request.
 - D. Condominium Conversion – 341 South Main Street – Larry Hilton.** The City Council will review a request to convert a building that has been approved but not yet built into two (2) separate condominiums.
 - E. Approval of Pole Workers for Voting Station.** The Council will approve Lynn Higgins and Linda Higgins as pole workers for November 3rd election day.
 - VI. STAFF REPORTS**
 - VII. COUNCIL COMMUNICATION**
 - VIII. EXECUTIVE SESSION:** Discuss litigation, property acquisition or the professional character, conduct or competency of personnel.
- ADJOURN**

***Council Members may participate electronically by phone.**

Don Watkins, Mayor
October 23, 2015

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS. If you need a special accommodation to participate, please call the City Recorder's Office at (801) 756-6241.
CERTIFICATE OF POSTING. The undersigned duly appointed recorder does hereby certify that the above agenda notice was on the bulletin board located inside City Hall at 20 North Main and 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 our web site at www.alpinecity.org and on the Utah Public Meeting Notices website at www.utah.gov/pmm/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 v. 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 CITY COUNCIL MEETING
Alpine City Hall, 20 N. Main, Alpine, UT
October 13, 2015

1
2
3
4
5 **6:30 PM** The Council met at Don Watkins' home for a Council photo. Those present were Mayor
6 Don Watkins, Council Members Troy Stout, Will Jones, Roger, Bennett, Kimberly
7 Bryant, Lon Lott. Photographer - Leah Watkins.
8

9 **7:00 PM** Regular meeting

10
11 **I. CALL MEETING TO ORDER:** The regular City Council meeting was called to order at 7:00 pm by
12 Mayor Don Watkins. The following were present and constituted a quorum:

13
14 Mayor Don Watkins

15 Council Members: Troy Stout, Will Jones, Roger Bennett, Kimberly Bryant, Lon Lott

16 Staff: Rich Nelson, Charmayne Warnock, David Church, Shane Sorensen, Jason Bond, Alice Winberg,
17 Chief Brian Gwilliam

18 Others: Marianna Richardson, Ramon Beck, Jane Griener, Steve Cosper, Carla Merrill, Chris Paulson,
19 Doug Allen, Dylan Allen, Doug Hall, Phyllis Hall, Todd Andersen, Dave Winberg
20

21 **A. Prayer:** Roger Bennett

22 **B. Pledge:** Nathan Taylor
23

24 **II. PUBLIC COMMENT:** Nathan Taylor said he was planning to do an Eagle project in Burgess Park
25 to renovate the bowery by the tennis courts and replace the siding which was badly weathered. Mayor
26 Watkins thanked him for the service and recommended he get together with the public works department
27 on the details. Shane Sorensen recommended he use hardiboard rather than wood if he was going to redo
28 the siding because it held up better in the weather.
29

30 Dylan Allen from Troop 1108 said he'd been driving around Alpine and noticed there were fire hydrants
31 that were hard to see because the paint was faded. He proposed an Eagle project to repaint the fire
32 hydrants with rust-free, red paint. Mayor Watkins thanked him for his service.
33

34 **III. CONSENT CALENDAR**
35

36 **A. Approve the minutes of September 22, 2015**

37 **B. Payment Request #1 - Staker & Parson Companies - \$125,523.61**

38 **C. Bond Release No. 1 - David's Court, Plat F - \$140,063.18**

39 **D. Bond Release No. 9 - Heritage Hills, Plat C - \$14,544.00**
40

41 **MOTION:** Lon Lott moved to approve the Consent Calendar. Kimberly Bryant seconded. Ayes: 5 Nays:
42 0. Lon Lott, Kimberly Bryant, Roger Bennett, Will Jones, Troy Stout voted aye. Motion passed.
43

44 **IV. REPORTS AND PRESENTATIONS**
45

46 **A. Monthly Financial Report – Alice Winberg, Finance Officer:** Mrs. Winberg presented the
47 updated financial report. She said the general fund cash balance was currently at about twelve million
48 dollars. Starting in November the city would begin collecting property taxes. November and December
49 were the strongest months.
50

1 Under general sales and tax revenue, the City saw quite a large amount of revenue in August and would
2 probably receive around 75 to 80 thousand in February. The projected budget revenue for those taxes was
3 \$950,000. They were on target and would probably exceed that amount. The revenue from motor vehicles
4 taxes were up from the previous year but the franchise fee revenue was down. The City was doing well on
5 revenue associated the building permits. Shane Sorensen said there would be some playground equipment
6 that would use impact fees. The restrooms in Moyle Park were being paid for with a grant, some
7 donations, and funds from capital improvement. Alice Winberg said that overall the City was doing very
8 well. Rich Nelson had done a good job building up funds for a rainy day. The culinary water rates would
9 increase by one dollar a year for several years.

10 11 **V. ACTON AND DISCUSSION ITEMS**

12
13 **A. Harvey Hutchinson and Peterson Park Property Exchange.** Harvey Hutchinson lived at
14 194 Paradise Lane and owned property along Canyon Crest Road. He had approached Alpine City about a
15 possible property exchange in which he would trade some ground along Canyon Crest Road to the City in
16 exchange for a comparably sized piece of Peterson Park which bordered his property. The Council
17 discussed the proposal at their meeting of September 8, 2015. For the City to divest itself of public
18 property, there had to be a public hearing and a recommendation from the Planning Commission followed
19 by a supermajority vote of the Council in favor of it. The Planning Commission had held a public hearing
20 at their meeting of October 6, 2015 and made a positive recommendation based on pedestrian safety.
21 Shane Sorensen said the Planning Commission had a concern about passing the agreement on to
22 successors or future owners of the property. They felt it left it wide open and it might be better if the City
23 dealt with just the current property owner.

24
25 Shane Sorensen said the City had needed a sidewalk along that area of Canyon Crest Road for some time.
26 Construction of a sidewalk would provide a continuous path for children walking to school. There was a
27 crosswalk on Canyon Crest where pedestrians could cross over to the sidewalk on the south side of the
28 road but it wasn't in the safest location because of the speed on the road and visibility. With the new
29 sidewalk, pedestrians wouldn't have to cross the road. He added that when Canyon Crest was improved
30 years ago, it had been narrowed in that location because they didn't have the necessary right-of-way to
31 build a full width road. With the property exchange, they would be able to widen the road in the future.

32
33 Shane Sorensen said that since some trees might have to be removed to build the sidewalk, Harvey
34 Hutchinson wanted to be present when it was done. He had planted the trees from seedlings and wanted to
35 be part of the discussion about which trees stayed and which ones could go. Mr. Hutchinson also had a
36 concern about noise when trees were removed because they provided a sound barrier against traffic along
37 Canyon Crest Road. The agreement stated that if the road was widened and trees had to be removed, the
38 City would build a six-foot masonry wall as a sound barrier.

39
40 David Church said that Jed Muhlestein had looked at the sidewalk design and felt they could probably put
41 it in without having to remove any trees. They expected the sidewalk would wind through the trees. That
42 was a big motivation for Mr. Hutchinson to agree to the property exchange because he didn't want to
43 remove any trees. If and when Canyon Crest Road was widened, the trees would have to go but the City
44 would build the wall. The City Engineers didn't anticipate the road being widened within the next ten
45 years.

46
47 Shane Sorensen said that building the sidewalk would take away the shoulder and parking along Canyon
48 Crest Road, which would leave a wide landscaped area between the sidewalk and the trees. David Church
49 said that Mr. Hutchinson had wanted to include a provision in the agreement stating that he would
50 continue to maintain the grass along the sidewalk, which was beneficial to the City. Mr. Church said the
51 City would probably want the agreement to run with the land so any successors would continue to

1 maintain the grass. A successor could not change the agreement unless the City agreed to it. The
 2 agreement would be recorded so anyone who purchased the property would know about it.

3
 4 **MOTION:** Troy Stout moved to approve the property exchange between Harvey Hutchinson at 194 E.
 5 Paradise Lane and Alpine City to create a safety zone for a sidewalk. Will Jones seconded. Ayes: 5 Nays:
 6 0. Troy Stout, Will Jones, Roger Bennett, Kimberly Bryant, Lon Lott voted aye. Motion passed.

7
 8 **B. Dry Creek Trail Improvements:** Jason Bond updated the Council on the proposed Dry
 9 Creek Trail improvements. He said a group from the Questar pipeline replacement project wanted to do a
 10 service project for Alpine City. Rich Nelson and Jason Bond had walked along the Dry Creek trail with
 11 the group the previous week and had talked about what they would like to see done in that area. It was
 12 proposed they improve the existing trail by clearing a ten-foot area so they could install a hard surface
 13 trail. They may consider realigning it since it was just inside city property boundaries. They were working
 14 with property owners along the trail to acquire easements and they had been very cooperative. The goal
 15 was to have a trail network that connected the trails in Burgess Park with the Fort Creek and Dry Creek
 16 trails. Ultimately they wanted to connect all the parks and schools and the Alpine Art Center by trails.

17
 18 Troy Stout wanted to know when the service project would be. Jason Bond said they were working on the
 19 details. The area needed to be cleaned up and prepped. It was doubtful they would get any asphalt down
 20 before winter.

21
 22 Troy Stout noted that the trail ran close to the stream bed. At times during the year there was high fast
 23 water, and other times no water at all. He asked if there was something they needed to do to protect the
 24 City against liability.

25
 26 David Church said it was like any other public facility. There was always the potential that someone
 27 could be injured. To mitigate the risk, the City needed to maintain it, post warnings, and carry insurance.
 28 There was no way to guarantee safety. It was easy to build trails or sidewalks but difficult to maintain.
 29 The City had lots of claims for trip and fall hazards on the sidewalks. The City would have to maintain it
 30 and do their best to keep it safe.

31
 32 **MOTION:** Will Jones moved to allow the group to come in and carry out a service project on the Dry
 33 Creek Trail as recommended by staff, and then take it to another level to do what needed to be done to
 34 adopt the Dry Creek Trail improvement plan, and acquire the necessary permanent easements. Troy Stout
 35 seconded. Ayes: 5 Nays: 0. Will Jones, Troy Stout, Roger Bennett, Kimberly Bryant, Lon Lott voted aye.
 36 Motion passed.

37 38 **VI. STAFF REPORTS:**

39
 40 Shane Sorensen reported on the following:

- 41
- 42 • Regarding the proposed use of City property on 300 North for a facility for the public works
 43 department, Shane Sorensen report that they had contracted with Ezra Lee to do some 3D
 44 modeling on what the building would look like. Mayor Watkins said he had spoken to Steve
 45 Cosper and some neighbors about the proposed project. The Planning Commission would be
 46 reviewing it.
- 47 • Resident Amy Johnson had requested a four-way stop at the intersection of 300 North and Bristol
 48 Court. Children crossed there to go to Alpine Elementary and she was concerned about safety. He
 49 said staff had looked into it and the traffic didn't warrant stop signs. There were some sight
 50 triangle issues which they would address with the property owners. Also, there was a crosswalk

1 with a crossing guard farther down the road that the students needed to be using. He had emailed
2 the findings to Amy Johnson.

- 3 • They had finished the overlay projects on Saturday. There was one subdivision that had been built
4 in the early 70s and they had some issues when they started to mill the road because the old
5 asphalt shattered. Then they had a heavy rain which caused more problems. They ended up
6 excavating 40 percent of the road but they had completed it.
- 7 • The tennis courts and pickle ball courts in Burgess Park were completed and the lights were up.
8 They had no negative comments from neighbors and the courts were being used.
- 9 • They had met with a firm to get a proposal to help the City site a new well. He expected they
10 would have something to propose at the next meeting.
- 11 • The pressurized irrigation would be turned off on Thursday, October 15th.
- 12 • Questar was done on Main street and almost finished with all the work in Alpine.

13
14 Rich Nelson reported that they had reorganized staff into different offices and felt there was a better work
15 flow.

16
17 Charmayne Warnock reported that the ballots had been mailed out and people were voting. Many people
18 who had dropped ballots off at City Hall said they appreciated voting by mail.

19
20 Jason Bond said the property rights ombudsman, Brent Bateman, would be training the Planning
21 Commission at their meeting on Tuesday, October 20th, and invited the City Council members to be
22 there. On Thursday, October 22nd, the Eagle Pointe appeal hearing would be held at City Hall at 9:30 am.

23 24 **VII. COUNCIL COMMUNICATION**

25
26 Lon Lott asked what was happening on the sidewalk on Westfield Road. Shane Sorensen said he had
27 traded phone messages with Tony Trane who was the one Highland City had used to draw the plans.
28 Shane Sorensen said he couldn't bid the job with just a two-dimensional drawing. They needed something
29 that showed the thickness of the concrete.

30
31 Kimberly Bryant said citizens and the Youth Council had scheduled an appreciation program for first
32 responders and the police officer on November 12, 2015 at 6:30 pm at the Alpine Art Center. It was for
33 the officers and partners only. Originally they wanted to include the family but didn't have the space.
34 Mayor Watkins said it was an effort generated by citizens who wanted to step up and stand behind their
35 police officers and firefighters. They were accepting gifts such as fruit baskets, etc. as a way to say
36 thanks.

37
38 Roger Bennett said that awhile ago he had asked for a stop sign at the intersection of Grove Drive and
39 Alpine Boulevard. He felt they needed to either make it a four-way stop or do away with the stop signs on
40 Alpine Boulevard.

41
42 Will Jones said that someone had asked about creating a free library as an Eagle project. There was a
43 already a library kiosk on the corner of 200 North and 200 East where people could drop off a book and
44 pick one up. He asked if the City disallowed that kind of thing? David Church said Alpine's ordinance
45 would disallow any such use on public property without the express permission of the Council. Will Jones
46 said the kiosk was on a commercial property against the sidewalk. David Church said the location of the
47 structure would be regulated by the setbacks requirements in the ordinance. Mayor Watkins suggested
48 they put the issue on a later agenda for discussion.

1 Will Jones asked about the timeline for annexations. The Oberee annexation had been in the process for
2 some time. Mayor Watkins said the Oberee annexation should be on the next Council agenda. The Box
3 Elder South annexation public hearing was also scheduled for the next meeting on October 27th. David
4 Church said the Council could pass or deny an ordinance on the annexation that evening or postpone it.
5

6 Troy Stout asked if anything had been done about a group of people that came to an earlier Council
7 meeting with a concern about traffic on 600 East and 100 South. Kimberly Bryant said she had been
8 talking to them. They had some ideas for solutions.
9

10 Troy Stout said there was still a long wait at the intersection of Canyon Crest and SR-92. He hadn't
11 noticed that the light was staying on any longer than before. Lon Lott and Shane Sorensen were
12 communicating with UDOT and would ask about it.
13

14 Mayo Watkins asked if there as a new Weblos requirement because he was getting a lot of call about
15 visiting the Weblo troops.
16

17 **VIII. EXECUTIVE SESSION:** None held.
18

19 **MOTION.** Kimberly Bryant moved to adjourn. Troy Stout seconded. Ayes: 5 Nays: 0. Kimberly
20 Bryant, Lon Lott, Troy Stout, Roger Bennett, Will Jones voted aye. Motion passed.
21

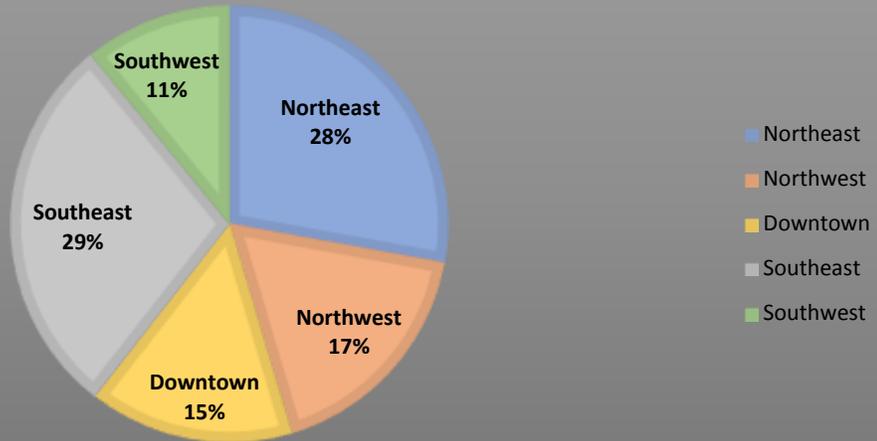
22 Meeting adjourned at 8:00 pm

Mayor Watkin's Survey Results

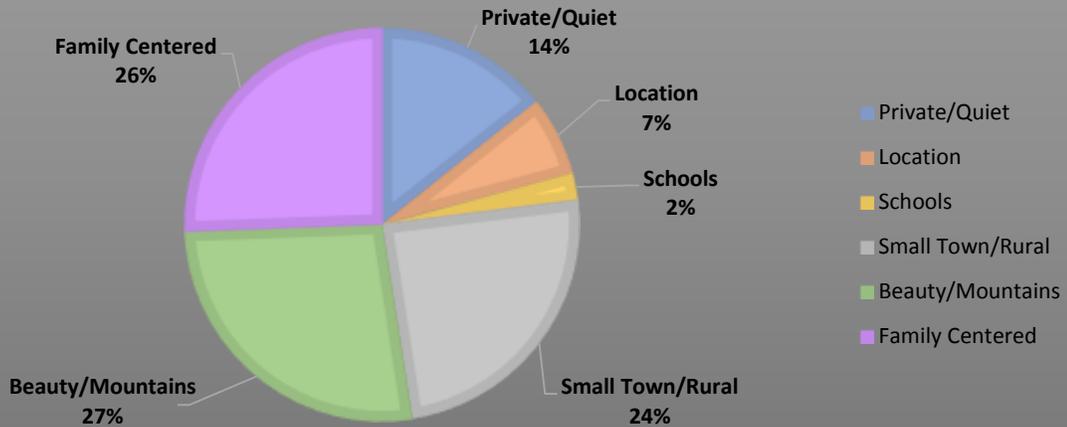
September 2015

(Approximately 730 Surveys)

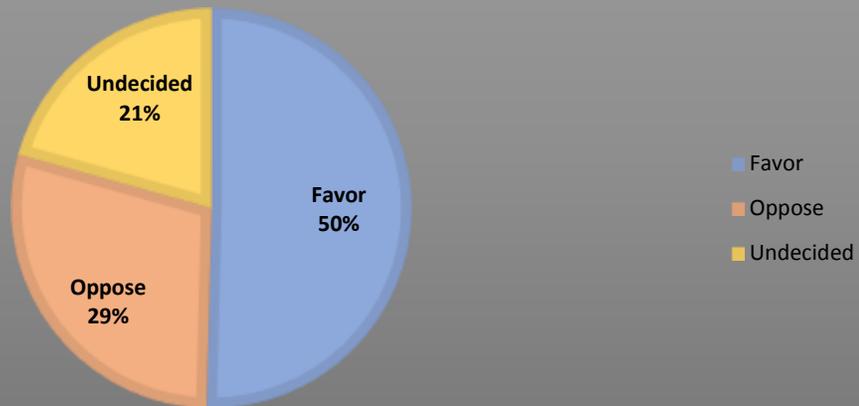
WHAT PART OF ALPINE CITY DO YOU LIVE IN?



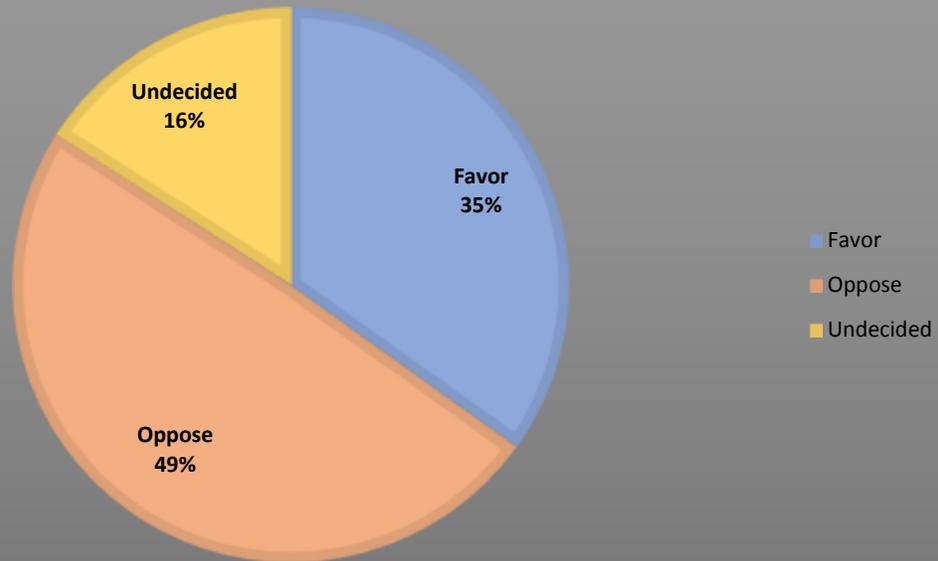
WHAT IS THE MAIN REASON YOU DECIDED TO LIVE IN ALPINE CITY?



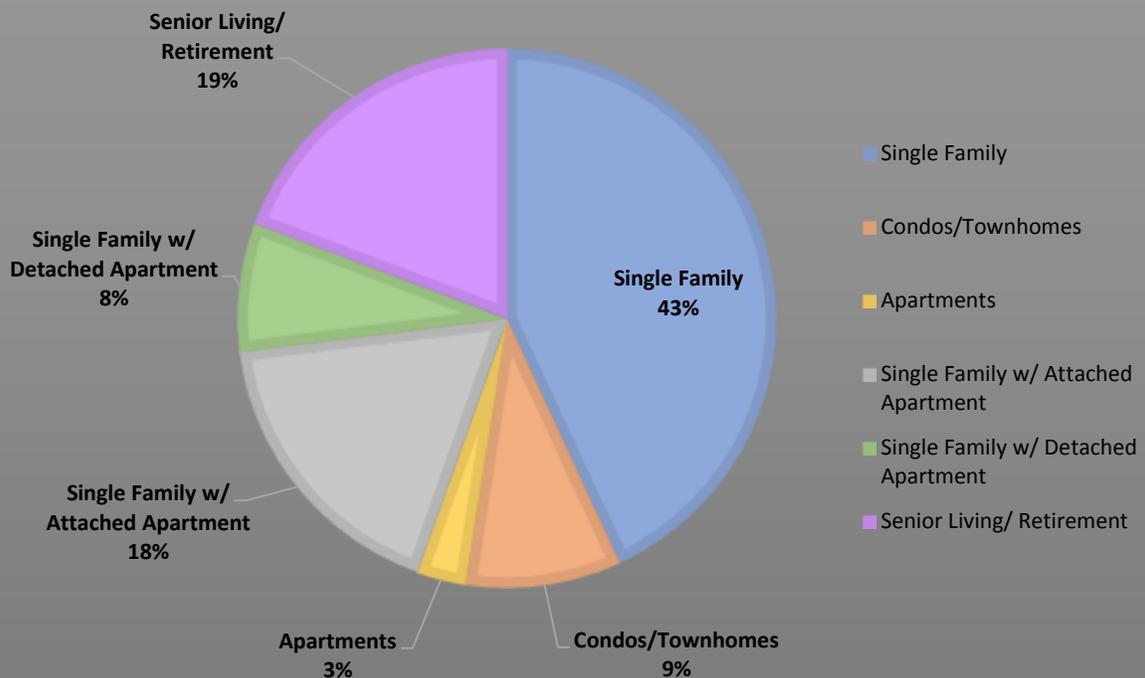
DO YOU FAVOR OR OPPOSE ALPINE CITY TAKING MEASURES TO REDUCE THE DEER POPULATION?



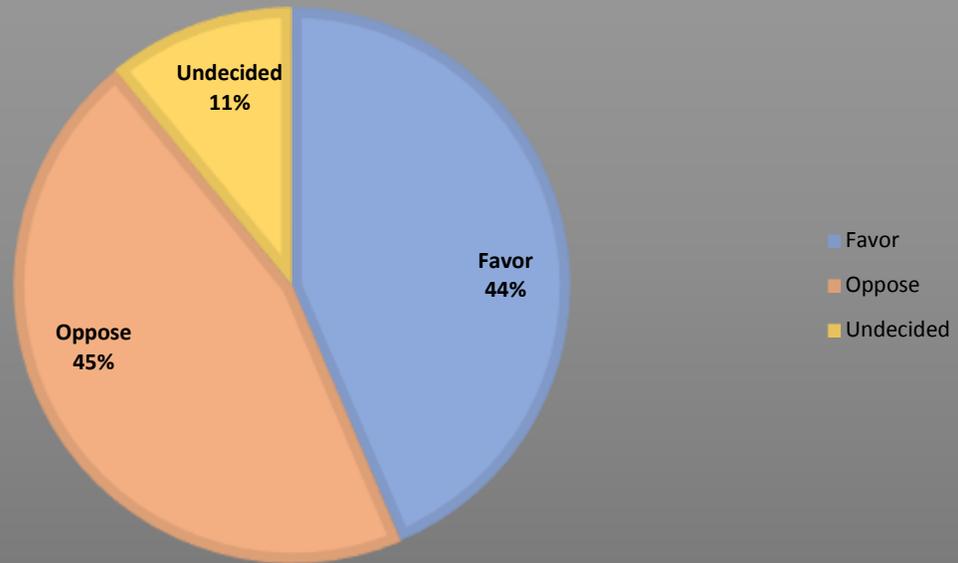
DO YOU FAVOR OR OPPOSE RESIDENTIAL GROWTH IN ALPINE CITY?



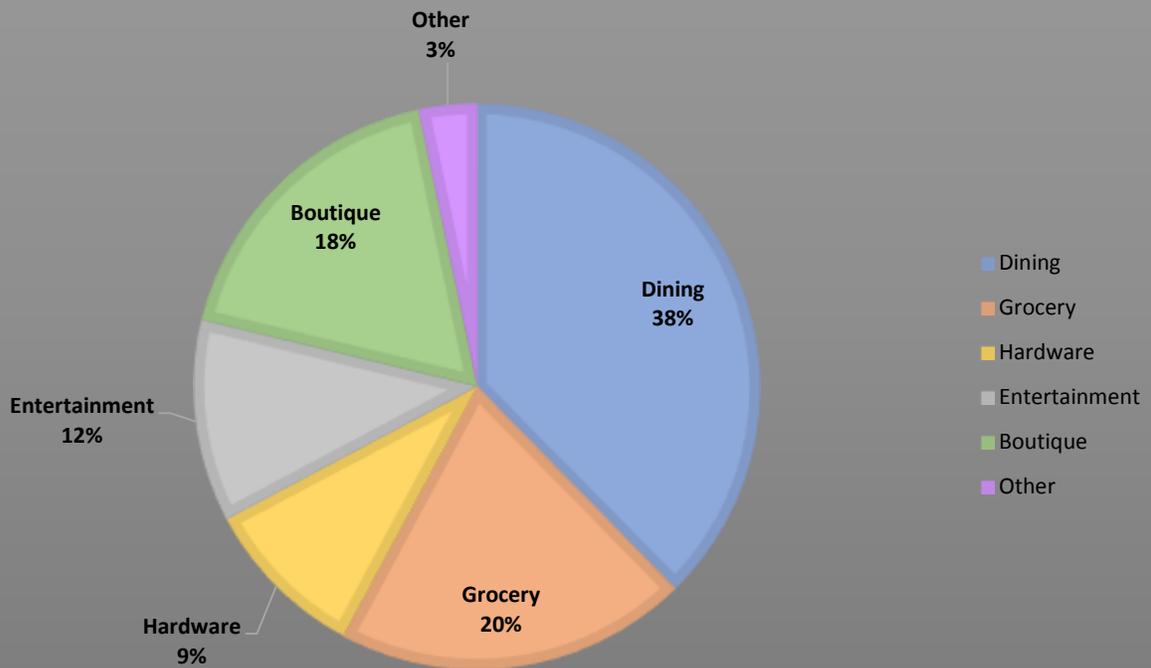
OF THOSE THAT FAVORED OR WERE UNDECIDED (51%), WHAT TYPES OF RESIDENTIAL GROWTH WOULD YOU LIKE TO SEE?



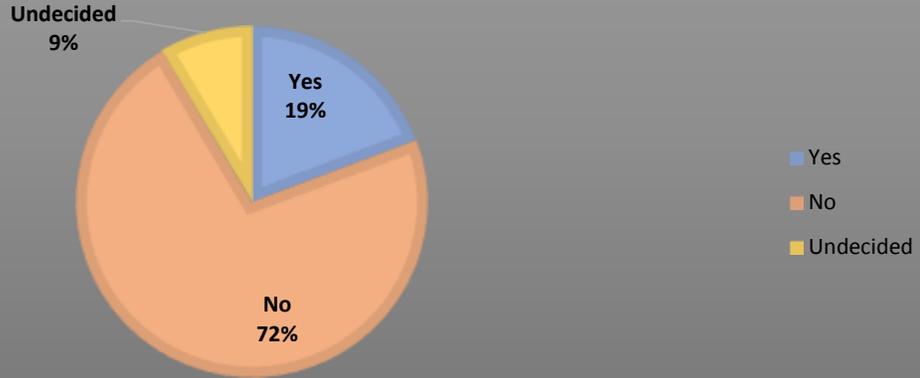
DO YOU FAVOR OR OPPOSE COMMERCIAL GROWTH IN ALPINE CITY?



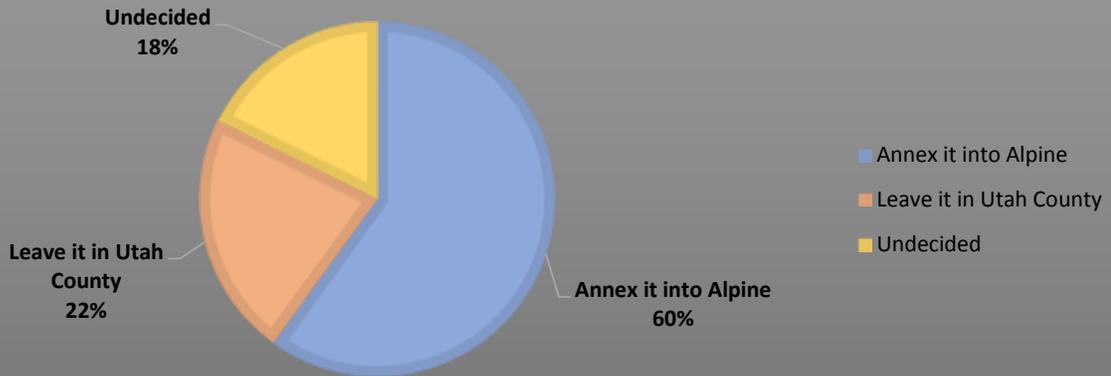
OF THOSE THAT FAVORED OR WERE UNDECIDED (55%), WHAT TYPES OF COMMERCIAL GROWTH WOULD YOU LIKE TO SEE?



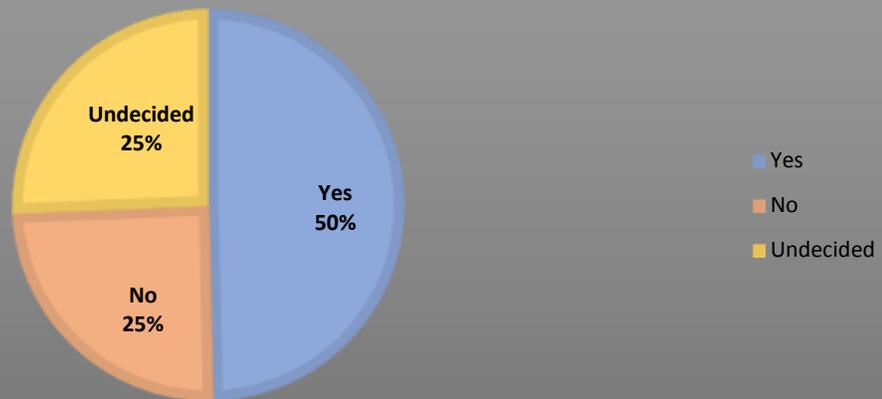
ARE THERE CIRCUMSTANCES WHERE YOU WOULD SUPPORT A ZONE CHANGE TO ALLOW A HIGHER CONCENTRATION OF HOMES IN CERTAIN AREAS?



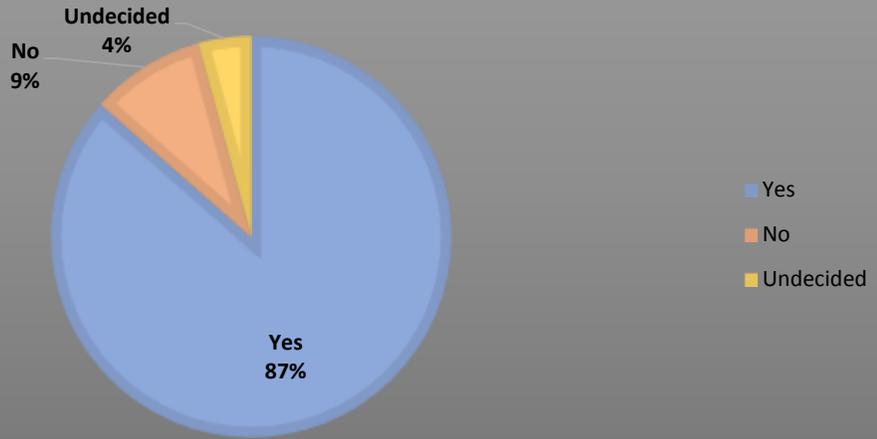
IF UNINCORPORATED UTAH COUNTY LAND IS DEVELOPED, DO YOU PREFER IT TO BE ANNEXED INTO ALPINE CITY OR REMAIN IN UTAH COUNTY'S JURISDICTION?



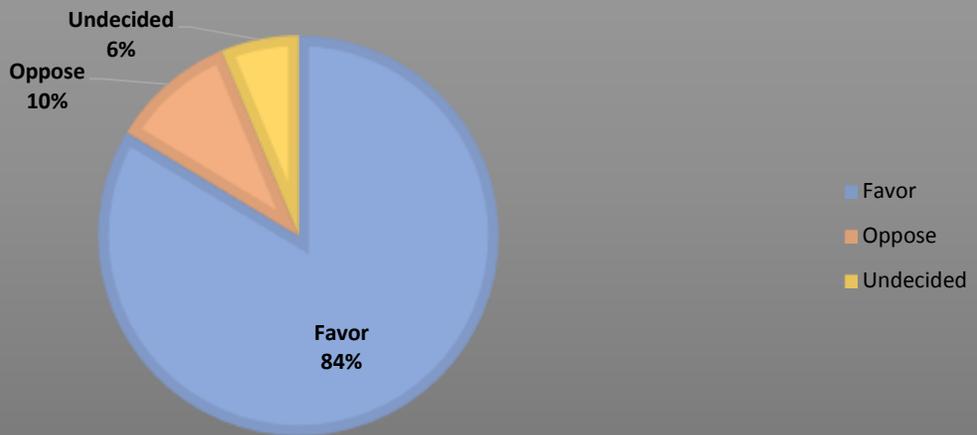
SHOULD ALPINE CITY ANNEX THE BOX ELDER SOUTH SUBDIVISION?



DO YOU FIND THE CURRENT ANIMAL REGULATIONS IN ALPINE CITY ACCEPTABLE?

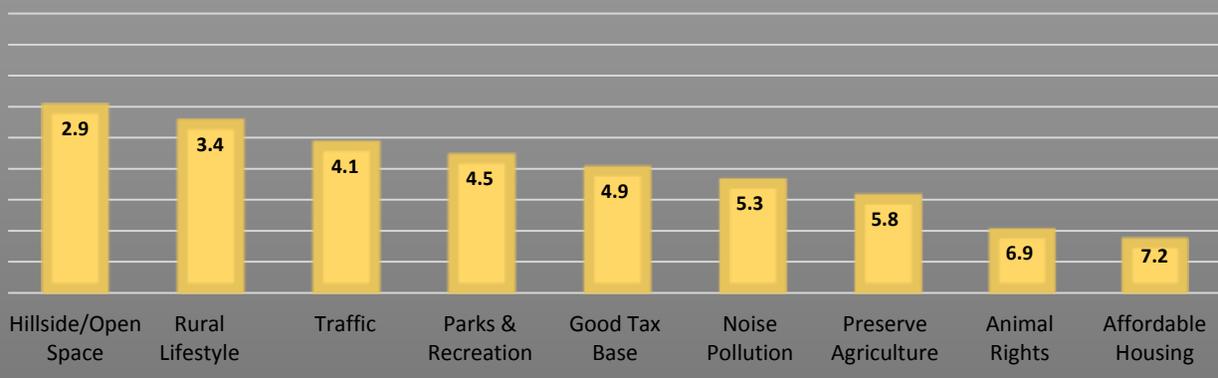


DO YOU FAVOR OR OPPOSE TRAILS IN RESIDENTIAL AREAS OF ALPINE CITY?



AVERAGE RANKINGS: LIST OF CONCERNS THAT ALPINE CITY SHOULD BE SENSITIVE TO IN PLANNING FUTURE GROWTH.

(1 BEING MOST IMPORTANT AND 9 BEING LEAST IMPORTANT)



ALPINE CITY COUNCIL AGENDA

SUBJECT: Oberee (Zolman) Annexation.

FOR CONSIDERATION ON: October 27, 2015

PETITIONER: Rich Nelson, City Administrator

ACTION REQUESTED BY PETITIONER: For Council review and discussion.

INFORMATION: The following information is attached:

1. Alpine Canyon Estates - Conditions of Planning Commission Recommendation of Approval. Analysis of what the Planning Commission originally approved back in 2006-2007 regarding this property.
2. Oberee Annexation - Development Standards. Memo on the development standards for the annexation that Alpine City staff is recommending regarding the Oberee annexation.
3. Slope analysis that leads to 52 lots on the Oberee annexation property.
4. Slope analysis that leads to 53 lots on the Oberee annexation property.
5. Lot sizes of surrounding areas.

RECOMMENDED ACTION: *That the Council review and discuss the attached information in preparation for a decision on the Oberee (Zolman) annexation petition.*

Memo



To: Mayor Don Watkins
From: Shane L. Sorensen, P.E. *SL*
Public Works Director/City Engineer
Date: October 14, 2015
Subject: Alpine Canyon Estates – Conditions of Planning Commission
Recommendation of Approval

We met on Monday, October 12, 2015, to discuss previous and current issues related to what is now being called the Oberee Annexation. The annexation and development that was previously submitted to the City in 2006-2007 was called the Pack Annexation and Alpine Canyon Estates. Present at the meeting were the following: Mayor Don Watkins, Council Members Kim Bryant and Lon Lott, Rich Nelson – City Administrator, David Church – City Attorney, Shane Sorensen – Engineer Public Works Director/City, Jed Muhlestein – Asst. City Engineer, and Jason Bond – City Planner.

I was asked to summarize the conditions of approval from when Alpine Canyon Estates was given a recommendation for preliminary approval at Planning Commission at their November 20, 2007, meeting. I have attached a copy of the minutes, but will summarize the major points dealing with infrastructure.

- The developer and City work out the details and enter an annexation agreement outlining the requirements and conditions of the annexation, and the development plan and annexation be approved concurrently by the City Council. *Comment: An annexation agreement was never prepared. The developer had certain items that needed to be worked out with others prior to an agreement being finalized. In addition, there was a downturn in the economy that eventually caused the development plan to be abandoned.*
- Elk Ridge Lane shall be a required part of the annexation. The City and developers will work out an agreement on the time and acquisition of the Elk Ridge right-of-way, and it will be done within 2 years.
- All necessary rights-of-way be obtained for the street improvements.
- The Grove Drive alignment be moved as far eastward as possible, taking all precaution to protect the trees in front of the Russon property.
- An easement be obtained for the offsite sewer line.

Alpine City Engineering
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Phone/Fax: (801) 763-9862
E-mail: ssorensen@alpinecity.org

- Building of homes not be allowed above the 5220-foot elevation line prior to the culinary water master-planned improvements being constructed in the area.
- An easement be obtained for the offsite detention basin.
- The right-of-way for the connection between Alpine Canyon Estates and Alpine Cove be 54-feet wide.

The development plan and Planning Commission recommendation was presented to the City Council at their meeting on December 19, 2007. The item was presented for information. It was mentioned that the lots in the proposed development were between 20,000 and 36,578 sf, with an average lot size of 27,000 sf. There was no discussion and no motion made regarding the item.

At the June 24, 2008, City Council meeting, Will Jones reported that an agreement had been negotiated with the Grant Family concerning acquisition of the Elk Ridge Lane right-of-way through their property. The deal that was agreed upon was that Elk Ridge Lane would not be constructed through the Grant Property for 10 years after the date of occupancy of the first home in the development. There was some discussion on the agreement. No motion was made at the meeting for this item.

The major improvements that were required as part of the Alpine Canyon Estates development were as follows:

- The improvement of Grove Drive from Alpine Boulevard to the 90 degree bend in Grove Drive, including curb, gutter and sidewalk.
- A connection be made to Elk Ridge Lane.
- A 12" pressurized irrigation line connecting from Grove Drive to Elk Ridge Lane to loop the system.
- Construction of an offsite sewer line to serve the development.
- Limit construction of homes to property 5220 feet of elevation and lower until the planned water system improvements were constructed either by the developer, City or other party.

Alpine City Engineering
20 North Main • Alpine, Utah 84004
Phone/Fax: (801) 763-9862
E-mail: ssorensen@alpinecity.org

Minutes of the Alpine City Planning Commission meeting held November 20, 2007 at Alpine City Hall.

4. ALPINE CANYON ESTATES – PRELIMINARY PLAN: April Riley said the City Council voted to include the Pulham and Christensen properties in the Alpine Canyon Estates PRD.

Jim Tracy asked for an update on Elkridge Lane.

Will Jones said they were meeting with Grants the next day about the right-of-way for Elkridge Lane. He felt they were getting closer to an agreement. He'd also met with Utah County. There needed to be some finalizing surveys because some property lines didn't match.

There was a discussion about the secondary access from the proposed Three Falls subdivision to Alpine Cove. Shane Sorensen said they'd met with the County, but it didn't appear favorable for the access. There was a larger possibility that the second access would be for fire and emergency use only.

Will Jones said the County was more concerned that there be no more than an 8% slope in the road, and they didn't care how big the retaining walls might be to achieve that.

Jannicke Brewer asked about the obtaining the rights-of-way for street improvements on Grove Drive.

Will Jones said they'd done the final design. They would need to go back and meet with the property owners on Grove Drive. They were also working with the utility companies because the lines would have to be moved.

Mike Russon said he owned the property on the west side of Grove Drive that would be affected by the road design. He wondered why Peter Christensen was being given the benefit of being included in the PRD and given reduced lot sizes, but the Christensen property wasn't bearing the brunt of the road expansion on the east side. Mr. Russon said his acre and a half was not included in the PRD, yet part of ground was being taken to widen the road. He said it seemed like a simple solution to use the Christensen property on the east side to widen the road since there were no existing homes built there. Mr. Russon said he had 100-year-old trees on his property that would have to be cut down and the road would encroach on his front door.

Mike Russon said he had a second point. He asked if the City was setting themselves up for a possible legal battle, questioning if it was legal for a developer to approach certain property owners about increasing their density when other property owners were not. He said he had not been approached, nor had the Hunters.

Will Jones said they hadn't approached any of the property owners about being included in the PRD. They had approached them about the annexation, and the property owner brought up the issue of being included in the development.

Steve Coper said the question had been raised earlier about whether or not other properties on Grove Drive would feel discriminated against if they didn't get a density increase, and the answer had been the Christensen would receive a density increase because they were giving up ground for the road.

Steve McArthur said discrimination was not an issue in development. The developer was not obligated to go the neighbors and offer to include their property in the development.

There was a discussion about how much of Christensen's property would be needed to widen the road and how much would be needed from the Russon property. The Planning Commission

indicated that they felt the property necessary for the new Grove Drive alignment should be taken from the Christensen property if possible, rather than the Russon property.

Jannicke Brewer asked if there was an easement for the off-site detention basin. Will Jones said they had a verbal agreement.

Jim Tracy said that with the right-of-way issues, preliminary approval of Alpine Canyon Estates seemed premature.

Shane Sorensen said staff had wrestled with that. However, the developer couldn't purchase ground for the Grove Drive improvement without an agreement on the alignment of the road.

Will Jones further explained that they couldn't negotiate for a detention basin unless there was an agreement on where the basin was going to be. The road had been moved several times. The developer needed to be able to go to the property owners and show them the location the City had agreed on in order to purchase the right-of-way.

Ted Stillman said that if the Planning Commission granted preliminary approval, they wouldn't see Alpine Canyon Estates again until all the outstanding issues had been resolved.

Jannicke Brewer asked if the development would have CC&Rs, and if so, the Planning Commission would like to see them. She said there needed to be notes on the plat indicated that lots 1 through 7 would need helical piers, plus a note that the drainage channel could not be filled in. There should probably also be a building pad shown on lot #9 since the 5350 elevation line crossed through it.

Shane Sorensen said there were a number of lots that would have building pads shown on the final plat. The City Council would need to approve the grading plan.

Ted Stillman said Mayor Willoughby had asked that a street be stubbed for a possible connection between Alpine Cove and the proposed Alpine Canyon Estates.

Craig Skidmore said the proposed stub street would be by his property and that he and his neighbor would like to see the connection be a trail. He didn't think a street would be a good idea, but he liked the idea of a trail connecting the two subdivisions.

There was a discussion about the width of the right-of-way that would be needed for a connection between the Cove and Alpine Canyons. The county required 56 feet and the City required 54 feet. Jim Tracy suggested they require a 54-foot right-of-way with a 12-foot trail for now.

MOTION: Jannicke Brewer moved to grant preliminary approval to Alpine Canyon Estates so they could move forward on completing the necessary agreements and acquiring easements subject to the following conditions:

1. The developer and City work out the details and enter an annexation agreement outlining the requirements and conditions of the annexation, and the development plan and annexation be approved concurrently by the City Council.
2. Elk Ridge Lane shall be a required part of the annexation. The City and developers will work out an agreement on the time and acquisition of the Elk Ridge right-of-way, and it be done within 2 years.
3. All necessary rights-of-way be obtained for the street improvements.
4. Cut and fill quantities be provided for each phase of the development when submitted for final approval.
5. The City Engineer approve the proposed grading plan to generate fill material from lots on the west side of the development, and the plan be approved by the City Council prior to it coming back to the Planning Commission for final approval.

6. A geotechnical engineer's recommendations be followed for the cuts and fills along Elk Ridge Lane.
7. The Grove Drive alignment be moved as far eastward as possible, taking all precaution to protect the trees in front of the Russon property.
8. An easement be obtained for the offsite sewer line.
9. Building of homes not be allowed above the 5220-foot elevation line prior to the culinary water master-planned improvements being constructed in the area.
10. The fire chief approve the location of the proposed fire hydrants.
11. An easement be obtained for the offsite detention basin.
12. The City and developer review the Western Geologic reports to insure that all of their recommendations have been addressed.
13. The redlines on the construction drawings be addressed.
14. The landscape plans for parks be approved as submitted with the City staff having input on the spacing of trees.
15. Trails be approved as submitted with final adjustment to be done after staff and the trail committee walk the trail.
16. The right-of-way for the connection between Alpine Canyon Estates and Alpine Cove be 54-feet wide.
17. There be notes on the final plat stating that helical piers will be required on lots 1 through 7, and the drainage channel will be left open.

Steve McArthur seconded. Ayes: 4 Nays: 0. Motion passed.

Memo



To: Don Watkins
From: Jed Muhlestein, P.E. 
Assistant City Engineer
Date: October 14, 2015
Subject: Oberee Annexation – Development Standards

The purpose of this memo is to summarize the development standards recommended by Staff if the Oberee property were included by annexation and developed within Alpine City. Two staff reports dated April 17 & 30, 2015 were prepared as a result of the request for annexation by the developer. After these two reports were written Staff has had more discussions with Horrocks Engineers regarding utilities for clarification on system improvements. The summary of these discussions and reports are presented herewith:

Pressurized Irrigation

- Developer to install a 12-inch irrigation main extending from Grove Drive to Elk Ridge Lane
- Developer to install a booster pump and infrastructure at Fort Creek capable of pumping 500 gpm to the High Pressure Zone
- Developer to install pressurized irrigation lines throughout the development sized as required for adequate pressure

Culinary Water

Assuming Three Falls lower tank is in operation, for minimum fire flows...

- Developer to install a 10-inch water main from the transmission line below the Grove Tank to the 90 degree bend in Grove Drive (required to meet fire flow)
- Developer to install 8-inch looping connection from the 90 degree bend to Elk Ridge Lane (required to meet fire flow)
- Developer to install 8-inch lines throughout the development

Assuming Three Falls tank is not in operation, for minimum fire flows...

- Developer to install a 12-inch water main from the transmission line below the Grove Tank to the 90 degree bend in Grove Drive (required to meet fire flow)
- Developer to install 8-inch looping connection from the 90 degree bend to Elk Ridge Lane (required to meet fire flow)

Alpine City Engineering
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E-mail: jed@alpinecity.org

- Developer to install 10-inch lines in the northern portion, and 8-inch lines in the southern portion of the development

Sewer

- Work with the City and Kevin Towle to obtain an easement through the Towle property for connection to the city sewer system for the lower portions of the development, upper portions of the development could sewer either out Elk Ridge or Grove Drive
- Install 8-inch sewer lines throughout the development

Storm Drain

- Developer to install infrastructure capable of detaining/retaining all flows above historic rates generated by the development so as to not affect downstream locations.

Streets

- Developer to install streets per Alpine City standards meaning 30' asphalt, 2' curb and gutter, 5' park strip, 4' sidewalk on both sides.
- Developer to provide a paved secondary access per city standard
- Developer to connect Elk Ridge Lane to the development for better traffic circulation
- Developer to improve Grove Drive from Alpine Blvd to the 90 degree bend with curb and gutter on both sides and sidewalk on one
- Developer to improve the intersection at the 90 degree bend to meet city standards consistent with the improvements on Grove Drive

Other

- Developer to provide the city with a Traffic study for the proposed development
- Developer to provide the city with a Geologic Hazards study for the proposed development

Attached:

Staff Report "Oberee Annexation Report" April 17, 2015

Staff Report "Oberee Annexation Report – Addendum 1" April 30, 2015 (*Appendices excluded due to size*)

Alpine City Engineering
20 North Main • Alpine, Utah 84004
Phone/Fax: (801) 763-9862
E-mail: jed@alpinecity.org



Date: April 17, 2015

By: Staff
Rich Nelson, City Manager
Jason Bond, City Planner
Shane Sorensen, P.E., City Engineer
Jed Muhlestein, P.E., Assistant City Engineer

Subject: **Oberee Annexation Report**

Summary

The Oberee Annexation, which includes 190.68 acres, is located just north of the Heritage Hills subdivision. The purpose of this report is to answer questions brought forth at the April 7, 2015 Planning Commission meeting regarding the potential Oberee Annexation. The main subjects are highlighted below with supporting information but the following is a summary of findings. Most of these items will take some time to carefully consider than City's ability to serve the area, and the positive or negative impacts that will result from the annexation.

An issue to realize is that the City Council is not required to follow city ordinances regarding density when considering annexation. Keep that thought in mind as this report is read. Staff was asked several questions and in order to answer them the proposed density and city ordinances were used as a way of evaluating the potential outcome of the annexation. The impact 60 homes would have to City infrastructure varies by utility. It was also a mere coincidence that the developer is requesting 60 lots, and the PRD slope analysis resulted in 60 lots.

Pressurized Irrigation. If annexation were to occur it would be staff's recommendation that the developer install a 12-inch irrigation main extending from Grove Drive to Elk Ridge Lane. This line would improve water pressure for many existing Alpine citizens and is listed as an existing system improvement need in the current draft pressurized irrigation system master plan. Source of water is an ongoing problem in the zone to which this annexation is proposed. This is an existing problem and would only be exacerbated by adding more homes to the system. The draft master plan lists a couple possibilities as remedies but more time is required to study this issue in further detail.

Culinary Water. Similar to the pressurized irrigation system, the current draft master plan for the system shows an existing system need of a new 10-inch water main to be installed from the transmission line below the Grove tank to the 90 degree bend in Grove Drive. This line would

be required for adequate pressures within the development as well as would improve system pressures within the zone. Alpine City currently has three sources of culinary water and uses only one to meet the existing demand. The demand of 60 potential new homes to the source would be minimal, but the demand of future connections that are currently within the city also needs to be considered. However, current State requirements say the city would need another source if more homes were added to the system. If another source were required, the developer would need to find and develop that source (i.e. – a well).

Sewer. The existing system is designed and has capacity for the annexation area.

Storm Water. Northfield ditch is an existing drainage that is eventually collected into the Alpine City storm water system. If the area were developed and retained all flows generated from the new development, there would be no issue in regards to storm water collection.

Traffic. Three existing traffic studies were compiled and gleaned from to interpolate for the potential addition of 60 lots to the area. It was found that 60 lots would potentially add 70% more traffic to Grove Drive than what exists today. What exists today operates at an unimpeded traffic flow and is well within the criteria for the highest level of operation as detailed in the High Capacity Manual. If annexation were to proceed it would be required of the developer to obtain a traffic study for the development regarding the impact it would have on the entire area. Regardless of what a traffic study says, there is an existing safety issue at the 90 degree bend in Grove Drive. Staff would recommend the developer improve Grove Drive from Alpine Boulevard to the bend with standard street widths including curb-gutter on both sides and sidewalk on at least one side. The improvements would need to address the safety concerns at the bend.

Secondary Access. The preliminary plan (Phase 1) showing access through the Cove and at Grove Drive meets current Fire Code for secondary access. Having said that, both the Fire Marshal and Staff feel that a road connection to Elk Ridge Lane would help traffic flow and be better from a safety standpoint. Whether or not this connection would be required could be a topic for discussion.

Impact Fees. Street impact fees (\$70,980 for 60 homes) would be the only possible fees to be credited towards any offsite improvements.

Conservation Easement. Please read the following three paragraphs regarding this subject.

PRD vs Non-PRD Development

When looking at a development the Planning Commission and City Council make a determination as to whether or not the area should be developed as a Planned Residential Development (PRD). The purpose of a PRD is as follows from section 3.9.1.1 of the Development Code:

1. *To provide an alternative form of development for residential housing projects within the City which permits increased flexibility and encourages the preservation of open space and ingenuity in design while preserving a quality of residential amenities equal or superior to that possible under conventional subdivision requirements. In order to qualify for approval as a PRD, the proposed project must demonstrate that it will:*
 - A. *adequately recognize and incorporate natural conditions present on the site;*
 - B. *efficiently utilize the land resources and provide increased economy to the public in the delivery of municipal services and utilities;*
 - C. *provide increased variety in the style and quality of residential dwellings available within the City;*
 - D. *preserve open space to meet the recreational, scenic, and public service needs; and*
 - E. *do all the above in a manner which is consistent with the objectives of the underlying zone and under conditions which will result in the creation of residential environments of sustained desirability.*

A large part of the PRD discussion for this property depends on whether or not the developer can count the existing Conservation Easement (see Appendix A) area as part of the density calculations. Both the Planning Commission and City Council need to decide what, if any, extra requirements would be needed for the easement area to be counted towards open space calculations in the slope analysis. Here are two key points regarding the easement area as Staff understands:

- Alpine City has the right to build, at its own expense, a trail through the property when there are connection points on both sides, meaning Three Falls needs to be developed with a potential trail connection and the Grant properties also need a connection point. Until that happens, the City has no right for a trail.
- Steve Zolman currently has the right to fence the entire property and continue to graze animals.

The developer is proposing to alter the language of the conservation easement to allow the City more rights to the property in exchange for more density or the ability to count the easement area in the slope analysis calculations. As part of the exchange it is proposed that the developer build trails at their expense at the time of development and make them accessible now, rather than when other connection points are available. Details of this can be explained further by the developer.

A slope analysis was performed by the City. The analysis was done solely on the more flat portion of the Zolman properties (57.87 acres) that would eventually be developed, excluding the property within the conservation easement. In other words, there would be no credit given for the conservation easement area in the following analysis. The analysis shows that if the Zolman properties were currently in the city and zoned CR-40,000, the property could have a maximum potential of 48 lots if developed as a non-PRD subdivision or a maximum potential of 60 lots if developed as a PRD, assuming the maximum density bonus. The slope analysis results are shown in Figures 1 & 2.

FIGURE 1 – SLOPE ANALYSIS AREA

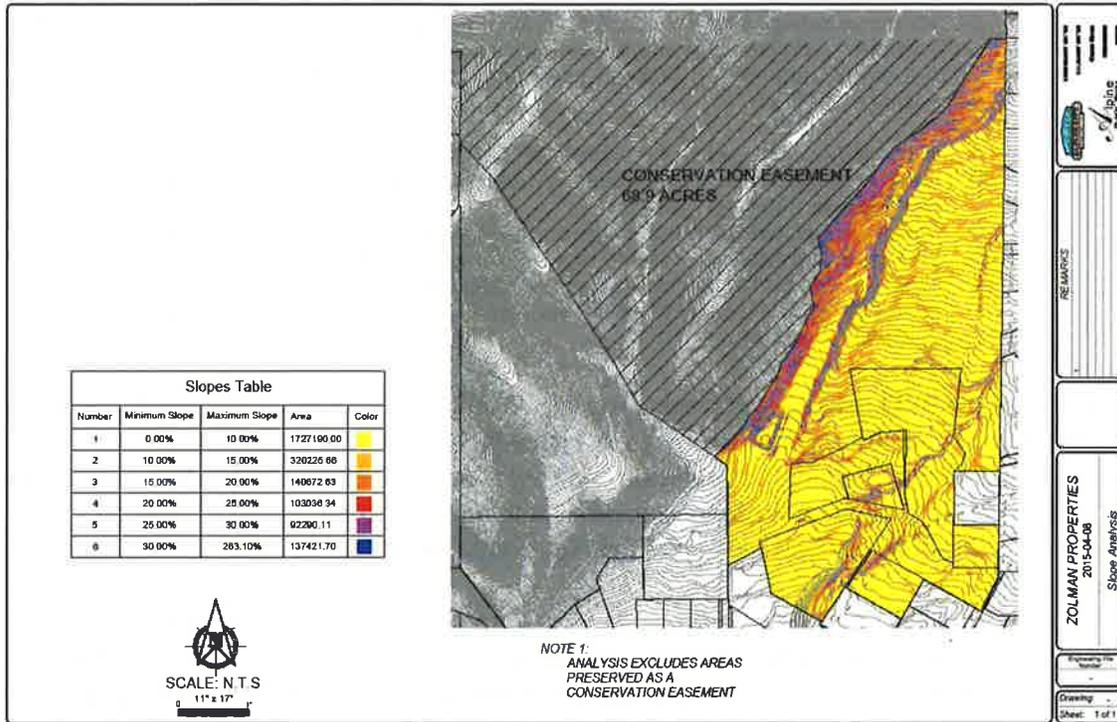


FIGURE 2 – SLOPE ANALYSIS RESULTS

SLOPE ANALYSIS (BASED ON PRD FORMULA 12.5)



Name: Zolman Properties (Conservation Easement Area Excluded)

Date: April 8, 2015

Contours Used: 1999 Aerial flown contours

CR-40,000 Zone						
Acreage	Acres		Total Square Feet			
Property	57.87		2,520,836.44			
Zone Total Acreage	57.87					
Slope Percentages	Percent Acres Within that range	SF within slope range	Acres within slope range	Required Acres per Lot	Allowed Lots for this range	
0-9.99%	68.5%	1,727,190.00	39.65	1.00	39.65	
10-14.99%	12.7%	320,226.66	7.35	1.50	4.90	
15-19.99%	5.6%	140,672.63	3.23	2.00	1.61	
20-24.99%	4.1%	103,036.34	2.37	3.00	0.79	
25-29.99%	3.7%	92,290.11	2.12	4.00	0.53	
30%+	5.5%	137,421.70	3.15	5.00	0.63	
Totals	100.0%		57.87		Base Density, Non-PRD	48.12
					Private Open Space (10% Max Bonus), PRD	52.93
					Public Open Space (25% Max Bonus), PRD	60.14

The following section regarding pressurized irrigation may or may not have an impact on the decision regarding PRD vs non-PRD development.

Pressurized Irrigation System

Introduction

The City has contracted with Horrocks Engineers to update the Pressurized Irrigation System Master Plan, Impact Fee Facility Plan and Impact Fee Analysis. At this point, we have a draft plan that we are reviewing. Certain parts of the proposed plan have been presented to the City Council for feedback, however the plan has not yet been presented for approval. We are referencing the plan in this staff report since it has some valid information regardless of whether this plan or another plan is adopted.

Basis for Plan

In order to determine where existing system deficiencies exist and what improvements are required for new growth, a minimum level of service (LOS) needs to be established. Following is the minimum LOS that has been established in the draft plan:

- Provide 40 psi at all locations in the distribution system during peak day demands.
- Provide 30 psi at all locations in the distribution system during peak hour demands.
- Maintain a maximum of 5 fps water velocity during peak day demands unless pressures are not compromised.
- Maintain a maximum of 8 fps water velocity during peak hour demands.
- Maintain a minimum of 2,376 gallons of storage per acre.
- Maintain a minimum of 3.0 ac-ft of water rights per acre.
- Maintain a minimum of 6.6 gpm of water source per acre.

The draft master plan has been developed to meet these criteria for all areas. The water source per acre issue was presented to the City Council back in early 2014. The original pressurized irrigation system was designed with a demand of 7.2 gpm per irrigated acre. In 2013, the peak day demand was approximately 8.8 gpm per acre. It is evident that Alpine City's current pressurized irrigation system cannot handle the current usage rates without compromising service in some areas. Considering the cost of improvements to supply water at the higher rates, the City Council voted to set a target usage rate of 6.6 gpm per irrigated acre. Once this rate was established, the draft plan was created based on this minimum level of service. To not exceed this target rate, conservation measures will be necessary both now and in the future.

Connection to the Pressurized Irrigation System

Water system modeling for this annexation area was included in the master plan. The latest draft pressurized irrigation system master plan shows the need for a new 12-inch main to run through the Zolman properties, connecting to the existing lines in Elk Ridge Lane and in Grove Drive at the 90 degree bend. In conjunction with the annexation, Staff recommends that the developer

complete this 12-inch main line, in addition to constructing 6-inch lines within the development. These lines would enable the system to supply minimum LOS pressures to the upper end of the development as well as improve flows within the entire pressure zone. Since the 12-inch line will benefit other areas, the Developer could approach the City with a cost share agreement for the line.

Included in Appendix B are certain pages from the “draft” pressurized irrigation system master plan showing the existing system improvements, buildout system improvements, buildout peak hour pressures, and an estimated cost for the 12-inch main.

Source Capacity

All of the Oberee Annexation area is in the City’s high zone of the pressurized irrigation system. Source capacity in the high zone varies depending on several factors, including snowpack, runoff and time of year. There are no wells located within the high zone and there are no booster pumps to move water from the middle zone to the high zone. The sources that supply water to the high zone are Dry Creek and some springs. The draft master plan has proposed some modifications to an existing pump station that currently pumps water from Fort Creek into the low pressure zone. The modifications would allow water to be pumped from Fort Creek into the high zone. This isn’t a “fail safe” option, since the flows in Fort Creek also vary. We are exploring other options as well to provide backup sources to supply water into the high zone. The addition of up to 60 more homes in the area needs to be carefully considered.

Irrigated Area

The demand on the pressurized irrigation system needs to be considered when evaluating a PRD vs. a Non-PRD, including how the size of lots relates to the demand. A study was performed which took 20 averaged sized lots per building zone (CR-40,000, CR-20,000 and TR-10,000) within the City and measured the landscaped area per lot. The results show that approximately 70% of all lots are landscaped, no matter the lot size or zone. Table 1 shows the approximate amount of land to be landscaped if the Zolman properties were developed as a PRD or Non-PRD.

The table also shows that with a PRD there is typically have large amounts of open space. Typically a parcel of property, developed as PRD, could leave large amounts of natural open space with oak brush, sage brush, and pasture grasses. These types of vegetation are commonly found in the surrounding mountainous terrain. Unfortunately, the property in question has been graded and cleared of most of the natural vegetation. Even though Table 1 shows 11.6 acres less landscaped area in a PRD vs. a non-PRD, there would be about 28 acres of open space to be landscaped in the PRD. The condition of the current landscape would not be a good candidate for leaving in its existing condition as natural open space. It would need to be developed which would require water. From a pressurized irrigation demand standpoint, more homes on the entire “field” property with small yards (*i.e. - developer gets credit for conservation easement and develops as PRD*) would create less demand than 1) fewer homes with large lots (*non-PRD*) or 2) very small yards and a big park (*PRD, no credit given for conservation easement*).

This analysis is strictly from reviewing what type of development creates more or less demand on the system. Since the property being considered is a proposed annexation, the City could impose minimum lot sizes that do not match up to our standard minimum lot sizes for a given zone or PRD development. For example, if the City decided to allow the property to be annexed in the CR-40,000 zone and be developed as a PRD, there could be a condition that no lots can be less than 30,000 sf in size as opposed to the typical 20,000 sf minimum. The PRD Easement option in Table 1 shows a theoretical example of this and how the irrigated area would differ from the other options.

TABLE 1 – PRD vs NON-PRD ESTIMATED IRRIGATED AREA

	Lots	Proposed Zone	Size of Lot (sf)	Average Landscaped Area Per Lot (sf)	Total acreage to provide secondary water to (acres)	Open Space (acres)
Non-PRD Development	48	CR-40,000	40,000	28,000	30.9	none
PRD	60	CR-40,000	20,000	14,000	19.3	28.0
PRD Easement*	60	CR-40,000	30,000	21,000	28.9	conservation easement

* Means this could be an option crediting the developer for the existing conservation easement

Culinary Water System

Introduction

At the April 7th 2015 Planning Commission meeting the concern was brought forth about the ability to serve the annexation/development area culinary water. The following information is an attempt to provide information to help answer this question.

The City has contracted with Horrocks Engineers to update the Culinary Water System Master Plan, Impact Fee Facility Plan and Impact Fee Analysis. Similar to the Pressurized Irrigation System, we have a draft master plan that we are reviewing for the culinary. The plan has not been presented to the City Council for approval. We are referencing the plan in this staff report since it has some valid information regardless of whether this plan or another plan is adopted.

Basis for Plan

In order to determine where existing system deficiencies exist and what improvements are required for new growth, a minimum level of service (LOS) needs to be established. Following is the minimum LOS that has been established in the draft plan:

- Provide 40 psi at all locations in the distribution system during peak day demands.
- Provide 30 psi at all locations in the distribution system during peak hour demands.

- Provide 20 psi at all locations in the distribution system during a fire flow event.
- Provide a minimum of 1,750 gpm of fire flow for 2 hours.
- Maintain a maximum of 5ps water velocity during peak day demands unless pressures are not compromised.
- Maintain a maximum of 8 fps water velocity during peak hour demands.
- Maintain a minimum of 400 gallons of storage per ERC.
- Maintain a minimum of 0.45 ac-ft of water rights per ERC.
- Maintain a minimum of 0.56 gpm of water source per ERC.

The draft master plan has been developed to meet these criteria for all areas.

Source Capacity

All of the Oberee Annexation area is in the City's high zone of the culinary water system. The City currently has three sources of water for the culinary system, Grove Spring, Silverleaf Well and the 300 East Well. These sources provide approximately 1,650 gpm.

The State of Utah Division of Drinking Water has minimum source requirements of 800 gallons per day (gpd) per connection for indoor use. Actual water use data shows that approximately 208 gpd per connection was used for indoor use on average in the winter. Peak day usage is approximately two times the average. Based on the Division's requirements, the City should have a minimum of 1,875 gpm of source capacity for the current population. From the three culinary water sources, the available capacity is 1,650 gpm. Currently, we do not meet the source requirements based on the Division's rules. However, we are able to take care of all of the indoor needs of the City, in addition to outdoor water for areas where pressurized irrigation water is not available, with Grove Spring alone, which leaves the two culinary wells still available as sources. In addition, the City has other wells that are currently connected to the pressurized irrigation system that could be connected to the culinary system if it were necessary. In the last six months, there has been some discussion from the Division of Drinking Water about lowering the source capacity requirement to something less than 800 gpd per connection. No action has been taken to date. This issue needs to be considered when discussing the Oberee Annexation.

Connection to Culinary Water System

Water system modeling for this annexation area was included in the master plan. The latest draft culinary water system master plan shows the need for a new 10-inch water line from the transmission line below the Grove Tank to the 90 degree bend in Grove Drive (see Appendix C). This line is to provide the necessary fire flows in this area. The plan also recommends replacing the Grove Tank with a new 1 MG tank at a higher elevation than it is now. The higher tank elevation would improve the line pressure in the Oberee Annexation area, but also helps other parts of the system. We are reviewing these improvement recommendations to determine at what point new development will require these projects to be constructed.

Fire Protection

The International Fire Code (IFC) requires that a minimum fire flow of 1,750 gpm at 20 psi

residual pressure be available for homes greater than 3,600 sf. For homes less than 3,600 sf, the required fire flow is 1,000 gpm. Homes that are 4,800 sf and larger require increasingly larger fire flows. It is recommended that homes greater than 4,800 sf should be analyzed individually to determine if adequate fire flows are available and what improvements are necessary to obtain adequate fire protection. We anticipate that most, if not all, of the homes in this development will be in excess of 4,800 sf. With the recommended system improvements, the minimum LOS of 1,750 gpm can be provided to the higher elevations of the property that is proposed for development. At lower elevations, the available fire flow will increase. We anticipate that even with the recommended improvements, some homes will likely require fire sprinklers due to the anticipated size of the homes. Where fire sprinklers are provided, the fire flow requirement can typically be reduced by 50%.

Sewer System

The sewer system for this area has been considered in the Sewer Master Plan for Alpine City. It was determined that the existing system has capacity for development via connection to Grove Drive and Elk Ridge Lane. The upper portion of the property can gravity flow out to Grove Drive while the lower portion would require a sewer easement and connection through Kevin Towle's property on Elk Ridge Lane. This connection is included in the capital improvements list and has been discussed with Mr. Towle. Impact fees could be used to acquire the easement and build the connection. See Appendix D.

Storm Water Drainage System

The storm drainage system for the area would discharge to Northfield Ditch, which runs southward from the property and eventually into the city storm water system. The existing city system has taken into account discharge from this area and capital improvement projects are listed to accommodate the runoff. The property would be required, like any other development, to retain/detain the 100-yr event and only discharge what was previously discharged prior to development.

Street System

The Planning Commission requested that Staff look into the impact the proposed annexation/development would have on traffic. We obtained three previously completed studies to help with this evaluation at a concept level. The studies included a memo from Utah County Public Works dated November 18, 2014 (see Appendix E); the Box Elder South Traffic Impact Study dated January 24, 2008, which was prepared by Horrocks Engineers (see Appendix F); and the Traffic section of the Three Falls Ranch Development Environmental Study Final Report dated November 2003, prepared by BearWest (see Appendix G).

Traffic Studies

The Utah County Public Works Department took traffic counts during the week of November 10, 2014. The average daily traffic volume was 826 vehicle trips. The Horrocks Engineers Study prepared for the Box Elder South development shows that a new single dwelling unit has the potential to add 9.57 vehicles per weekday. Taking this information and assuming 60 lots were granted, an increase of 574 vehicle trips per day would be added to the existing count resulting in a total of 1400 trips per day. However, traffic volumes for approved, un-developed lots as well as the entire northern part of the City also need to be considered. Table 2 was created to show the information more clearly.

<u>Traffic Volume (trips per weekday)</u>		
<u>Existing Lots</u>	Trips	% of Current Total
Actual Traffic Count	826	100%
<u>Approved Lots – Vacant</u>		
Box Elder (30 lots)	287	35%
Box Elder South (59 lots)	565	68%
The Cove (11 lots)	105	13%
Pine Grove (18 lots)	172	21%
Three Falls (1/5th of 57 lots)*	191	23%
<u>Undeveloped</u>		
Zolman Properties (60 lots)	574	70%
TOTAL BUILDOUT VOLUME	2720	329%

* See attached Three Falls Traffic Study (Exhibit A)

TABLE 2 – ESTIMATED TRAFFIC VOLUMES

As can be noted from Table 2, the potential 60 lots would add approximately 70% more traffic to Grove Drive than what exists today. At buildout, Grove Drive will experience over three times the traffic that it does today. In terms of impact to our roads, Level of Service (LOS) is a term used by the Highway Capacity Manual (HCM) to describe the traffic operations. It can be applied to multiple-laned highways, freeways, or intersections. It ranges from LOS A to LOS F. LOS A would be ideal uninhibited traffic conditions while LOS F would designate a condition in which improvements are required.

The Horrocks Engineers traffic study for the Box Elder South subdivision used the intersection method to determine the effects on current LOS the subdivision would have to the surrounding primary intersections. It was found that all surrounding intersections were currently operating well within the LOS A criteria and that after development, the intersections would still be within the LOS A range. We assume the Oberee Annexation/Development would have a similar impact, but this will need to be verified with a traffic study which includes the development of the entire northeastern part of the City. It is staff's recommendation that the Developer provide a detailed traffic study if the Planning Commission and City Council decide to move forward with the annexation. If it is found that the LOS will drop to anything less than a LOS A, we

recommend that the traffic study provide recommendations for road improvements to accommodate the change. One recommendation from Staff, regardless of what a traffic study says, would be to improve Grove Drive to the standard street width, with curb-gutter and sidewalk, from Alpine Boulevard to the 90 degree bend in Grove Drive, including safety improvements to the 90 degree bend.

Secondary Access

The Fire Marshall has commented on the secondary access requirements, a copy of these comments can be found in Appendix H. As mentioned in these comments, Staff also feels the connection to Elk Ridge Lane is an important one for safety and traffic flow. Timing of this connection can be a discussion item.

General Subdivision Remarks

Geologic Hazards

The proposed annexation/development falls within the Geologic Hazards Overlay Zone as well as the Urban/Wildland Interface. As with any development, the developer will be required to obtain and submit a Geologic Hazards Report for the property if allowed to move forward. Copies of the Geologic Hazard reports and related documents completed for the former Alpine Canyon Estates development are included in Appendix I. Of particular concern is the mass grading and fill of an existing ravine that ran through the property since that time. The City has no records of compaction or what type of material was used to fill the ravine. The report would need to pay specific attention to this area to convince Staff it is safe to build on.

Impact Fees

Assuming the property were developed with 60 lots as requested, the developer paid impact fees would be as follows:

Storm Water	\$48,000
Streets	\$70,980
Park/Trails	\$161,200

All other impact fees are paid by the homeowner at the building permit level and vary depending on lot size. The actual cost of the impact fees will be based on the final number of lots.

The developer is requesting credits towards impact fees based on offsite improvements. There would be no offsite storm water required, streets potentially, and no offsite park/trails. The only potential credit to impact fees that Staff recognizes here is the streets. Staff would like to see improvements to Grove Drive whether the LOS is impacted or not. Staff would recommend the approval of a credit to the streets impact fees if Grove Drive were improved as mentioned earlier.



Date: April 30, 2015

By: Staff
 Rich Nelson, City Manager
 Jason Bond, City Planner
 Shane Sorensen, P.E., City Engineer
 Jed Muhlestein, P.E., Assistant City Engineer

Subject: **Oberee Annexation Report – Addendum 1**

Background This report is meant to supplement the original staff report dated April 17, 2015 titled “Oberee Annexation Report.” That report contains basic information and background regarding the proposed Oberee Annexation. New information will be reported in addendums such as this.

Pressurized Irrigation Something to consider for both pressurized irrigation and culinary water is the fact that this area was taken into consideration when the master plans for these services were drafted. Meaning, if the master plans were followed with associated improvements, then the services in the Oberee area would work. See email dated Thursday, April 30, 2015 attached as Appendix A.

The “source of water” issue was discussed for the high zone in the previous report. Outdoor source requirements for the area have been calculated and are shown in Table 1.

TABLE 1 – OUTDOOR SOURCE REQUIREMENT

	Lots	Proposed Zone	Size of Lot (sf x 1000)	Average Landscaped Area Per Lot (sf x1000)	Total acreage to provide secondary water to (acres)	Open Space (acres)	Water Consumption Requirement (ac-ft)
Non-PRD Development	48	CR-40	40	28	30.9	none	145
PRD	60	CR-40	20	14	19.3	28	222
PRD Easement*	60	CR-40	30	21	28.9	conservation easement	136

The city implemented a “pilot program” for installing meters on the pressurized irrigation system five years ago. Meters were installed on twenty five homes around the city. To calculate the

Water Consumption Requirement as noted in Table 1, data was taken from the five years' worth of data we have collected from these twenty five locations.

The master plan lists two options to remedy the "source of water" issue.

- One - Install three booster pumps that could pump water from the low zone into the high zone.
- Two - Connect to the CUP water line via pumps and lines outside the city.

Both these options are expensive and would serve much more than just the proposed development. The source at Fort Creek is approximately 1000 to 1500 gpm. One pump, pumping at 500 gpm (~ 403 ac-ft per 6 month irrigation season) could provide for the outdoor use of the proposed development no matter what density is settled upon for the development (assuming it is 60 lots or less). If this approach were taken the developer's needs would be taken care of, it could benefit the city, and the city could add on to/finish that project at some future point as needed. If the City Council would consider this option, it is an option staff feels would be more palatable to the developer and would be a win-win situation for both developer and City. At this point specific costs have not been put together but are being worked on and should be available soon.

The following is a summary of where we stand with the pressurized irrigation:

- Staff recommends the developer install a 12-inch irrigation main extending from Grove Drive to Elk Ridge Lane. A cost share approach can be worked out if annexation moves forward.
- Staff recommends the City Council consider the option of the developer providing and installing one booster pump and infrastructure to provide another water source (approximately 500 gpm) to the high zone. Staff will work with Horrocks Engineers to provide a cost estimate.

Culinary Water Staff worked with Horrocks Engineers to model the fire flows for this area with and without system buildout improvements in place. It was discovered that fire flow for this area depends on the Three Falls tank and PRV system as outlined in the culinary master plan. See Appendix A of this report and Appendix C of the original staff report. The developer has options regarding culinary water if annexation moved forward:

- Wait for Three Falls to build their tank and PRV then...
 - o Install the 10-inch main from the 12-inch Box Elder main line to the 90 degree bend in Grove Drive
 - o Install 8-inch mains within the development
 - o Install the 8-inch connection at Elk Ridge Lane. This is a required connection as it provides looping of the system and ensures fire flows
- Develop now, do not wait for Three Falls
 - o Install a 12-inch line from the 12-inch Box Elder main line to the 90 degree bend in Grove Drive
 - o Install 10-inch lines in the northern portion of development
 - o Install the 8-inch looping connection to Elk Ridge Lane

It should be noted that the water model was set for minimum fire flows of 1750 gpm at each hydrant. 1750 gpm provides enough fire protection for a 4,800 square foot home without fire sprinklers. The email mentions a larger pipe option if the developer seeks to have more fire flow, allowing larger homes to be built without the need for fire sprinklers. This can be further discussed if annexation moves forward, the main point here is that culinary water can be supplied but the infrastructure details hinge on the Three Falls system improvements.

It was mentioned in the previous report that the state requirements for source are approximately four times higher than our current use. We do not know if/when state legislature will change that requirement but we have learned there is an option to apply for a reduction in source requirement. Staff would recommend the developer fund the process of applying for a reduction in source OR wait for the legislature to modify the current requirement.

The following is a summary of where we stand with the culinary water:

- Staff recommends the developer install whatever culinary improvements are necessary to supply adequate fire flows to the development based on the option chosen for development, see above options. The specifics of a cost-share can be negotiated if annexation moves forward as some of the improvements do benefit the city.
- Staff recommends the developer make a decision on either waiting for an outcome from state legislature regarding water source requirement or funding the process of applying for a reduction in source requirement.

Sewer, Storm Water, Traffic, Street System, Secondary Access, Geologic Hazards There are no new recommendations for these subjects. A cost estimate for the Grove Drive improvements is being worked on.

The following is a summary of where we stand with these items:

- Staff would recommend the developer improve Grove Drive from Alpine Boulevard to the bend with standard street widths including curb-gutter on both sides and sidewalk on at least one side. The improvements would need to address the safety concerns at the bend. Street impact fees of the development could be credited towards the Grove Drive improvements.
- Staff would recommend that if annexation moves forward, the Developer provide a detailed traffic study. If it is found that the LOS will drop to anything less than a LOS A, we recommend that the traffic study provide recommendations for road improvements to accommodate the change.
- If annexation moves forward, staff would require the developer to obtain and submit a Geologic Hazards Report for the property. Of particular concern is the areas where mass grading and filling of an existing ravine has occurred.

PRD vs Non-PRD Development, Conservation Easement The details of these subjects can be found in the previous staff report.

- Staff recommends the Planning Commission and City Council consider the size of lots being irrigated when determining what kind of density will be allowed within the development if annexation occurs. See Table 1.

APPENDIX A – HORROCKS EMAIL

Jed Muhlestein

From: John Schiess <JSchiess@horrocks.com>
Sent: Thursday, April 30, 2015 2:39 PM
To: Jed Muhlestein
Subject: Oberee Annexation (Pack Farms) Hydraulic Review

Jed,

As requested I have looked at the Culinary, Pressurized Irrigation, and Sewer models and master plans to see if the proposed development will work. In all three cases the master plans have anticipated that this area will develop and be annexed into Alpine City. In fact the anticipated number of homes that have been modeled in this area is greater than the proposed development. The master plans are adequate for the proposed developments.

The next step I took is to determine what are the minimum improvements necessary to connect to the existing systems and provide the service necessary for each system

For the Culinary system the master planned fire flow service is 1,750 gpm. Just installing the master planned pipe sizes to the area is not enough to ensure fire flow service of 1,750 gpm. This area benefits from the master planned tank and PRV in Fort Canyon. If these were installed in addition to the master planned piping everything would work fine. If this development wishes to proceed prior to Fort Canyon then the following improvements need to be made.

- Install a 12 inch line from the 12 inch tank line near Box Elder along Grove Drive to the proposed development
- Install a 10 inch line from the 12 inch line north to the end of the proposed cul-de-sac.
- Install a 8 inch loop down to Elk Ridge Lane.

If desired to increase the fire flows to 2,750 gpm in the northern most cul-de-sac the first two recommendations could be changed to a 16 inch and 12 inch respectively. This would allow 11,300 sf homes without fire sprinklers.

As far as the pressurized irrigation goes I recommend they install the pipe sizes as shown in the master plan including the loop between Grove Drive and Elk Ridge Lane. The loop between Grove Drive and Elk Ridge fixes both an existing deficiency and serves future growth. It should be funded as noted in Table 12 of the master plan.

They should also participate in a project to get additional source in the High Zone because of limited source capacity prior to July 10 each year. The master plan calls for the Fort Creek Booster Pump expansion to meet this need. It may be possible to construct a limited project now with the full expansion later. Let me know if you would like a cost estimate for the limited project. I see the limited project as replacing one of the existing pumps with a new higher head pump on a VFD with a new discharge line connecting to the High Zone.

There are no improvements necessary to connect to the Sewer system.

If you have any questions please let me know.

Thanks

John E. Schiess, Senior Engineer

HORROCKS ENGINEERS

2162 W. Grove Parkway, Suite 400 | Pleasant Grove, Utah 84062

Work 801 763 5201 | **Fax** 801 763 5101 | **Mobile** 801 361 6439

Email jschiess@horrocks.com www.horrocks.com

SLOPE ANALYSIS (BASED ON PRD FORMULA 3.9.5)

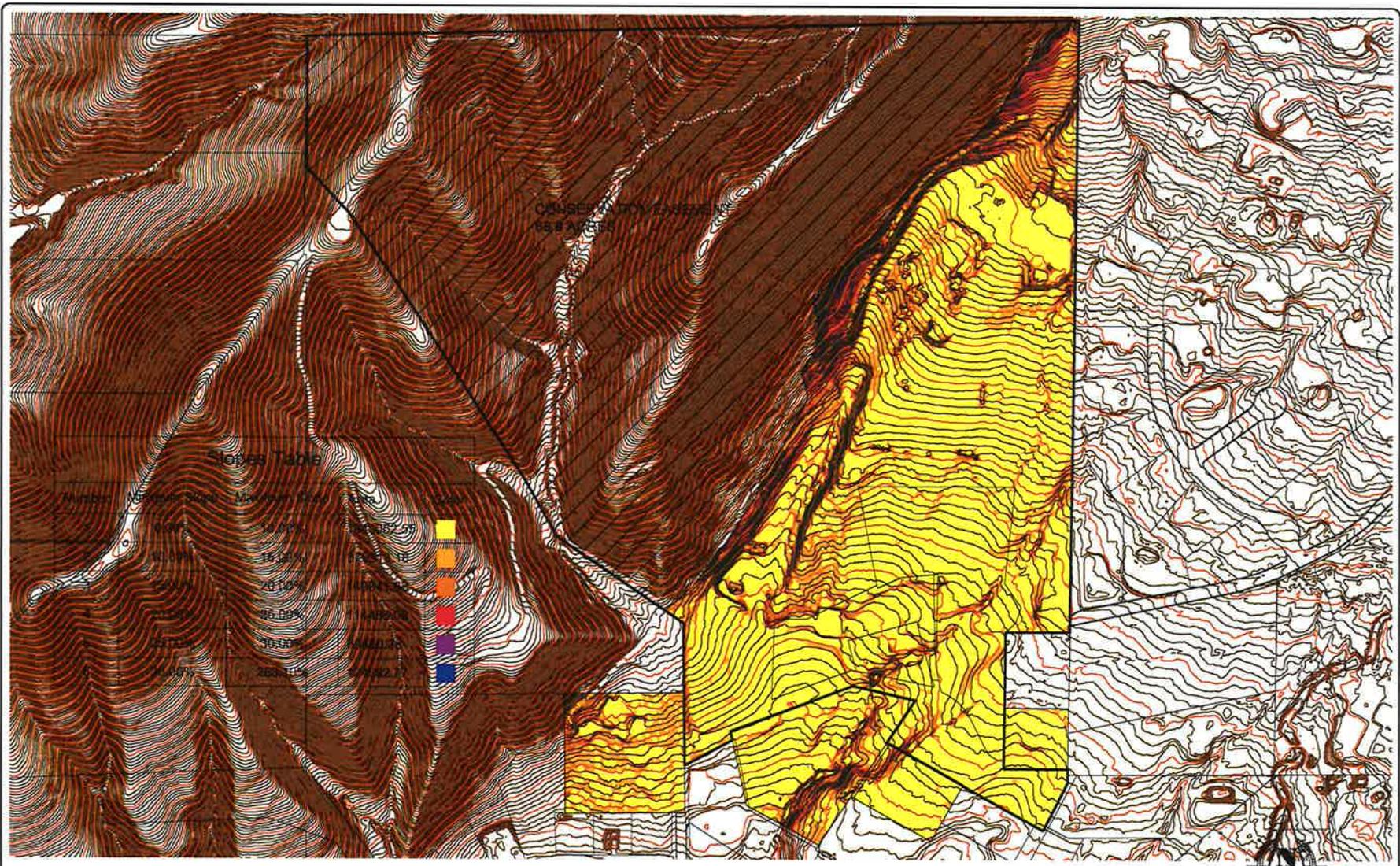


Name: Zolman-Grant Properties (conservation easement area excluded, see Map)

Date: Oct. 14, 2015

Contours Used: 99' Aerial Flown Contours

CR-40,000 Zone						
Total Property Area			130.84 ac			
Cons. Easement Area			68.9 ac			
Area Analyzed			61.9 ac			
Acreage		Acres	Total Square Feet			
Property		61.94	2,698,136.54			
Zone Total Acreage		61.94				
Slope Percentages	Percent Acres Within that range	SF within slope range	Acres within slope range	Required Acres per Lot	Allowed Lots for this range	
0-9.99%	68.2%	1,840,052.55	42.24	1.00	42.24	
10-14.99%	14.1%	379,313.18	8.71	1.50	5.81	
15-19.99%	5.6%	149,941.68	3.44	2.00	1.72	
20-24.99%	4.2%	114,486.08	2.63	3.00	0.88	
25-29.99%	3.3%	89,660.28	2.06	4.00	0.51	
30%+	4.6%	124,682.77	2.86	5.00	0.57	
Totals	100.0%		61.94			
				Base Density	51.73	
				Assuming Max Bonus (30%)	67.25	



NOTE 1:
ANALYSIS EXCLUDES AREAS PRESERVED AS
A CONSERVATION EASEMENT

SCALE: N.T.S
0 11" x 17" 1"



REMARKS

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ZOLMAN PROPERTIES
OCT, 2015
Slope Analysis

Engineering File Number: -

Drawing: -
Sheet: 1 of 1

SLOPE ANALYSIS (BASED ON PRD FORMULA 3.9.5)

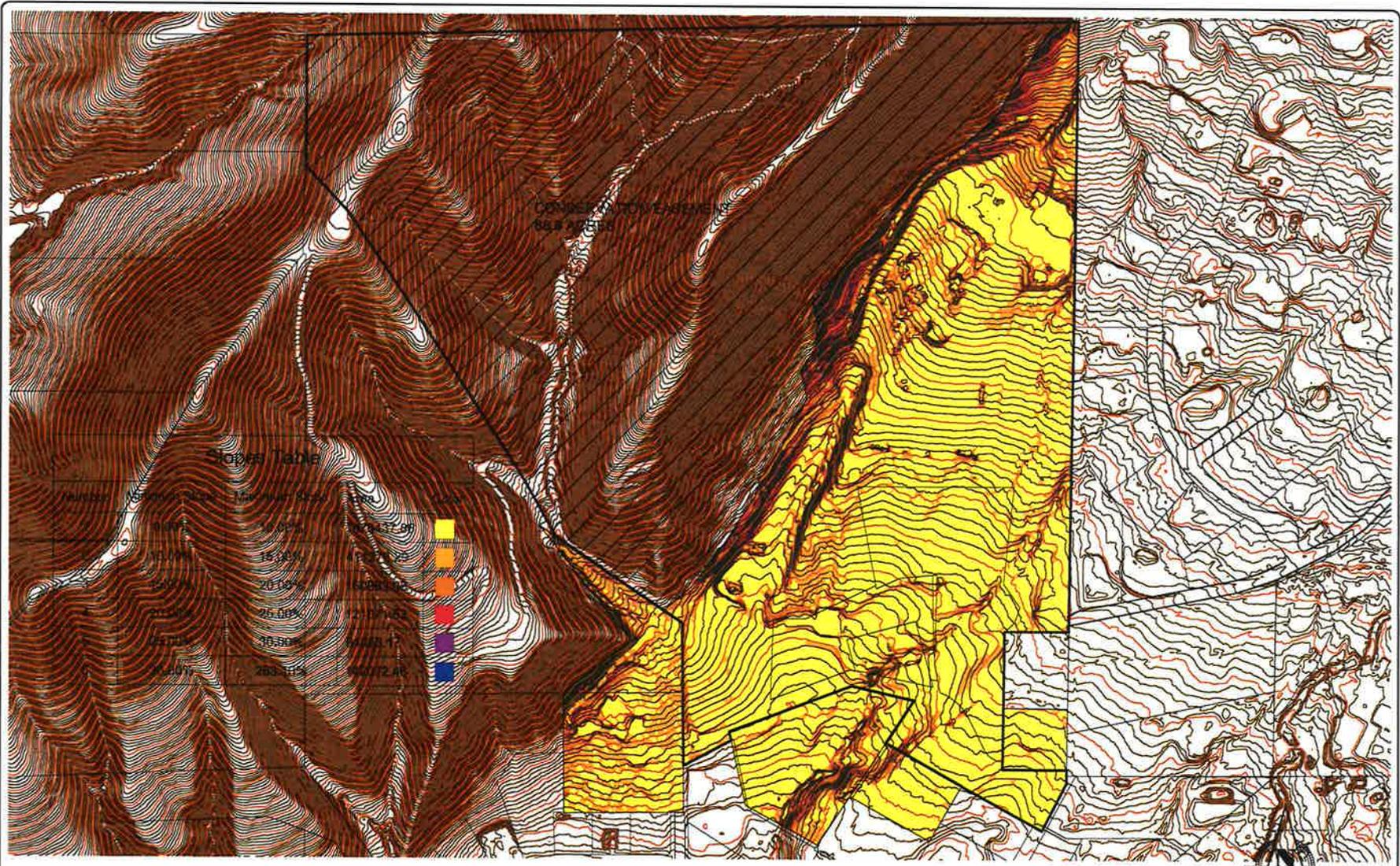


Name: Zolman-Grant Properties (conservation easement area excluded, see Map)

Date: Oct. 14, 2015

Contours Used: 99' Aerial Flown Contours

CR-40,000 Zone					
Total Property Area			132.63 ac		
Cons. Easement Area			68.9 ac		
Area Analyzed			63.7 ac		
Acreage		Acres	Total Square Feet		
Property		63.73	2,775,876.39		
Zone Total Acreage		63.73			
Slope Percentages	Percent Acres Within that range	SF within slope range	Acres within slope range	Required Acres per Lot	Allowed Lots for this range
0-9.99%	67.6%	1,876,437.86	43.08	1.00	43.08
10-14.99%	14.8%	411,278.29	9.44	1.50	6.29
15-19.99%	5.8%	160,963.08	3.70	2.00	1.85
20-24.99%	4.4%	121,071.53	2.78	3.00	0.93
25-29.99%	2.3%	64,053.17	1.47	4.00	0.37
30%+	5.1%	142,072.46	3.26	5.00	0.65
Totals	100.0%		63.73		
				Base Density	53.17
				Assuming Max Bonus (30%)	69.12



Slopes Table

Slopes	Color
15.00%	Yellow
20.00%	Orange
25.00%	Red
30.00%	Purple
35.00%	Blue

NOTE 1:
ANALYSIS EXCLUDES AREAS PRESERVED AS
A CONSERVATION EASEMENT

SCALE: N.T.S
0 11" x 17" 1"

SECONDARY WATER
 DOMESTIC WATER
 STORM WATER
 ENGINEERING
 SEWER

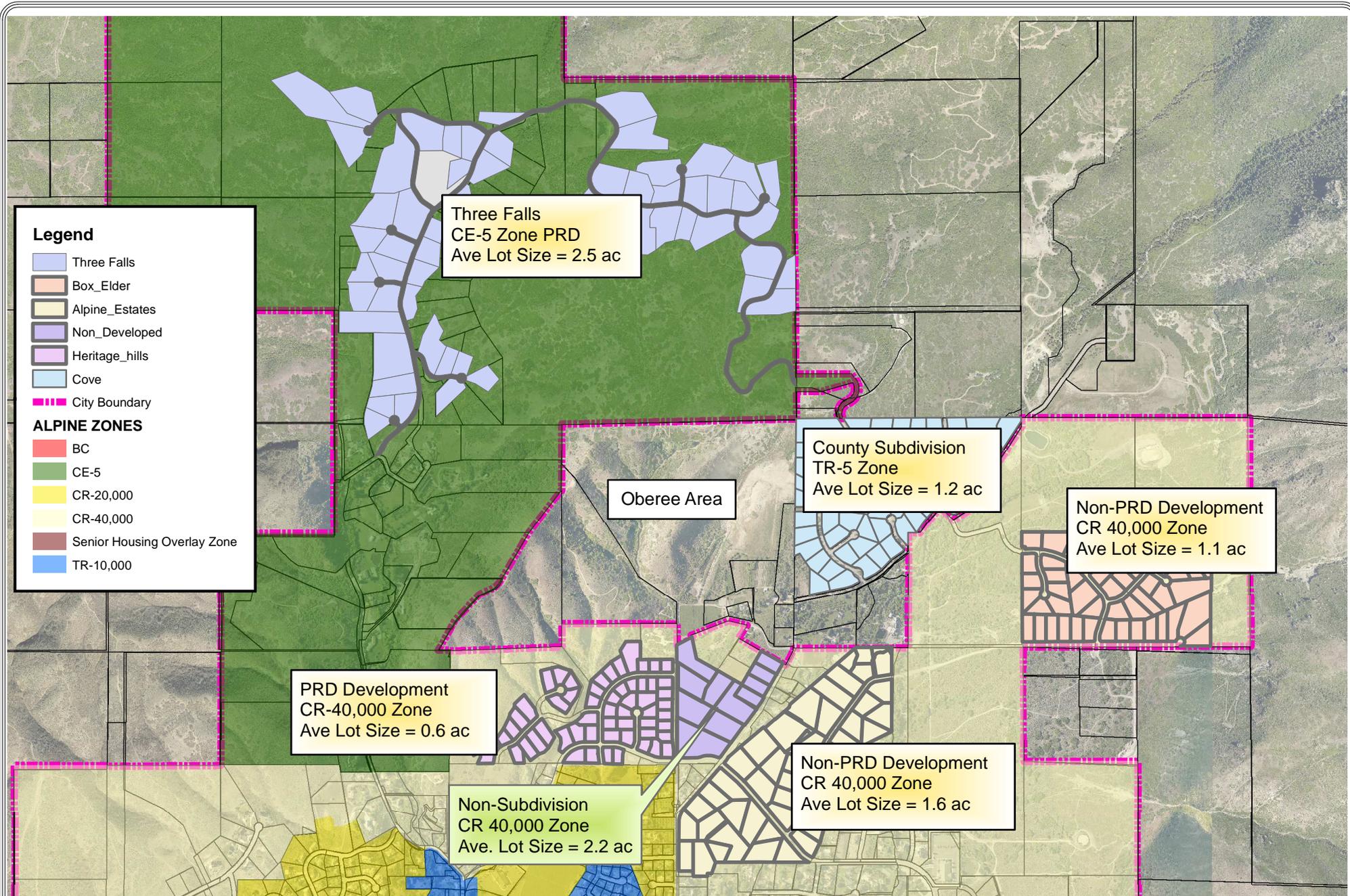
REMARKS

ZOLMAN PROPERTIES
 OCT, 2015
 Slope Analysis

Engineering File Number: -

Drawing: -

Sheet: 1 of 1



Property Boundaries and Utilities are shown for reference only. Though shown generally close, a survey and Blue Stake should be done to locate both accurately.

Oberee Surrounding Densities

1 inch = 1,500 feet



ALPINE CITY COUNCIL AGENDA

SUBJECT: A Resolution of the Governing Body of Alpine City Indicating its Position Regarding the Annexation of Certain Property into Alpine City.

FOR CONSIDERATION ON: October 27, 2015

PETITIONER: Mayor Don Watkins

ACTION REQUESTED BY PETITIONER: That the City Council approve the attached resolution.

INFORMATION: Mayor Watkins asked that the City Attorney prepared the attached resolution.

RECOMMENDED ACTION: That the City Council approve the attached resolution, A Resolution of the Governing Body of Alpine City Indicating its Position Regarding the Annexation of Certain Property into Alpine City.

RESOLUTION NO. R2015-18

A RESOLUTION OF THE GOVERNING BODY OF ALPINE CITY INDICATING ITS POSITION REGARDING THE ANNEXATION OF CERTAIN PROPERTY INTO ALPINE CITY

WHEREAS, Alpine City has received an annexation petition from property owners in Utah County seeking to be annexed into the City for development purposes which annexation is known as the Oberee annexation request; and

WHEREAS, Alpine City has normally required a development agreement prior to annexing any large parcel into the City when the City knows that the annexation is being done for development purposes; and

WHEREAS, both Utah County and the property owners of the Oberee property proposed for annexation desire to know on what terms Alpine City would be willing to annex the Oberee property into the City; and

WHEREAS, Alpine City and the property owners within the Oberee annexation area have not yet negotiated a development agreement for the proposed property and therefore the annexation ordinance required to complete the annexation has not yet been voted on by the City Council; and

WHEREAS, The Alpine City Council desires to formally adopt the minimum terms it would accept in a development agreement if it were to annex the property into the City.

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF ALPINE CITY AS FOLLOWS:

1. The City does hereby express its willingness to annex the property known as the Oberee Annexation into the City for residential development in the City if the property owners will accept the following terms and conditions:

a. All the annexed property will be zoned by the City as CR-40,000 which is the City's one lot per acre (40,000 square feet) zone.

b. All subdivisions in the annexed area will be processed as standard subdivisions and not as planned residential developments (PRDs). This would require the agreement of the property owners that there would not be density bonus or any lot less than the minimum 40,000 square feet.

c. All of the City's existing hillside, slope, and hazard regulations contained in the City's current development code would be complied without exceptions or variances.

d. The property owners would agree to provide to the City at the property owner's costs improvements to Grove Drive to bring the road up to current City standards (30 feet of pavement, curb and gutter on both sides, sidewalk on one side) as from the intersection of Alpine Boulevard to the proposed new development including the improvements to the now 90 degree bend.

e. That the property owners agree to provide the new development a second access from the proposed development to the City that connects with Elk Ridge Lane.

d. The property owners would agree that the new subdivisions in the annexed area would not be provided by the City with secondary water and that the development would be required through its subdivision CC&R's to restrict outside watering through the use of minimal landscaping.

f. That the property owners at their sole costs and expense build the culinary water infrastructure necessary to serve their development as currently recommended for that area by the City's culinary water master plan.

g. That all other normal requirements of subdivisions in the City be complied with such as the provision of water rights; the payment of all fees and the building of all infrastructure to current City specifications and standards without exception, variance or financial offset from the City.

2. Upon receipt from the owners of the Oberee Annexation property of a formal agreement that contains the above minimum terms and conditions the City will complete the annexation of the property into the City.

PASSED and DATED THIS ____ DAY OF _____ 2015.

Attest:

Signed:

City Recorder

Mayor

ALPINE CITY COUNCIL AGENDA

SUBJECT: Larry Hilton Condominium Request

FOR CONSIDERATION ON: 27 October 2015

PETITIONER: Larry Hilton

ACTION REQUESTED BY PETITIONER: Approve the Request to Create Condominiums within the Designated Building

APPLICABLE STATUTE OR ORDINANCE: Chapter 6 (Condominium Conversion Policy)

BACKGROUND INFORMATION:

Larry Hilton has received approval of a building to be built at 341 South Main Street, Lot B of the Alpine Olde Town Centre Planned Commercial Development. Before construction, Mr. Hilton is requesting that the building be converted into two separate condominiums. Chapter 6 of the Alpine City Development Code lays out the requirements for the conversion of a building to condominiums. The ordinance requires several documents and that it go through the same process “as set forth in City ordinances dealing with major subdivisions.” (Section 6.6)

Mr. Hilton was given the Condominium Conversion Policy Ordinance, has received a recommendation from the Planning Commission and is now before the City Council with the necessary documents for consideration of his request.

PLANNING COMMISSION MOTION: Bryce Higbee moved to recommend approval of the Larry Hilton Condominium Request located at 341 South Main Street, Lot B of the Alpine Olde Towne Centre Planned Commercial Development with the following condition.

1. David Church review the Declaration of Condominium Covenants, Conditions, Restrictions and Management as proposed.

Steve Swanson seconded the motion. The motion was unanimous with 6 Ayes and 0 Nays. Bryce Higbee, David Fotheringham, Steve Cosper, Jane Griener, Steve Swanson and Judi Pickell all voted Aye.

LLC
Certificate of Organization
OF
341 South Main, LLC

The undersigned person(s) do hereby adopt the following Certificate of Organization for the purpose of forming a Utah Limited Liability Company.

Article I

The name of the limited liability company is to be 341 South Main, LLC

Article II

The purpose or purposes for which the company is organized is to engage in:
A building owners association

The Company shall further have unlimited power to engage in or to perform any and all lawful acts pertaining to the management of any lawful business as well as to engage in and to do any lawful act concerning any and all lawful business for which a Limited Liability Company may be organized under the Utah Limited Liability Company Act and any amendments thereto.

Article III

The Company shall continuously maintain an agent in the State of Utah for service of process who is an individual residing in said state. The name and address of the initial registered agent shall be:

(Registered Agent Name & Address)
Legal Tender Services, PLLC
270 North Main Street Suite B
Alpine, UT, 84004



Article IV

Name, Street address & Signature of all members/managers

Member #1

Dominion Insurance Services, Inc.

270 North Main Street Suite A

Alpine, UT 84004

Lawrence D. Hilton (POA or AIF)

Signature

Member #2

Legal Tender Services, PLLC

270 North Main Street Suite B

Alpine, UT 84004

Lawrence D. Hilton (POA or AIF)

Signature

DATED 13 October, 2015.

Article V

Management statement

This limited liability company will be managed by its Members

Article VI

Records required to be kept at the principal office include, but are not limited to the following:

Article VI.1

A current list in alphabetical order of the full name and address of each member and each manager.

Article VI.2

A copy of the stamped certificate of Organization and all *certificates of amendments thereto*.

Article VI.3

Copies of all tax returns and financial statements of the company for the three most recent years.

Article VI.4

A copy of the company's operating agreement and minutes of each meeting of members.

Article VII

The street address of the principal place of business is:

341 South Main Street Suite 100

Alpine, UT 84004

Article VIII

The duration of the company shall be perpetual

Under GRAMA {63-2-201}, all registration information maintained by the Division is classified as public record. For confidentiality purposes, the business entity physical address may be provided rather than the residential or private address of any individual affiliated with the entity.

Date of this notice: 10-13-2015

Employer Identification Number:

Form: SS-4

Number of this notice: CP 575 B

341 SOUTH MAIN LLC
% DOMINION INSURANCE SERVICES INC M
270 N MAIN ST
ALPINE, UT 84004

For assistance you may call us at:
1-800-829-4933

IF YOU WRITE, ATTACH THE
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you
This EIN will identify you, your business accounts, tax returns, and
documents, even if you have no employees. Please keep this notice in your permanent
records.

When filing tax documents, payments, and related correspondence, it is very important
that you use your EIN and complete name and address exactly as shown above. Any variation
may cause a delay in processing, result in incorrect information in your account, or even
cause you to be assigned more than one EIN. If the information is not correct as shown
above, please make the correction using the attached tear off stub and return it to us.

Based on the information received from you or your representative, you must file
the following form(s) by the date(s) shown.

Form 1065

04/15/2016

If you have questions about the form(s) or the due date(s) shown, you can call us at
the phone number or write to us at the address shown at the top of this notice. If you
need help in determining your annual accounting period (tax year), see Publication 538,
Accounting Periods and Methods.

We assigned you a tax classification based on information obtained from you or your
representative. It is not a legal determination of your tax classification, and is not
binding on the IRS. If you want a legal determination of your tax classification, you may
request a private letter ruling from the IRS under the guidelines in Revenue Procedure
2004-1, 2004-1 I.R.B. 1 (or superseding Revenue Procedure for the year at issue). Note:
Certain tax classification elections can be requested by filing Form 8832, *Entity
Classification Election*. See Form 8832 and its instructions for additional information.

A limited liability company (LLC) may file Form 8832, *Entity Classification
Election*, and elect to be classified as an association taxable as a corporation. If
the LLC is eligible to be treated as a corporation that meets certain tests and it
will be electing S corporation status, it must timely file Form 2553, *Election by a
Small Business Corporation*. The LLC will be treated as a corporation as of the
effective date of the S corporation election and does not need to file Form 8832.

To obtain tax forms and publications, including those referenced in this notice,
visit our Web site at www.irs.gov. If you do not have access to the Internet, call
1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

Declaration of Condominium Covenants, Conditions, Restrictions & Management For 341 South Main, LLC

This Declaration of Condominium Covenants, Conditions, Restrictions & Management for 341 South Main, LLC, is made this 1st day of October, 2015, by DOMINION INSURANCE SERVICES, INC., A Utah Corporation (“DISI”), and LEGAL TENDER SERVICES, PLLC, A Utah Professional Limited Liability Company (“LTS”) (collectively the “Parties”) as follows:

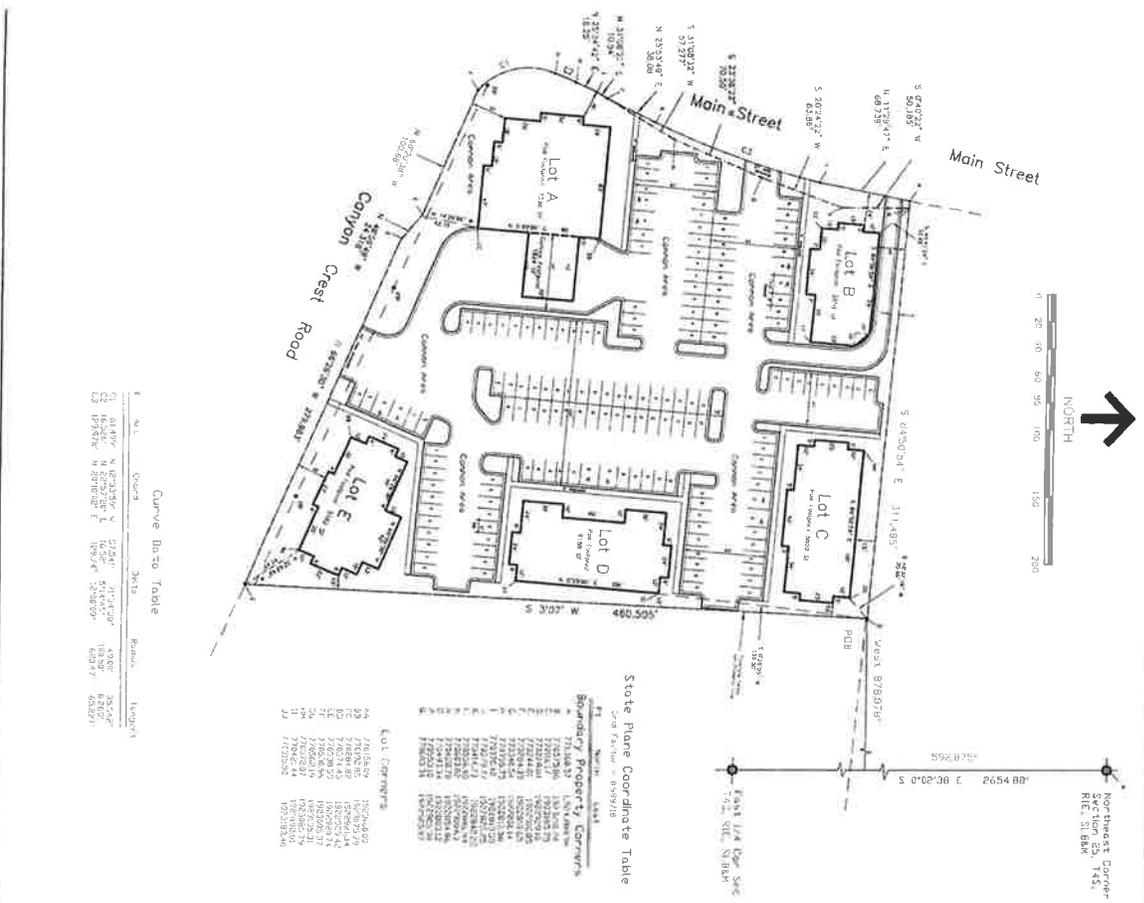
1. *Condominiumization.* The parties hereby agree to divide the building to be constructed and located at 341 South Main Street, Alpine, Utah, 84004 (the “Building”) into two separate condominiums. The condominium for LTS shall occupy 780 square feet of the northwest corner of the ground floor of the Building, as well as the attached 593 square foot subterranean vault space. LTS space shall be accessible exclusively by means of an entrance located on the west side of the Building. The remainder of the Building (“DISI space”) shall constitute the other condominium and shall be accessible exclusively from an entrance on the south side of the Building.
2. *Construction Costs.* The parties agree to allocate the total costs of construction between themselves on the basis of the actual “hard” costs of constructing each condominium, with design, engineering and permitting “soft” fees and costs allocated proportionally on the same basis.
3. *Operation and Maintenance Costs.* Costs associated with the operation and maintenance of the Building shall be borne by each of the Parties to the extent that such costs are readily segregable. Non-segregable costs, including association dues imposed by the Alpine Olde Towne Centre Planned Commercial Development Association, shall be allocated 15% to LTS and the remaining 85% to DISI.
4. *Notices.* Any notices to be given by one party to another shall be in writing and transmitted by personal delivery.
5. *Governing Law.* This Agreement shall be governed by and construed in accordance with the laws of the State of Utah.

6. *Venue.* Any action at law or in equity instituted in connection with this Agreement shall be brought in the appropriate court located within Salt Lake County, Utah.
7. *Attorney's Fees and Costs.* If any legal action is necessary to enforce or interpret the terms of this Agreement, the prevailing party shall be entitled to reasonable attorney's fees, costs and necessary disbursements in addition to any other relief to which that party may be entitled.
8. *Modification.* Any modification of this Agreement will be effective only if in writing, executed by the party to be charged.
9. *Waiver.* The failure of either party to insist on strict compliance with any of the terms, covenants, or conditions of this Agreement by the other party shall not be deemed a waiver of that term, covenant, or condition, nor shall any waiver or relinquishment of any right or power at any one time or times be deemed a waiver or relinquishment of that right or power for all or any other times.
10. *Severability.* The parties hereby agree that if for any reason any provision of this Agreement is found to be unenforceable by a court of competent jurisdiction, all remaining provisions shall continue in full force and effect.
11. *Successors/Assignments.* This Agreement shall be binding upon and inure to the benefits of the respective successors, assigns, and personal representatives of the parties, except to the extent of any contrary provision in this agreement. This agreement may not be assigned by any party without the advance written consent of the other party.
12. *Entire Agreement.* This written Agreement comprises the entire agreement between the parties. Further, it supersedes any previous agreement, written or oral, and supersedes any previous comments or statements, written or oral.

EXECUTED October 1, 2015:

Legal Tender Services, PLLC
By: 
Lawrence Hilton, Owner

Dominion Insurance Services, Inc.
By: 
Lawrence Hilton, President



Curve Data Table

Curve	Radius	Length	Area
C1	145.00'	100.00'	10,000.00'
C2	150.00'	110.00'	11,000.00'
C3	155.00'	120.00'	12,000.00'

State Plane Coordinate Table

Point	Northing	Easting
1	1114.895	460.595
2	1114.895	460.595
3	1114.895	460.595
4	1114.895	460.595
5	1114.895	460.595
6	1114.895	460.595
7	1114.895	460.595
8	1114.895	460.595
9	1114.895	460.595
10	1114.895	460.595
11	1114.895	460.595
12	1114.895	460.595

Lot Corners

Lot	Corner	Distance	Bearing
Lot A	1	111.485	S 04°05'41" E
	2	111.485	N 85°54'19" W
	3	111.485	S 04°05'41" E
	4	111.485	N 85°54'19" W
Lot B	1	111.485	S 04°05'41" E
	2	111.485	N 85°54'19" W
	3	111.485	S 04°05'41" E
	4	111.485	N 85°54'19" W
Lot C	1	111.485	S 04°05'41" E
	2	111.485	N 85°54'19" W
	3	111.485	S 04°05'41" E
	4	111.485	N 85°54'19" W
Lot D	1	111.485	S 04°05'41" E
	2	111.485	N 85°54'19" W
	3	111.485	S 04°05'41" E
	4	111.485	N 85°54'19" W
Lot E	1	111.485	S 04°05'41" E
	2	111.485	N 85°54'19" W
	3	111.485	S 04°05'41" E
	4	111.485	N 85°54'19" W

Address Table

Address	Address
1114 Canyon Road	1114 Canyon Road
1115 Canyon Road	1115 Canyon Road
1116 Canyon Road	1116 Canyon Road
1117 Canyon Road	1117 Canyon Road
1118 Canyon Road	1118 Canyon Road
1119 Canyon Road	1119 Canyon Road
1120 Canyon Road	1120 Canyon Road
1121 Canyon Road	1121 Canyon Road
1122 Canyon Road	1122 Canyon Road
1123 Canyon Road	1123 Canyon Road
1124 Canyon Road	1124 Canyon Road
1125 Canyon Road	1125 Canyon Road
1126 Canyon Road	1126 Canyon Road
1127 Canyon Road	1127 Canyon Road
1128 Canyon Road	1128 Canyon Road
1129 Canyon Road	1129 Canyon Road
1130 Canyon Road	1130 Canyon Road
1131 Canyon Road	1131 Canyon Road
1132 Canyon Road	1132 Canyon Road
1133 Canyon Road	1133 Canyon Road
1134 Canyon Road	1134 Canyon Road
1135 Canyon Road	1135 Canyon Road
1136 Canyon Road	1136 Canyon Road
1137 Canyon Road	1137 Canyon Road
1138 Canyon Road	1138 Canyon Road
1139 Canyon Road	1139 Canyon Road
1140 Canyon Road	1140 Canyon Road
1141 Canyon Road	1141 Canyon Road
1142 Canyon Road	1142 Canyon Road
1143 Canyon Road	1143 Canyon Road
1144 Canyon Road	1144 Canyon Road
1145 Canyon Road	1145 Canyon Road
1146 Canyon Road	1146 Canyon Road
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1150 Canyon Road	1150 Canyon Road
1151 Canyon Road	1151 Canyon Road
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1161 Canyon Road	1161 Canyon Road
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1171 Canyon Road	1171 Canyon Road
1172 Canyon Road	1172 Canyon Road
1173 Canyon Road	1173 Canyon Road
1174 Canyon Road	1174 Canyon Road
1175 Canyon Road	1175 Canyon Road
1176 Canyon Road	1176 Canyon Road
1177 Canyon Road	1177 Canyon Road
1178 Canyon Road	1178 Canyon Road
1179 Canyon Road	1179 Canyon Road
1180 Canyon Road	1180 Canyon Road
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1182 Canyon Road	1182 Canyon Road
1183 Canyon Road	1183 Canyon Road
1184 Canyon Road	1184 Canyon Road
1185 Canyon Road	1185 Canyon Road
1186 Canyon Road	1186 Canyon Road
1187 Canyon Road	1187 Canyon Road
1188 Canyon Road	1188 Canyon Road
1189 Canyon Road	1189 Canyon Road
1190 Canyon Road	1190 Canyon Road
1191 Canyon Road	1191 Canyon Road
1192 Canyon Road	1192 Canyon Road
1193 Canyon Road	1193 Canyon Road
1194 Canyon Road	1194 Canyon Road
1195 Canyon Road	1195 Canyon Road
1196 Canyon Road	1196 Canyon Road
1197 Canyon Road	1197 Canyon Road
1198 Canyon Road	1198 Canyon Road
1199 Canyon Road	1199 Canyon Road
1200 Canyon Road	1200 Canyon Road

Utility Approvals

Utility	Company	Approval
Rocky Mountain Power <td>Rocky Mountain Power <td>Approved this 11/11/06 by Board of Directors</td> </td>	Rocky Mountain Power <td>Approved this 11/11/06 by Board of Directors</td>	Approved this 11/11/06 by Board of Directors
Questar <td>Questar <td>Approved this 11/11/06 by Board of Directors</td> </td>	Questar <td>Approved this 11/11/06 by Board of Directors</td>	Approved this 11/11/06 by Board of Directors
Comcast <td>Comcast <td>Approved this 11/11/06 by Board of Directors</td> </td>	Comcast <td>Approved this 11/11/06 by Board of Directors</td>	Approved this 11/11/06 by Board of Directors

Planning Commission Approval

APPROVED this 11/11/06 by the Planning Commission

APPROVAL AS TO FORM

APPROVED this 11/11/06 by the Planning Commission

ALPINE OLDE TOWNE CENTRE
 PLANNED COMMERCIAL DEVELOPMENT

11933

OWNER'S CERTIFICATE OF CONSENT TO RECORD

STATE OF UTAH

ACKNOWLEDGEMENT

PLANNING COMMISSION APPROVAL

APPROVAL AS TO FORM

ALPINE OLDE TOWNE CENTRE
 PLANNED COMMERCIAL DEVELOPMENT

OWNER'S CERTIFICATE OF CONSENT TO RECORD

STATE OF UTAH

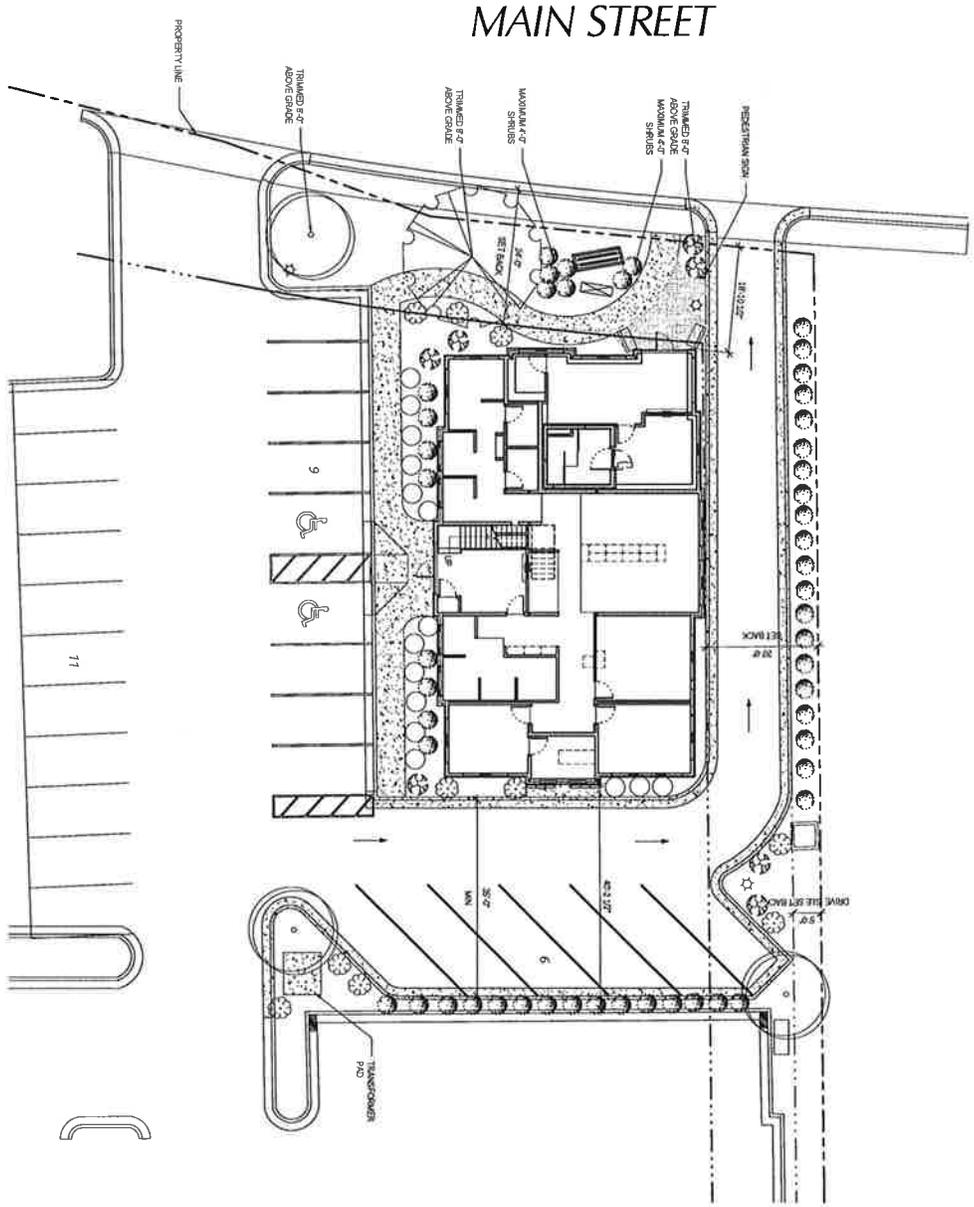
ACKNOWLEDGEMENT

PLANNING COMMISSION APPROVAL

APPROVAL AS TO FORM

ALPINE OLDE TOWNE CENTRE
 PLANNED COMMERCIAL DEVELOPMENT

DATE	REVISION	SCALE



MAIN STREET

AS101 ARCHITECTURAL SITE PLAN
SCALE: 1" = 32'-0"



NOT FOR CONSTRUCTION

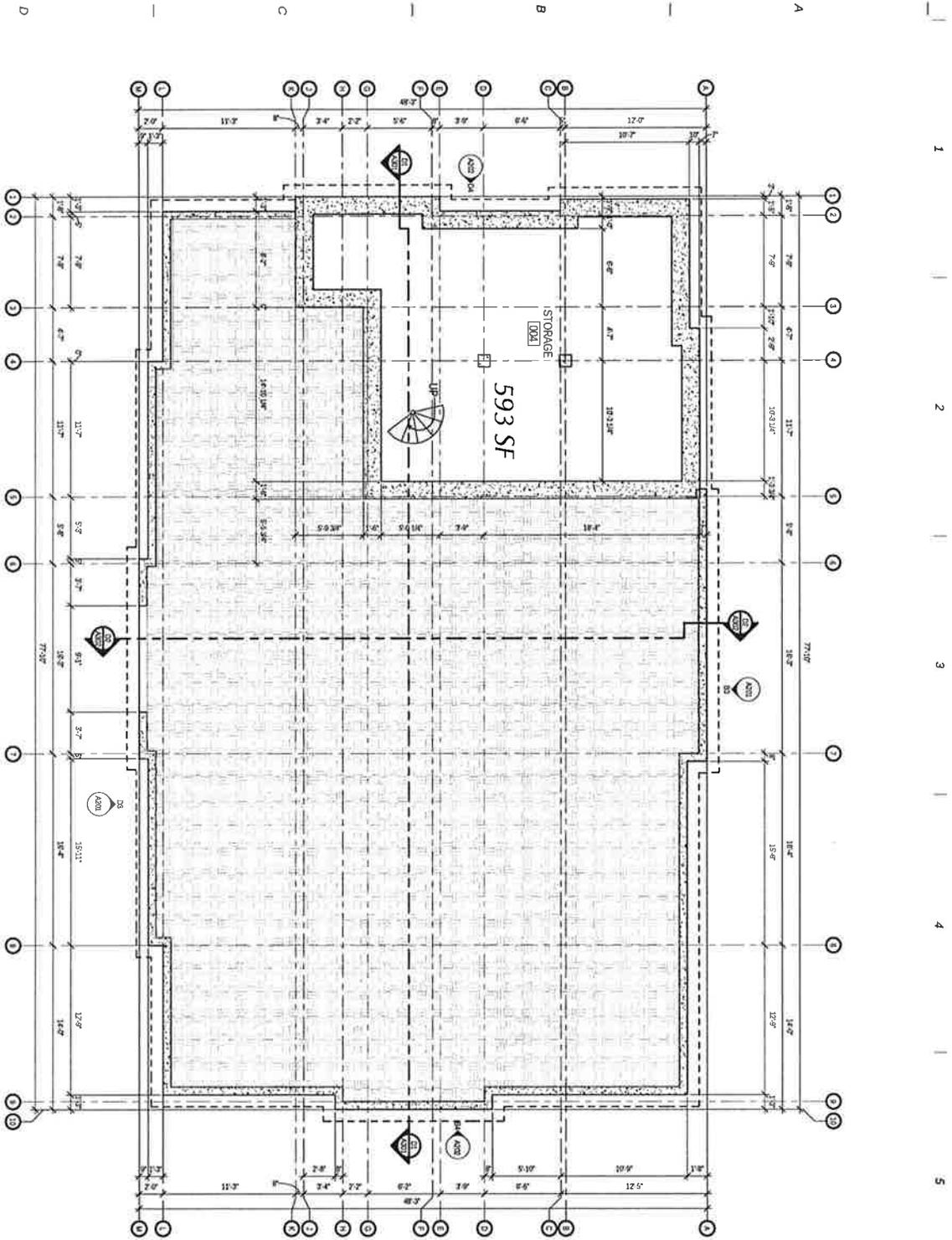
CURTIS MINNER ARCHITECTURE, LLC
APPROVAL
Date Stamped: 05 OCTOBER 2015
This information has been reviewed and approved for further development with the modification noted.

Client Signature: _____ Date: _____
Client Signature: _____ Date: _____
Client Signature: _____ Date: _____

LANDSCAPE CALCULATIONS
SITE AREA = 13,884 S.F.
LANDSCAPE 70% (9324) = 2,797 S.F.
PROVIDED LANDSCAPE AREA = 2,889 S.F.

PARKING
20 STALLS REQUIRED
26 STALLS PROVIDED
26 STALLS TOTAL

<p>OTIA 323 SOUTH MAIN STREET, SUITE 400 DOMINION INSURANCE OFFICE BUILDING ARCHITECTURE MEMPHIS, TN 38102 (901) 527-7600 www.otia.com</p>	<p>DATE OF SETTING THIS SHEET: 05 OCTOBER 2015 PROJECT: DOMINION INSURANCE OFFICE BUILDING SHEET: AS101</p>
	<p>PROJECT: DOMINION INSURANCE OFFICE BUILDING 343 SOUTH MAIN STREET ADRIAN, TN 38102</p>
<p>SHEET DESCRIPTION: ARCHITECTURAL SITE PLAN</p>	<p>SHEET: AS101</p>



CS BASMENT / FOOTING & FOUNDATION PLAN
 A100 / SCALE 1/8" = 1'-0"

DATE	DESCRIPTION	BY	DATE

SHEET NOTES

CURTIS MINER ARCHITECTURE, LLC
 APPROVAL
 Date Submitted: 05 OCTOBER 2015
 This information has been reviewed and approved for further development with the modification noted:
 Date: _____
 Drawn by: _____
 Checked by: _____
 Date: _____
 Project: _____

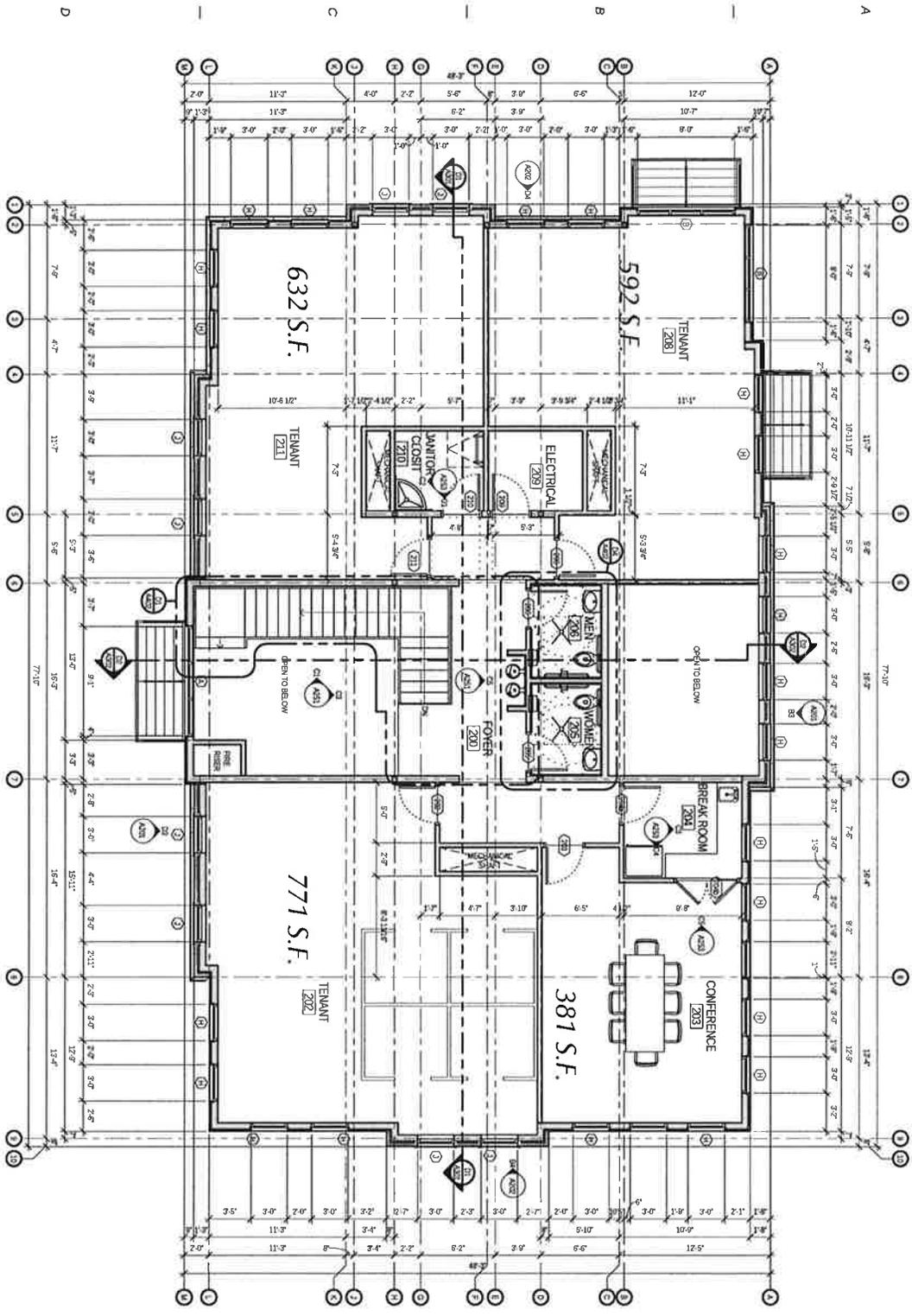
GENERAL NOTES

- GENERAL CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS ARCHITECT.
- COORDINATE INSTALLATIONS OF ALL WATER CONDUCTING ASSEMBLIES WITH FOLLOWS STRICTLY.
- CONCRETE WALLS REMAINING BATH TO RECEIVE TWO CON'S BIVANOUAS MASONRY TOWER CONTROL. CONTS PER STRUCTURAL SHEETS.
- REMOVE 2" THICK REIN. INSULATION (RIGID MINERAL WOOL) WITH A VERTICAL EXTERIOR FINISH. SEE SECTION 051100.

<p>OTV CURTIS MINER ARCHITECTURE</p> <p>310 SOUTH MAIN STREET 4TH FLOOR ARLING, VA 22204 (703) 261-1000</p>	<p>DATE: 05 OCTOBER 2015 TIME: 11:36 AM PROJECT: DOMINION INSURANCE OFFICE BUILDING SHEET: A100</p>

NOT FOR CONSTRUCTION

DL LEVEL 2 FLOOR PLAN - 3,000 S.F.
SCALE 1/8" = 1'-0"



NOT FOR CONSTRUCTION

DATE	DESCRIPTION	BY

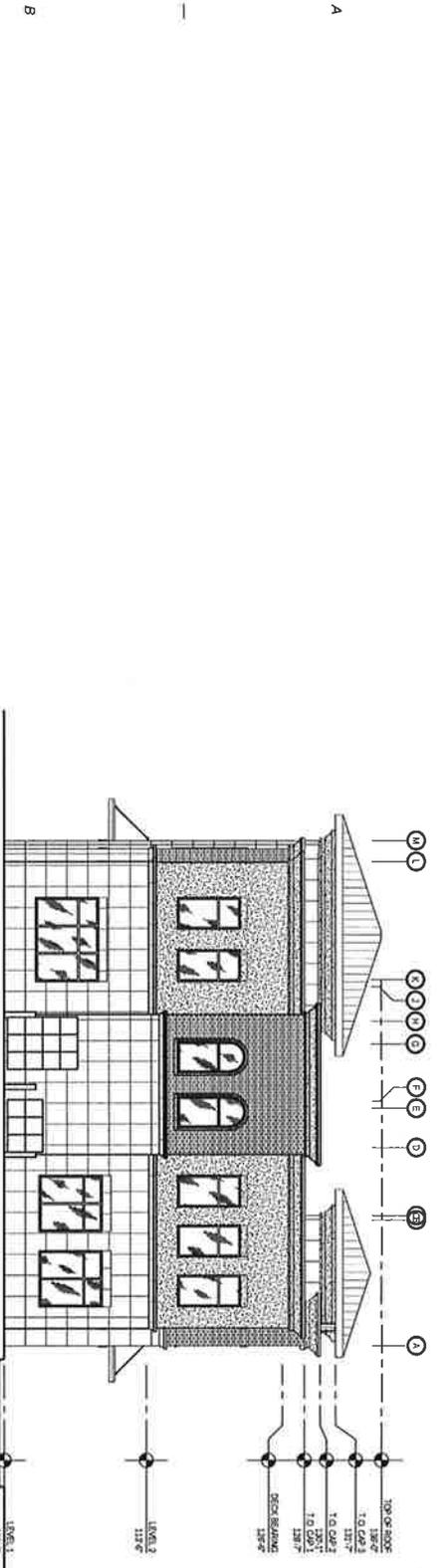
SHEET NOTES

CURTIS MINER ARCHITECTURE, LLC
APPROVAL
Date Stamped: 16 OCTOBER 2015
This information has been reviewed and approved by the architect for the use as indicated herein.
Client Signature: _____ Date: _____
Architect Signature: _____ Date: _____

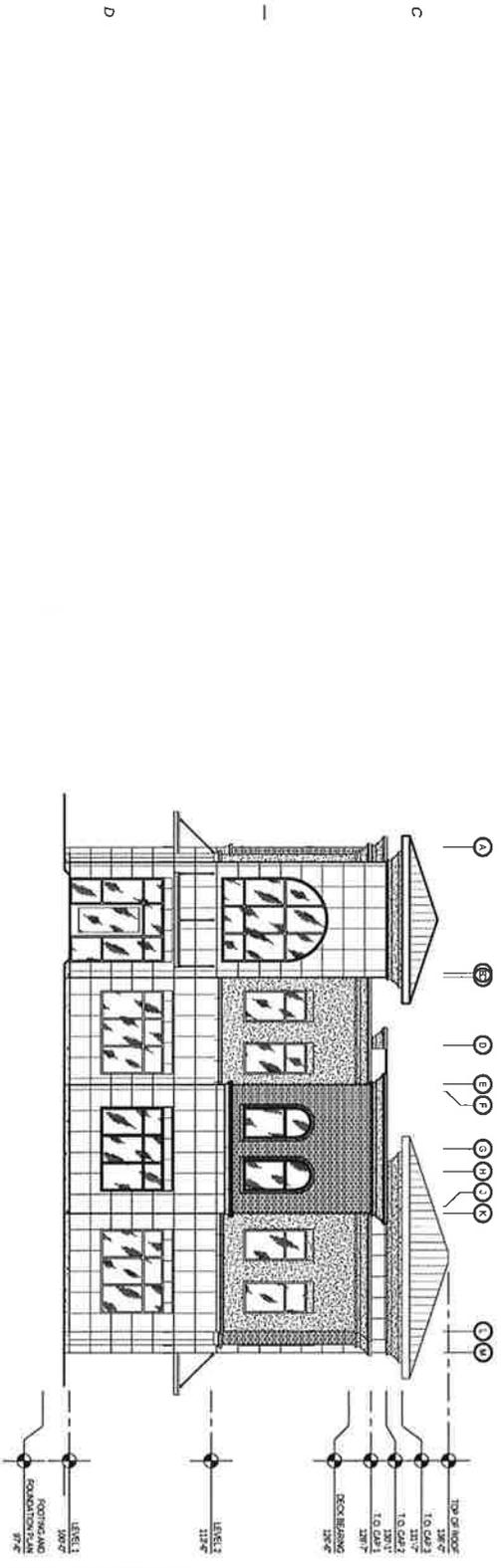
- GENERAL NOTES**
- GENERAL CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS PRIOR TO CONSTRUCTION. REPORT ANY SIGNIFICANT DISCREPANCIES TO THE ARCHITECT IMMEDIATELY.
 - COORDINATE INSTALLATIONS OF ALL "OTHER CONTRACT" ASSEMBLIES WITH OWNER PRIOR TO CONSTRUCTION OR ADJOINING OR RELATED STRUCTURES.
 - PROVIDE 1/2" MINIMUM CLEARANCE FROM EDGE OF ALL DOORS TO ADJACENT WALLS AND FLOOR FINISHES.
 - CONCRETE FOUNDATION WALLS BETWEEN BATH TO RECEIVE TWO COATS OF BITUMENOUS SAMP ROOFING MATERIAL AND EQUIPMENT.
 - SEE MECHANICAL AND ELECTRICAL SHEETS FOR ADDITIONAL INFORMATION.
 - ALL COORS SECTIONS AND FINISH MATERIALS AND STILES SHALL BE FINISHED OR MILL WORK BASES AND COMPONENTS.
 - GENERAL CONTRACTOR SHALL REVIEW AND APPROVE ALL APPLIANCES WITH OWNER PRIOR TO CONSTRUCTION.
 - SEE SHEET A101 AND ALSO FOR REBUILT CEILING PLAN.
 - SEE SHEET A101 AND ALSO FOR MECHANICAL INFORMATION.
 - SEE SHEET A101 AND ALSO FOR FINISHES.
 - DO NOT SCALE DRAWINGS.

<p>OMA 2115 9th Street, Suite 200 Arlington, VA 22202 Tel: 703.241.1000 Fax: 703.241.1001 www.oma.com</p>	<p>DATE OF REVISIONS: NOV 11 2015 NOV 11 2015 NOV 11 2015 NOV 11 2015 NOV 11 2015</p>
<p>SHEET DESCRIPTION: SECOND LEVEL FLOOR PLAN</p>	<p>SHEET: A102</p>

1 2 3 4 5



B1 EAST ELEVATION
A202 / SCALE 3/8" = 1'-0"



B2 WEST ELEVATION
A202 / SCALE 3/8" = 1'-0"

DATE	REVISION	DATE

SHEET NOTES

CURTIS WINNER ARCHITECTURE, LLC

APPROVAL

Date Submitted: 05 OCTOBER 2015
The information has been reviewed and approved by further development with the modification noted.

Client Signature: _____ Date: _____
Client Signature: _____ Date: _____

GENERAL NOTES

- A. GENERAL CONTRACTOR SHALL VERIFY ALL CONDITIONS, DIMENSIONS, AND DISCREPANCIES TO THE ARCHITECT.
- B. ALL MASONRY WALLS TO HAVE CONTROL JOINTS AT 30'-0" MAXIMUM EXPOSED CONCRETE FOUNDATION AND RETAINING WALLS TO RECEIVE SAND CONCRETE WALL RETAINING EARTH TO RECEIVE TWO COATS OF BITUMINOUS DAMP PROOFING MATERIAL APPLIED ON THE EXTERIOR SURFACE OF THE BUILDING.
- C. CONCRETE SHALL BE PLACED IN THE FORM. DOTTING OF THE SLABING ACCORDANCE WITH CLIENT CITY ORDINANCE. COLOR OF PRE-FINISHED SURFACE SHALL ADDRESS NUMBER ASSIGNED BY ALPINE CITY IN ACCORDANCE WITH CLIENT CITY ORDINANCE. FINISH SHALL BE PERMANENTLY IDENTIFIED ROOM TO OCCUPANCY.
- D. SEE FOUNDING SCHEDULES AND ROOF DRAINAGE PLAN FOR SECONDARY ROOF DRAINAGE SCHEDULES AND ROOF DRAINAGE PLAN FOR SECONDARY ROOF DRAINAGE SCHEDULES.
- E. SEE ELECTRICAL SCHEDULES FOR LOCATION OF GAS METER, ALONG EXTERIOR WALL.
- F. SEE ELECTRICAL SCHEDULES FOR ELECTRICAL SERVICE LOCATIONS ALONG EXTERIOR WALLS.
- G. OWNER IS RESPONSIBLE TO OBTAIN A SEPARATE PERMIT FOR ANY EXTERIOR WORK AND DISCREPANCIES WITH CITY ORDINANCE.

OTW
3111 Northdale Blvd, Suite 100
Atlanta, GA 30328
Phone: 404.251.1111
www.otw.com

CURTIS WINNER ARCHITECTURE
340 SOUTHMAN STREET
ATLANTA, GA 30304
PHONE: 404.984.8004

PROJECT:
DOMINION INSURANCE OFFICE BUILDING
340 SOUTHMAN STREET
ATLANTA, GA 30304

DATE: 05 OCTOBER 2015

PROJECT ARCHITECT: CURTIS WINNER ARCHITECTURE

PROJECT ENGINEER: CURTIS WINNER ARCHITECTURE

PROJECT CHECKER: CURTIS WINNER ARCHITECTURE

PROJECT SEAL: CURTIS WINNER ARCHITECTURE

SHEET DESCRIPTION: EXTERIOR ELEVATIONS

SHEET: A202

NOT FOR CONSTRUCTION