



ALPINE CITY PLANNING COMMISSION MEETING

NOTICE is hereby given that the **PLANNING COMMISSION** of Alpine City, UT will hold a **Regular Meeting** at **Alpine City Hall**, 20 North Main, Alpine, Utah on **Tuesday, September 4, 2018 at 7:00 pm** as follows:

I. GENERAL BUSINESS

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

II. PUBLIC COMMENT

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

III. ACTION ITEMS

- A. Major Subdivision Final Plat – The Ridge at Alpine PRD – Paul Kroff**
Developer is seeking approval of final plat.
- B. Development Code Review – Article 3.9 – Planned Residential Development**
Review and discuss development code.

IV. COMMUNICATIONS

- V. APPROVAL OF PLANNING COMMISSION MINUTES:** July 17, 2018
August 21, 2018

ADJOURN

Chairman David Fotheringham
September 4, 2018

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

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

PUBLIC MEETING AND PUBLIC HEARING ETIQUETTE

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

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

Public Hearing vs. Public Meeting

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

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

ALPINE PLANNING COMMISSION AGENDA

SUBJECT: Major Subdivision Final Review – The Ridge at Alpine PRD – Phase 1

FOR CONSIDERATION ON: 4 September 2018

PETITIONER: Paul Kroff

ACTION REQUESTED BY PETITIONER: Recommend approval of Phase 1 final plat.

BACKGROUND INFORMATION:

The final plat for Phase 1 of The Ridge at Alpine Subdivision includes 9 lots ranging in size from 0.46 acres to 3.15 acres on a site that is approximately 15.38 acres. It is proposed to include approximately 4.26 acres of private open space. The site is located in the CR-40,000 zone.

STAFF RECOMMENDATION:

Review Final Plat Plans for Phase 1 of The Ridge at Alpine PRD Subdivision and make a recommendation to City Council.



Date: August 31, 2018

By: Austin Roy
City Planner

Subject: Planning and Zoning Review
The Ridge at Alpine PRD Final Plat – PHASE 1
Approximately 1100 North Grove Drive – 9 lots on 15.38 acres

Background

The Ridge at Alpine Planned Residential Development (PRD) proposed subdivision includes a total of 72 lots ranging in size from 0.46 acres to 3.15 acres on a site that is approximately 189.5 acres. It is proposed to include approximately 127.3 acres of private open space. Approximately 68.6 acres of that open space is already recorded as a conservation easement. It is also proposed to include 2 acres of public open space to be used as a family park. The first phase of development consists of 9 lots on 15.38 acres. The site is located in the CR-40,000 zone.

The Ridge at Alpine is unique in that it has two parts, land that was annexed and land that was already in the City. Each part has unique requirements which are outlined below for reference.

OBERRE ANNEXATION REQUIREMENTS

Development Agreement

178.9 acres of the property was annexed into Alpine City and a development agreement (see packet) was executed between the City and the Developer. The details of the agreement are unique to this development and may not be consistent with typical subdivision requirements.

Lot Area and Width Requirements

The Development Agreement (DA) limits the number of lots to be developed on the property. The Developer shall use the base density for the CR-40,000 zone with no bonus density awarded for any public or private open space. In addition, the existing conservation easement on the property will not be included in calculating the base density for the development (DA 3.2). The total number of lots allowed within the annexed area is 60 lots. The developer shows no more than 60 of the 72 lots within the annexed area. This is consistent with the terms of the agreement.

The DA also limits the size of the lots. No more than 20% of the lots to be developed shall be less than 30,000 square feet in area, with no lot being smaller than 20,000 square feet in area (DA 3.3). No lot is shown to be less than 20,000 square feet and 6 lots or 8% of the annexed area are less

than 30,000 square feet. The size of the proposed lots is consistent with the terms of the development agreement.

Each lot shall abut upon and have direct access to an adjacent public street. The width of each lot shall be not less than 90 feet (as measured along a straight line connecting each side lot line at a point 30 feet back from the front lot line). The length of the front lot line abutting the City street shall be no less than 60 feet (Section 3.9.7.6). Each proposed lot appears to meet the requirements.

PRD REQUIREMENTS (PROPERTY NOT IN OBERRE ANNEXATION)

Planned Residential Development (PRD) Determination

The 10.6-acre area of the development that is not a part of the development agreement is proposed to be developed as a PRD. The Planning Commission made a recommendation to the City Council and the PRD proposal was accepted by the City Council on September 13, 2016 provided that open space be designated as a soccer field with the gradation and preparation of the park to be the responsibility of the developer in the first phase, and apply the wording of the Oberre Annexation Development Agreement relating to lot size to this property.

Planning Commission recommended on the preliminary plans that the **2 acres open space designated for a soccer park be used as a family park instead**. Open space has been proposed as an incentive for receiving PRD status approval and thus allows for smaller lots in this area of the development. The developer is proposing that the park be preserved for a later stage of development, and thus to meet the open space requirement for Phase 1 the developer has set aside 4.26 acres as open space.

Lot Area and Width Requirements

Since the City Council has required that the DA language apply to the area outside of the Oberre Annexation if it is developed as a PRD, the development as a whole will need to have no more than 20% of the lots less than 30,000 square feet and no lot less than 20,000 square feet. The plan shows 7 more lots outside of the Oberre Annexation that are less than 30,000 square feet making a total of 13 lots for the entire development. That is 18% of the development which is consistent with the language of the DA.

The width of each lot shall be not less than 90 feet (as measured along a straight line connecting each side lot line at a point 30 feet back from the front lot line). The length of the front lot line abutting the City street shall be no less than 60 feet (Section 3.9.7.6). Each proposed lot appears to meet the width requirements.

Public Trails

As part of the PRD requirements the proposed subdivision shall include trails. Two trails are included in the plans for the subdivision one along the westerly property boundary, with part of the trail cutting through the conservation easement, and a second trail accessed from the proposed trailhead at the base of lot 72. Trail easements are required to be set aside for the proposed trail alignments of the two trails. Final trail alignment is subject to approval of the Trail Committee.

With regards to the trailhead, the developer is providing all required engineering aspects of the trail head parking, which is located within the trail easement of Phase 1. The trail head is planned to be a gravel surface which will be treated with a mag-chloride solution to prevent dust and erosion. The trailhead plan also includes a City standard light post for lighting and will be located near the entrance to the trail head, where signage will also be located.

Parking

At concept, it was discussed that the developer needed to add parking for both the proposed trailhead and soccer field. The trailhead is located in Phase 1 of the subdivision and is planned to have approximately 13 off-street parking stalls for the trailhead (located at the base of lot 72 in Savannah Circle). The developer has proposed that the trailhead off-street parking be done in gravel. Parking will have required lighting (see trails section above).

Screening is required for the trailhead parking lot, this means if the sides and/or rear of the parking lot should adjoin a residence, that it shall be required to provide screening via solid privacy fence or masonry wall.

Staff recommends approval of the proposed parking plan for Phase 1, with the condition that screening be added between the parking lot and adjoining residential properties.

GENERAL REMARKS

Lot Frontage

Ordinance prohibits double frontage lots. Lot 69 and 70 are lots with double frontage and require recommendation from Planning Commission and approval of City Council.

Lot 72

This has been covered extensively by staff at both concept and preliminary stages and these concerns remain on the Final Plat for Phase 1.

Section 3.9.1.D of the PRD ordinance states that the proposed project must demonstrate that it will “preserve open space to meet the recreational, scenic, and public service needs.” In addition, the dwelling cluster requirements (section 3.9.6.1) states that “**All lots shall be located within a designated development cluster.** Each cluster shall contain no less than three (3) separate lots.” Staff does not feel that “lot 72” does not meet the scenic intent and dwelling cluster requirements of a Planned Residential Development. Due to the above concerns staff recommends that “lot 72” be eliminated or modified to address concerns.

RECOMMENDATION

The Planning and Zoning Department recommends that Phase 1 be approved with the following conditions:

- **The Developer eliminate or modify “Lot 72” to meet the scenic intent and dwelling cluster requirements of a PRD.**
- **Developer provide required screening (solid privacy fence or masonry wall) between the trailhead parking and adjoining residential lots.**
- **Lot 69 and 70, which each have double frontage, receive a recommendation from Planning Commission and approval by City Council.**



Date: August 31, 2018

By: Jed Muhlestein, P.E. *JM*
City Engineer

**Subject: The Ridge at Alpine PHASE 1 - ENGINEER'S FINAL REVIEW
9 Lots on 15.38 Acres, CR 40,000 Zone**

This is the engineering review for The Ridge at Alpine Phase 1 Final subdivision plans, a separate Planning Review will also be completed which will discuss PRD requirements, amongst other things. The proposed development consists of 72 lots on 189.5 acres, with this phase being 9 lots on 15.38 acres. The development is located in the CR 40,000 zone, west of the Cove subdivision and north east of Heritage Hills Plat A. A map is attached showing Phase 1 and how it correlates to the rest of the development.

Phase 1 Street System

The street system for Phase 1 extends Elk Ridge Lane to provide frontage and access to the nine new lots. Because the road extends into the urban wildland interface, an emergency access is required by ordinance (3.12.7.4). The applicant is proposing a 20-foot wide paved access and easement for such to extend to Grove Drive. The width and access meet code but **the Fire Chief will need to review and approve the proposal.**

Phase 1 Utilities

Sewer System

All proposed lots will be able to be serviced by gravity flow to the existing 8-inch main line in Elk Ridge Lane. New 4-inch sewer laterals are shown for each lot. Laterals for future lots on the east side of Elk Ridge Lane will also be installed at this point to avoid unnecessary future road cuts. **A sewer easement should be provided for the offsite sewer infrastructure that serves Lot 72, this is redlined on the plat.** The Grant residence has been removed from the property, it was located on Lot 67. **Prior to construction the Developer is required to verify the home utility connections were properly terminated and provide documentation of such. In terms of sewer, it is unknown at this time if the home was on a septic system. If it was, the entire septic system should be removed from the property to not cause any future problems with roads, infrastructure, or residential construction.**

Pressurized Irrigation System

Phase 1 will include the appropriate infrastructure to serve the proposed nine lots as well as stub for future lots on the east side of Elk Ridge Lane. Horrocks Engineers has modeled the site and recommends a 12-inch irrigation main to be installed from Grove Drive to the intersection of Elk Ridge and East View Lane. This is a master planned improvement and is larger than needed for the subdivision but benefits the city as a whole. The minimum required mainline size in residential roads is a 6-inch line. The city would be responsible for and use impact fees to pay the cost of upsizing this mainline to 12-inch. The 12-inch line would need extended to East View Lane as shown on the plans. The remainder of the subdivision would use 6-inch lines for main roads including the northern most cul-de-sac and 4-inch lines for the minor cul-de-sacs. Connection to the lines in Grove Drive and Elk Ridge is shown on the plans. Staff has checked with Horrocks Engineers, the master planned connection does not need to occur until those phases of development are built. Phase 1 will have adequate pressures as proposed.

Source of water is an ongoing problem in the high zone, where the development is proposed. The development agreement discusses the responsibility of the developer to install a variable speed pump at the Fort Creek booster station which could be dedicated to pumping water to this zone from the low zone. It was mentioned at Concept that the design of this system improvement should be submitted with the Preliminary Application and the pumps should be installed along with the first phase of development. Since Concept there have been projects discussed that may or may not affect the need for these pumps; namely a new well in the high zone and pressurized irrigation meters for the entire city. **There are several unknowns at this time regarding this situation, Staff and the Developer will continue to work together until this can be resolved. The City Council would need to approve the result of those discussions.**

New 1-inch laterals are shown to be installed for each new lot except Lot 72. The building pad for Lot 72 sits above the maximum elevation to which the system can serve and would therefore be watered with culinary water only.

Culinary Water System

The culinary system was discussed at length at Preliminary, the details are included below. Phase 1 will include the appropriate infrastructure to serve the proposed nine lots as well as stub for future lots on the east side of Elk Ridge Lane. **The plat has been redlined to provide an easement for the offsite waterline serving Lot 72.**

The subdivision is very close to the 5,350-foot elevation, which is the highest elevation the existing water system can serve and still provide the minimum 40 psi required by ordinance. The culinary water master plan calls for a new 10-inch main to be installed from the Grove tank to the 90-degree bend in Grove Drive that would provide minimum fire flows to the area. The development agreement specifies it is the responsibility of the developer to bring offsite utilities to the development (section 4.2.1). Discussions have indicated that the size of homes desired in the upper portion of the development may require a larger line to meet the fire protection demands. The developer has elected to install a 16-inch line instead of the 10-inch, which increases fire

flows to 2,750 gpm. With 2,750 gpm available fire flow, the maximum sized home to be built without the need for fire sprinklers or alternate construction materials would be 11,300 square feet based on the International Fire Code. Because the homes are located within the Urban/Wildland Interface, the Fire Chief may still require fire sprinklers by law.

The fire flow for this development was dependent upon the completion of the water system improvements in Three Falls and Fort Canyon Road. These improvements are complete and in operation.

1-inch laterals with ¾-inch meters are required, and shown, for each new lot.

The Fire Chief has reviewed and approved the culinary system design.

Storm Water Drainage System

The storm drain system was discussed at length at Preliminary. For information purposes the details of that are included below. Each phase of development must be able to stand alone in terms of infrastructure. Phase 1 will include the appropriate infrastructure to serve the proposed nine lots. This requires a temporary storm drain retention pond as shown on sheet 4.3 of the construction drawings (attached). This pond will provide adequate storage for potential offsite flows as well as onsite. Speaking of offsite flows, the debris flow nets will also be required to be built at this time to protect the homes below. **The plat has been redlined to add the recommendation (as found in the storm drain report) that homes along Savannah and Elk Ridge be raised 1.75 feet above the curb to protect from potential offsite flows.**

The storm water system design and drainage report has been submitted, reviewed, and approved with some redline comments. There are four main topics to cover concerning storm water.

1. School House Springs Drainage and Existing Irrigation Ditches.

The school house springs drainage enters Alpine City on the top west side of Alpine Cove. From there it travels southward until it enters the Zolman property. Section 4.7.19 of the development code requires existing ditches to be piped. A 30-inch pipe is proposed to capture this drainage and route it through the property.

The Northfield Ditch also runs through the property. This ditch has been abandoned and therefore will not be required to be piped through the property. The plans require welding a metal plate at the upstream head gates to ensure water will not enter the abandoned ditch.

2. Onsite Drainage.

Onsite drainage consists of a piped system to capture and route water to three different detention basins. Each basin is designed for the 100-yr storm event which releases water to the existing drainages in the area. On Catherine Way there is a low point in the road which would cause flooding problems for events greater than a 10-year storm. Because of this a drainage swale is proposed between lots 44, 45 and 49, 50. The swale would adequately route larger storm event flows to the pond south of Annie Circle without causing a flooding risk for the nearby homes. This swale should remain open, no fences allowed. Notes to be placed on Final Plat for that phase.

3. Hillside/Offsite Drainage.

The geotechnical report highlighted the issue of debris flows that would enter the development from the west side in the event of post fire flows or heavy rainfall events.

The Developer contracted with IGES to design debris flow nets to capture these flows and mitigate the potential problem. The nets are designed to capture the debris, water would be allowed to pass through the nets and continue down the drainage.

The water that passes the nets would follow Savannah Cir, Elk Ridge Lane, Zachary Way, and Annie Circle to make its way to the detention pond. Calculations have been done to show that the homes along this route would not be flooded in the event of a post fire situation if they were required to build at least 1.75 feet above the curb. A note will be placed on the final plat for the appropriate phases and checked prior to Final Approval for this requirement. The Drainage Reports and IGES design for debris flow nets were attached to the Preliminary report and can be found there.

4. Low Impact Development.

March 1, 2016, the State of Utah implemented into the General MS4 Permit (Small Municipal Separate Storm Sewer Systems) the requirement of all developments to evaluate Low Impact Development (aka - LID) for their site. LID is a measure of handling storm water and improving water quality. LID emphasizes conservation and the use of on-site natural features to protect water quality. There are many ways to meet the LID requirement. LID can be met by the use of drainage swales, rainwater harvesting, curb cuts to direct water to smaller local basins, and so on. The developer shows in the storm water calculations that LID will be implemented at the building permit level with each new lot retaining the 90th percentile storm, which equates to about a 2-year, 1-hr rainfall event for Alpine City. This is something Alpine is doing for all new homes within the city as required by the State. This is not done just as a measure of protecting water quality, but also protecting against runoff from one property to another.

Geotechnical / Hazard Reports

Geotechnical Report

The proposed development falls within the Geologic Hazards Overlay Zone as well as the Urban/Wildland Interface. As with any development, the developer would be required to obtain and submit a Geologic Hazards Report for the property. The developer has had such a report prepared and it was included at Preliminary. The report is mentioned on the Phase 1 plat.

Hazard Report

The Developer contracted with IGES to provide further information regarding certain hazards. The report covers rock fall and debris flow in more depth. It was determined that there is a low to moderate rock fall hazard for most the lots along the westerly side of the development.

Future phases in the north westerly area were considered to have a moderate rockfall hazard and IGES recommended more studies be done in the area prior to development to determine if larger setbacks or other mitigation efforts would be required. Staff would recommend that report be a condition of final approval for the appropriate phase of development. The report recommended disclosure to future buyers of lots along the westerly side of the potential rock-fall hazard. A note should be placed on the plat for any phase of development that contains these lots. **The Phase 1 plat currently does not reference the hazards report and is redlined to do so.**

The report also looked further into debris flow from Big Hollow canyon. This canyon exits near Lot 72 and onto Savannah Circle. The worst-case scenario would be floods from a post-fire situation. IGES provided a design for debris flow nets that would capture the potential debris from such an event but would allow the water to pass through. This design is similar in nature to what the city built in Box Elder where water is allowed to pass but the debris is captured. The location of two debris flow nets are shown in the report.

Lot 72

Lot 72 (previously Lot 69) has been discussed all throughout the approval process. A design has been provided which meets fire flow and pressure standards per to Horrocks' review. Pressurized irrigation will not be served on this lot due to its elevation. The driveway design follows an existing dirt road with retaining walls that were recently constructed without a building permit. The walls currently would not meet city ordinance and would need to be rebuilt per city ordinances. Pictures attached. The Developer has provided a concept design that shows a wall could be built that would meet City Ordinance. **Staff recommends no building permit be issued for Lot 72 prior to the wall being removed and replaced with one which meets current ordinances at the time of construction.**

The Developer has provided a fire access/driveway design for Lot 72, the Fire Chief will need to review and approve the design as a condition of Final approval.

Existing buildings

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

General Review Remarks

The water policy will need to be met. The Development Agreement requires the water policy to be met with Alpine Irrigation Co. shares.

The Developer will need to provide an engineer's cost estimate for all appurtenances associated with Phase 1 including but not limited to the offsite debris flow nets, trails, secondary access road,

and storm drain infrastructure.

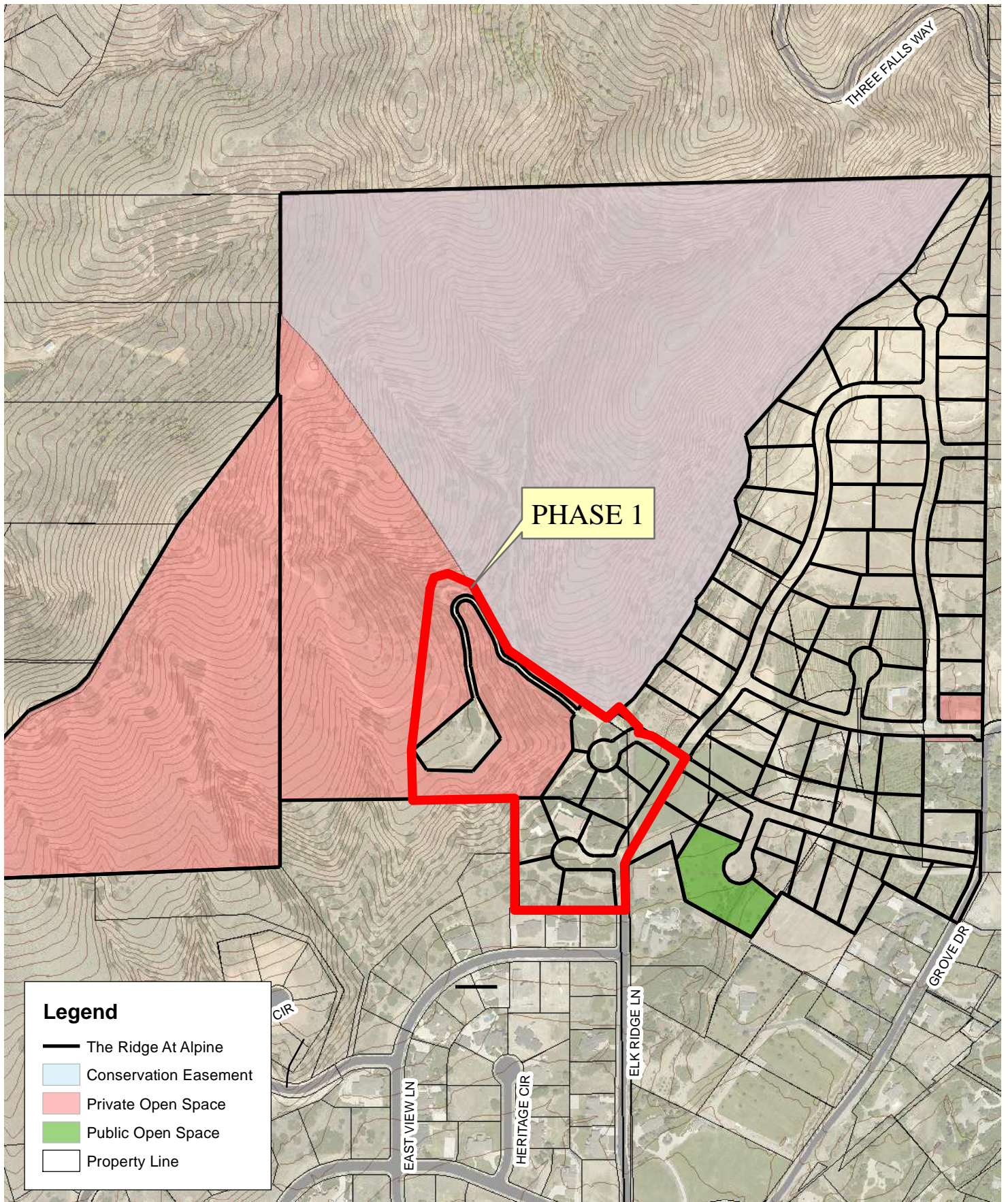
ENGINEERING RECOMENDATION

Engineering recommends that Final Approval of the proposed development be approved with the following conditions:

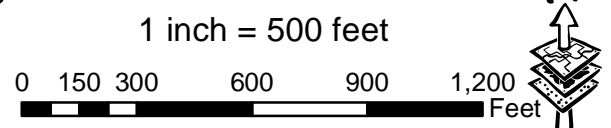
- **The Fire Department approves the alignment and design of the emergency access road;**
- **The Fire Department approves Lot 72's fire access/driveway design;**
- **The Developer address redlines on the plat and construction drawings;**
- **The Developer continue to work with Staff regarding the variable speed pumps;**
- **The Developer provide documentation of demolition at the old Grant residence. If a septic system exists, remove it;**
- **The Developer meet the water policy with Alpine Irrigation Co. shares;**
- **The Developer provide an engineer's cost estimate for all Phase 1 construction items, including offsite infrastructure and trails.**

Attachments

- **Phase 1 Map**
- **Phase 1 Plat**
- **Secondary Access Route**
- **Phase 1 Construction Phasing**
- **Annexation Development Agreement**
- **Lot 72 Existing Retaining Walls**

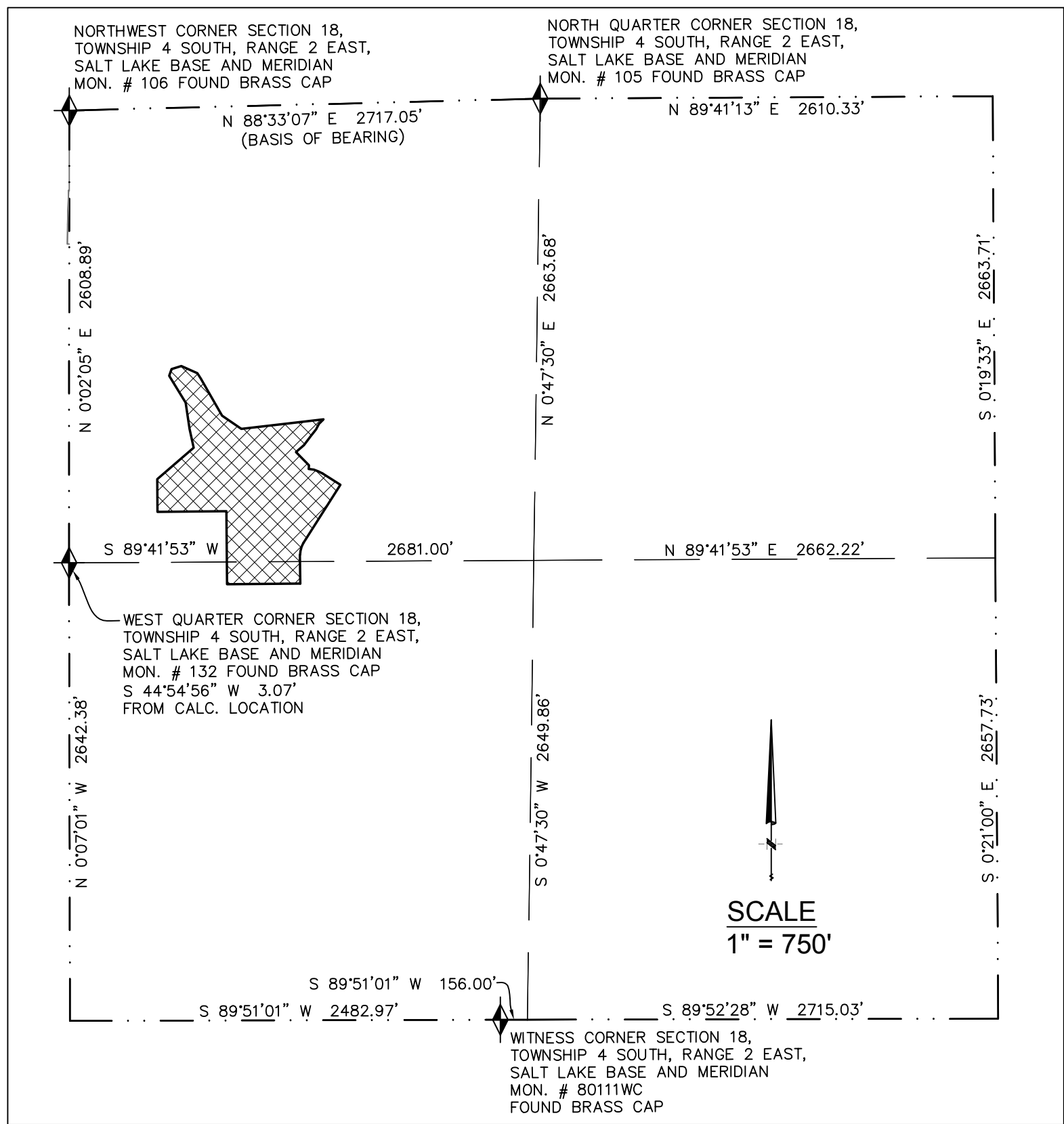
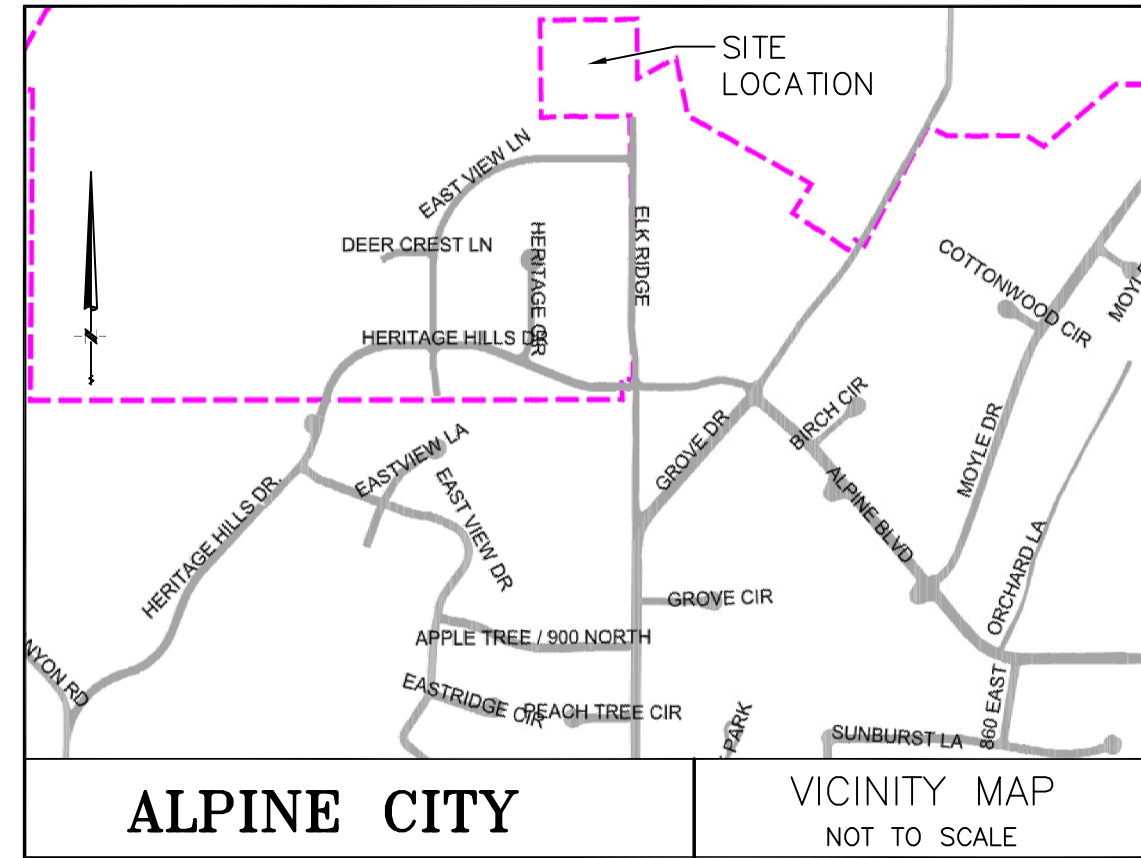


The Ridge At Alpine PHASE 1



THE RIDGE AT ALPINE SUBDIVISION

LOCATED IN
WEST 1/2 OF SECTION 18, TOWNSHIP 4 SOUTH, RANGE 2 EAST,
SALT LAKE BASE AND MERIDIAN
PREPARED FOR:
SBP HOLDINGS INC.



BASIS OF BEARING

GENERAL NOTES

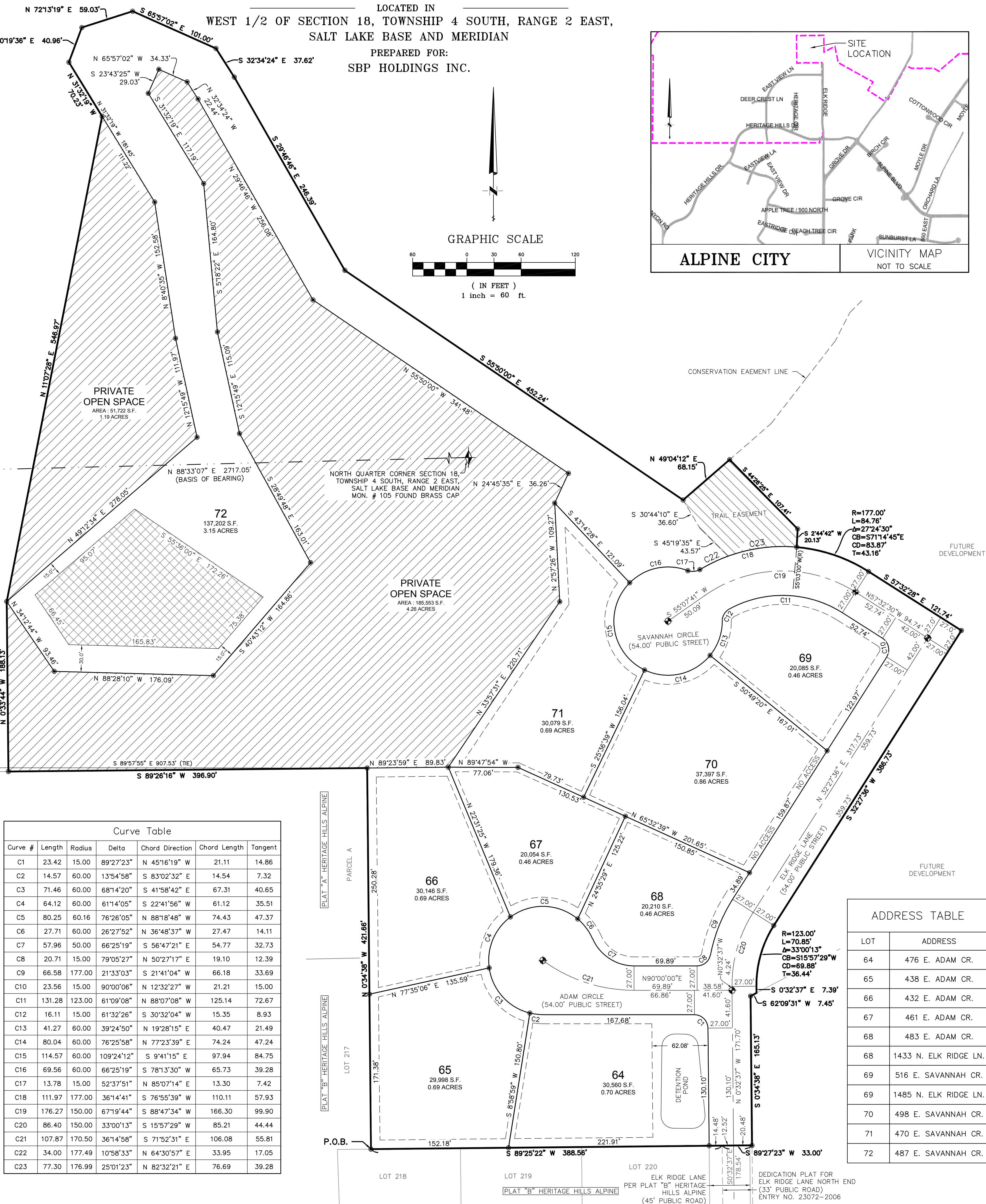
- THERE EXISTS A 10.00' PUBLIC UTILITY AND DRAINAGE EASEMENT ALONG ALL STREET SIDE PROPERTY LINES AND ALONG ALL EXTERIOR PROPERTY LINES, AND A 5.00' FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ALONG ALL INTERIOR PROPERTY LINES UNLESS OTHERWISE NOTED.
- FRONT SETBACK: 30.00'. SIDE YARD SETBACK: AGGREGATE OF 30.00', EITHER SIDE NOT LESS THAN 12.00' SETBACK. CORNER LOT FACE ONTO PUBLIC STREET NOT LESS THAN 30.00' SETBACK. REAR LINE: 30.00' SETBACK.
- NO DWELLING OR STRUCTURES ALLOWED IN PUBLIC UTILITY EASEMENTS.
- ALL STREETS SHOWN ON THIS PLAT ARE PUBLIC.
- A GEOTECHNICAL INVESTIGATION WAS PERFORMED BY INTERMOUNTAIN GEOTECHNICAL SERVICES, INC., THE INVESTIGATION RESULTS AND SPECIFIC RECOMMENDATIONS FOR THE CONSTRUCTION OF FOUNDATIONS AND FLOOR SLABS ARE COMPILED IN A REPORT DATED AUGUST 23, 2016. A COPY OF THIS REPORT IS ON FILE WITH UTAH COUNTY. OWNERS, BUILDERS AND CONTRACTORS SHOULD BECOME FAMILIAR WITH THIS REPORT AND SHALL COMPLY WITH ITS RECOMMENDATIONS.
- A DEBRIS-FLOW NET ASSESSMENT WAS PERFORMED BY INTERMOUNTAIN ENVIRONMENTAL SERVICES, INC. THE ASSESSMENT RESULTS AND SPECIFIC RECOMMENDATIONS FOR THE MITIGATION OF DEBRIS-FLOWS FROM BIG HOLLOW DRAINAGE ARE COMPILED IN THE REPORT DATED APRIL 2, 2018. BUILDERS AND CONTRACTORS SHOULD BECOME FAMILIAR WITH THIS REPORT AND SHALL COMPLY WITH ITS RECOMMENDATIONS.
- SETBACKS SHALL BE PER THE CR 40,000 ZONE WHICH ARE 30 FEET FRONT AND REAR, SIDE YARD SETBACKS TO BE AN AGGREGATE OF 30 FEET WITH 12 FEET BEING MINIMUM.
- ALPINE CITY CORPORATION HAS AN EASEMENT UPON A PORTION OF THE EAST SIDE OF LOT 64 FOR A DETENTION POND. THE CITY RESERVES THE RIGHT TO ENTER UPON THE PROPERTY FOR MAINTENANCE, REPAIR AND INSPECTION. THE OWNER CANNOT CHANGE THE GRADES, AMEND THE LOT OR USE THE PROPERTY FOR OTHER PURPOSES THAN LANDSCAPING WITHOUT THE WRITTEN APPROVAL OF THE CITY ENGINEER AND ADMINISTRATOR.

LEGEND

- SECTIONAL MONUMENTATION (FOUND: TYPE, DATE, AGENCY AND LOCATION ETC. AS SHOWN ON THE PLAT).
- SPECIFIES SURVEY CONTROL MONUMENT TO BE SET (CLASS I, RING & LID SET TO CITY STANDARD).
- SPECIFIES SURVEY CONTROL MONUMENT TO BE SET (CLASS II, REBAR & ALUM. CAP SET TO CITY STANDARD).
- ALL BOUNDARY AND PROPERTY (LOT) CORNERS TO BE SET WITH 5/8" REBAR AND CAP STAMPED BUSH & GUDGELL, UNLESS OTHERWISE SPECIFIED ON THE PLAT.

- PRIVATE OPEN SPACE
- LOT 72 BUILDABLE AREA = 23.851 SQ. FT.
- TRAIL EASEMENT

Curve Table						
Curve #	Length	Radius	Delta	Chord Direction	Chord Length	Tangent
C1	23.42	15.00	89°27'23"	N 45°16'19" W	21.11	14.86
C2	14.57	60.00	13°54'58"	S 83°02'32" E	14.54	7.32
C3	71.46	60.00	68°14'20"	S 41°58'42" E	67.31	40.65
C4	64.12	60.00	61°14'05"	S 22°41'56" W	61.12	35.51
C5	80.25	60.16	76°26'05"	N 88°18'48" W	74.43	47.37
C6	27.71	60.00	26°27'52"	N 36°48'37" W	27.47	14.11
C7	57.96	50.00	66°25'19"	S 56°47'21" E	54.77	32.73
C8	20.71	15.00	79°05'27"	N 50°27'17" E	19.10	12.39
C9	66.58	177.00	21°33'03"	S 21°41'04" W	66.18	33.69
C10	23.56	15.00	90°00'06"	N 12°32'27" W	21.21	15.00
C11	131.28	123.00	61°09'08"	N 88°07'08" W	125.14	72.67
C12	16.11	15.00	61°32'26"	S 30°32'04" W	15.35	8.93
C13	41.27	60.00	39°24'50"	N 19°28'15" E	40.47	21.49
C14	80.04	60.00	76°25'58"	N 77°23'39" E	74.24	47.24
C15	114.57	60.00	109°24'12"	S 9°41'15" E	97.94	84.75
C16	69.56	60.00	66°25'19"	S 78°13'30" W	65.73	39.28
C17	13.78	15.00	52°37'51"	N 85°07'14" E	13.30	7.42
C18	111.97	177.00	36°14'41"	S 76°55'39" W	110.11	57.93
C19	176.27	150.00	67°19'44"	S 88°47'34" W	166.30	99.90
C20	86.40	150.00	33°00'13"	S 15°57'29" W	85.21	44.44
C21	107.87	170.50	36°14'58"	S 71°52'31" E	106.08	55.81
C22	34.00	177.49	10°58'33"	N 64°30'57" E	33.95	17.05
C23	77.30	176.99	25°01'23"	N 82°32'21" E	76.69	39.28



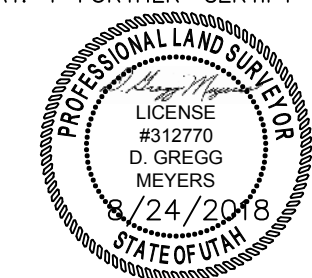
ADDRESS TABLE	
LOT	ADDRESS
64	476 E. ADAM CR.
65	438 E. ADAM CR.
66	432 E. ADAM CR.
67	461 E. ADAM CR.
68	483 E. ADAM CR.
69	516 E. SAVANNAH CR.
69	1485 N. ELK RIDGE LN.
70	498 E. SAVANNAH CR.
71	470 E. SAVANNAH CR.
72	487 E. SAVANNAH CR.

SURVEYOR'S CERTIFICATE

I, D. GREGG MEYERS, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 312770 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNER, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, PUBLIC STREETS AND EASEMENTS, HEREFTER TO BE KNOWN AS THE RIDGE AT ALPINE SUBDIVISION AND THAT THE SAME HAS OR WILL BE CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT. I FURTHER CERTIFY THAT THIS PLAT CONFORMS TO CITY ORDINANCES AND STATE LAW.

AUGUST 24, 2018

DATE: BUSH AND GUDGELL INC.



D. GREGG MEYERS REGISTERED LAND SURVEYOR UTAH LICENSE NUMBER 312770

BOUNDARY DESCRIPTION

BEGINNING AT A POINT THAT LIES NORTH 00°02'05" EAST 298.51 FEET AND SOUTH 89°57'55" EAST 907.53 FEET FROM THE WEST QUARTER CORNER OF SECTION 18, TOWNSHIP 4 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN SAID POINT ALSO BEING THE NORTHEAST CORNER OF PARCEL "A", PLAT "A" HERITAGE HILLS ALPINE, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDS OF UTAH COUNTY, AND RUNNING THENCE SOUTH 89°28'16" WEST ALONG SAID NORTH LINE AND ITS EXTENSION WEST 396.90 FEET; THENCE NORTH 88°13'44" WEST 188.13 FEET; THENCE NORTH 11°07'28" EAST 546.97 FEET; THENCE NORTH 31°32'19" WEST 70.23 FEET; THENCE NORTH 20°19'36" EAST 40.96 FEET; THENCE NORTH 72°13'19" EAST 59.03 FEET; THENCE SOUTH 65°57'02" EAST 101.00 FEET; THENCE SOUTH 32°34'24" EAST 37.62 FEET; THENCE SOUTH 29°46'46" EAST 246.39 FEET; THENCE SOUTH 55°50'00" EAST 452.24 FEET; THENCE NORTH 49°04'12" EAST 68.15 FEET; THENCE SOUTH 44°26'25" EAST 107.41 FEET; THENCE SOUTH 2°44'42" WEST 20.13 FEET; THENCE EASTERLY ALONG A 177.00 FOOT RADIUS REVERSE CURVE TO THE RIGHT, (LONG CHORD BEARS SOUTH 71°14'45" EAST A DISTANCE OF 83.87 FEET, CENTER POINT LIES SOUTH 5°03'00" WEST), THROUGH A CENTRAL ANGLE OF 27°24'30" A DISTANCE OF 84.76 FEET; THENCE SOUTH 57°32'28" EAST 121.74 FEET; THENCE SOUTH 32°27'38" WEST 386.73 FEET; THENCE SOUTHERLY ALONG A 123.00 FOOT RADIUS CURVE TO THE LEFT, (LONG CHORD BEARS SOUTH 15°57'29" WEST A DISTANCE OF 69.88 FEET, CENTER POINT LIES SOUTH 57°32'24" EAST), THROUGH A CENTRAL ANGLE OF 33°00'13" A DISTANCE OF 70.85 FEET; THENCE SOUTH 00°32'37" EAST 7.39 FEET; THENCE SOUTH 62°09'31" WEST 7.45 FEET; THENCE SOUTH 0°34'38" EAST 165.13 FEET TO THE NORTHEAST CORNER OF THE DEDICATION PLAT FOR ELK RIDGE LANE NORTH END, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDS OF UTAH COUNTY, THENCE ALONG SAID PLAT "B" THE FOLLOWING THREE (3) COURSES: (1) NORTH 00°34'39" WEST 0.28 FEET; (2) SOUTH 89°25'22" WEST 388.56 FEET; (3) NORTH 00°34'38" WEST ALONG SAID PLAT "B" AND SAID PLAT "A" 421.66 FEET TO THE POINT OF BEGINNING.

CONTAINING 670,160 SQUARE FEET OR 15.38 ACRES. (NINE LOTS & THREE PUBLIC ROADS)

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, PUBLIC STREETS AND EASEMENTS TO BE HEREAFTER KNOWN AS THE ALPINE RIDGE SUBDIVISION, DO HEREBY DEDICATE FOR PERPETUAL USE, ALL OF THE PUBLIC STREETS AND PARCELS OF LAND IF ANY SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE

IN WITNESS WHEREOF _____ HAVE HEREUNTO SET _____ THIS _____ DAY OF _____ A.D. 20____

BY:

ACKNOWLEDGMENT

STATE OF _____ COUNTY OF _____ } S.S.

ON THE _____ DAY OF _____ 20____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, _____ WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS THE _____ OF MISSION CORP., LLC, AND THAT HE EXECUTED THE FOREGOING OWNER'S DEDICATION IN BEHALF OF SAID _____ BEING AUTHORIZED AND EMPOWERED TO DO SO BY THE OPERATING AGREEMENT OF COMPANY, LLC, AND HE DID DULY ACKNOWLEDGE TO ME THAT SUCH LIMITED LIABILITY COMPANY EXECUTED THE SAME FOR THE USES AND PURPOSES STATED THEREIN.

COMMISSION NUMBER: _____ NOTARY PUBLIC:

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC RESIDES IN: _____

ACCEPTANCE BY LEGISLATIVE BODY

THE _____ OF _____ COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF _____ ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS _____ DAY _____ A.D. 20____

APPROVED _____ ATTEST _____
ENGINEER (SEE SEAL BELOW) CLERK - RECORDER (SEE SEAL BELOW)

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____ A.D. 20____, BY THE ALPINE CITY PLANNING COMMISSION.

DIRECTOR - SECRETARY _____ CHAIRMAN, PLANNING COMMISSION

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS _____ DAY OF _____ A.D. 20____.

CITY ATTORNEY _____

THE RIDGE AT ALPINE SUBDIVISION

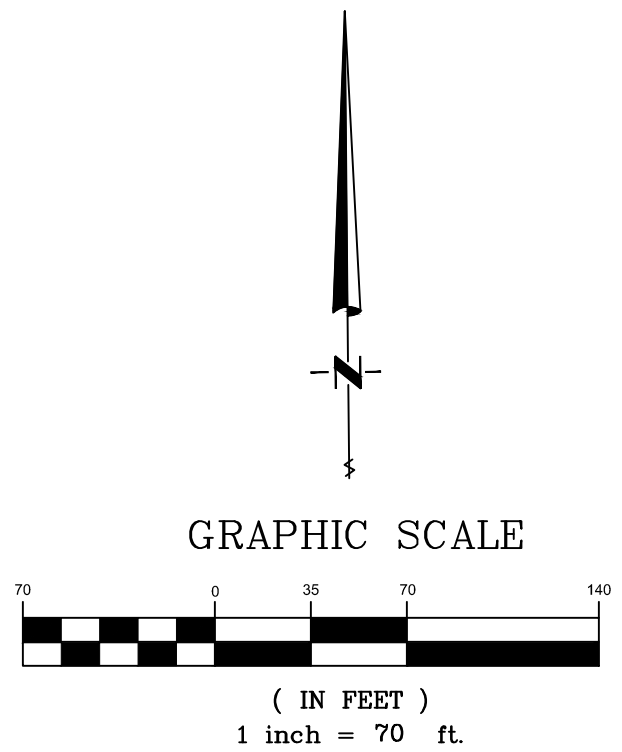
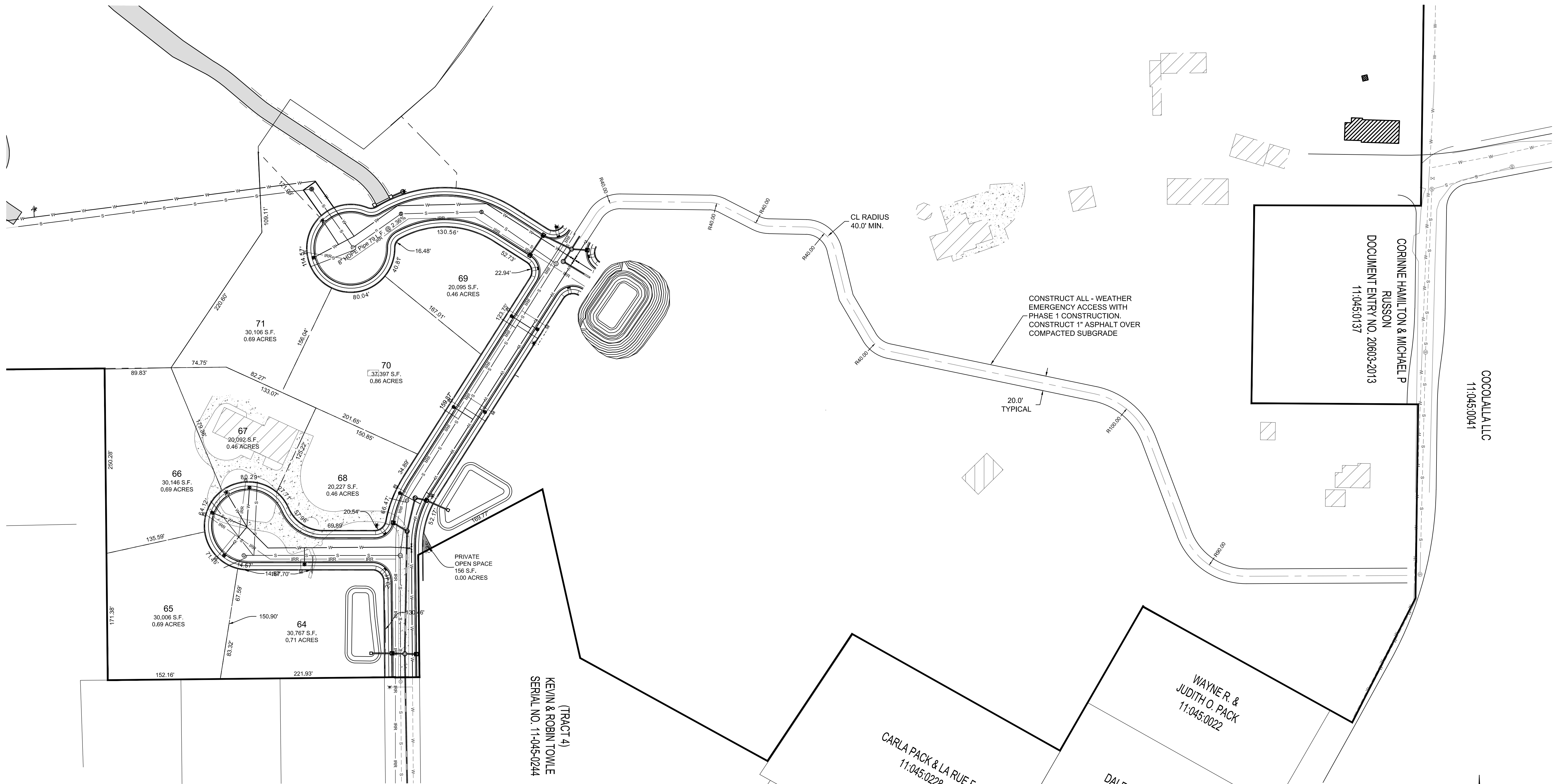
LOCATED IN
WEST 1/2 OF SECTION 18, TOWNSHIP 4 SOUTH,
RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN
PREPARED FOR:
SBP HOLDINGS INC

SURVEYOR'S SEAL NOTARY PUBLIC SEAL CITY ENGINEERS SEAL CLERK-RECORDER SEAL

BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors
655 East 4500 South
Salt Lake City, Utah 84107
Phone (801) 685-6194 / Fax (801) 685-6195
www.bushandgudgell.com

PREPARED FOR:
SBC HOLDINGS INC.
PAUL KROFF
185 N PFEIFFERHORN
ALPINE, UTAH 84004

DATE: 8-24-18
FILE: 162085 FP
SHEET 1 OF 1



COCOLALLA LLC
11:045:0041

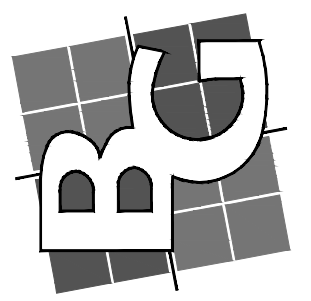
CORINNE HAMILTON & MICHAEL P
RUSSON
DOCUMENT ENTRY NO. 20603-2013
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WAYNE R. &
JUDITH O. PACK
11:045:0022

CARLA PACK & LA RUE F
11:045:0228

(TRACT 4)
KEVIN & ROBIN TOWLE
SERIAL NO. 11:045:0244

BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors
655 East 4500 South, Suite 100
Salt Lake City, Utah 84107
Phone (801) 364-1212 / Fax (801) 364-1225
www.bushandgudgell.com



DATE: AUG 2018
DRAWN: RM
APPROVED:
SCALE: AS SHOWN
JOB NO.: 162085

PH - 1 SECONDARY ACCESS
THE RIDGE AT ALPINE
PLANNED RESIDENTIAL DEVELOPMENT
PREPARED FOR: **PAUL KROFF**

SHEET
C4.4

FILE: 162085.dwg

ANNEXATION and DEVELOPMENT AGREEMENT

THIS ANNEXATION AND DEVELOPMENT AGREEMENT (the "Agreement") is entered into effective as of the 16th day of June, 2016 between ALPINE CITY, a Utah municipal corporation (the "City") and OBERRE ALPINE FARMS, LLC, a Utah limited liability company; STEVE ZOLMAN, an individual; and ZOLMAN HOLDINGS, LLC, a Utah limited liability company (collectively the "Applicants").

RECITALS OF FACT:

- A. The City is a municipality and political subdivision of the State of Utah classified as a fifth class city under the provisions of Section 10-2-301, Utah Code Annotated. The City is located in Utah County, Utah.
- B. The Applicants are owners of approximately 179.579 acres consisting of property in Utah County. This property is more particularly described in Exhibit A hereto (the "Property"). The Property is contiguous to the northern boundary of the City and within an area proposed for municipal expansion under the Alpine City Master Annexation Policy Declaration.
- C. The Applicants have specifically requested that the Property, along with other property not owned by the Applicants, be annexed into the City, and the City Council, having considered the matter, is willing to annex the Property, only on certain conditions, as set forth herein.
- D. Unless otherwise specifically provided herein, future development of the Property is subject to and shall conform with this Agreement, as well as all of the ordinances, rules and regulations adopted by the City as of the date hereof, or which may be amended in the future, which do not conflict with this Agreement, including, but not limited to, the provisions of the Alpine City General Plan, the Alpine City Development Code (the "Development Code"), Alpine City adopted public infrastructure specifications and the Alpine City Municipal Code (collectively, the "Existing City Laws").
- E. The City is authorized to enter into annexation and development agreements in appropriate circumstances in order to promote orderly development of property within its boundaries, implement the Alpine City General Plan, and provide infrastructure and other benefits in connection with development.

AGREEMENT:

NOW, THEREFORE, in consideration of the foregoing goals and objectives, the annexation of the Property to the City, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Applicants and the City, intending to be legally bound, agree as follows:

1. **Incorporation of Recitals.** The above Recitals are hereby incorporated into this Agreement.
2. **Conditions to Obligations.** The obligations of Applicants and the City hereunder are contingent upon and subject to the satisfaction of each of the following conditions.
 - 2.1. **Annexation.** The Property shall have been annexed into Alpine City. The City acknowledges that Applicants have filed an annexation petition with the City and the City has accepted the petition and has held all public hearings required for consideration of the annexation. Should the annexation not occur because of a referendum or legal challenge, this Agreement and the annexation contemplated herein, shall be null and void.
 - 2.2. **Zoning Designation.** When the Property is annexed into the City it shall be annexed into the CR-40,000 zone designation as described in the Alpine City zoning ordinances, subject only to the specific limitations on development of the Property contained in this Agreement.



3. Limitations on Development. Applicants agree in exchange for annexation into the City that the Property, which is specifically identified in Exhibit A hereto, shall be subject to the following limitations on development.

3.1 Limitations on use of the Property. The Applicants specifically agree that the Property shall be developed in the City only as a planned residential development (PRD) as defined and regulated by the Existing Laws of Alpine City.

3.2 Limitation on number of lots to be developed on the Property. The Applicants hereby specifically agree that the maximum total number of residential lots to be developed on the Property shall be calculated using the base density, as calculated in Exhibit E, for the CR-40 zone with no bonus density awarded for any public or private open space. In addition the Applicants agree that the existing Conservation Easement area on the Property shall not be included in calculating the base density for development.

3.3 Limitation on the size of lots to be developed on the Property. The Applicants further agree that no more than 20% of the lots to be developed shall be less than 30,000 sq. ft. in area, with no lot being smaller than 20,000 sq. ft. in area.

4. City's Obligations. Subject to Applicant's performance of its obligations hereunder, the City agrees as follows:

4.1 Annexation. The City agrees that it shall expeditiously proceed to adopt an ordinance annexing the Property into the City in accordance with the Annexation Petition and applicable law. The City further agrees that it will complete the annexation of the Property unless it is determined by a court of competent jurisdiction that the annexation fails to comply with the provisions of Utah's annexation statute, *Utah Code Ann 10-2-401 through 436*.

4.2 Municipal Services/ Credit.

4.2.1 The Property will receive the standard municipal services as part of this development including garbage, culinary water, pressurized irrigation, sewer, snow removal, police and fire protection subject to the payment of all use fees and charges of general application charged or levied therefore by the City. Any extension of utilities to the Property will be the responsibility of the Applicants. If the City elects to upsize any utilities and infrastructure above what is needed to serve the Property, City shall pay for the upsizing costs at the time of construction

4.2.2 Applicants shall pay for and install the variable speed pump associated with the foregoing improvements described in Section 4.2.1 above and shall submit to the City a statement of all costs, including engineering and construction costs, incurred by Applicants in installing the variable speed pump ("Reimbursement Amount"). The City agrees to give one of the Applicants, as designated by the Applicants, a credit against the payment of Pressurized Irrigation Company Impact Fees described on the attached Exhibit B in the amount of the Reimbursement Amount. The Applicant holding the credit may assign it in writing to builders or others for use in offsetting the payment of Pressurized Irrigation Company Impact Fees and Applicant shall inform City of any such assignment of the credit, or portion thereof.

4.3 Use of Eminent Domain. The City agrees that if the Applicants cannot, after reasonable efforts, acquire the rights of way for off-site road improvements, off-site water infrastructure or off-site sewer infrastructure that the City will be willing to use its power of eminent domain to acquire such rights of way subject only to the Applicants reimbursing to the City the full costs incurred, including land acquisition costs. If the City chooses not to use its powers of eminent domain then the Applicants shall be relieved of and released from any obligation created by this Agreement for those off-site improvements. For purposes of this provision the term off-site means off of the Property.

CITY COUNCIL UPDATED THIS PAGE, SEE NEXT PAGE

5. Applicant's Obligations. Subject to the performance by the City of its obligations hereunder, Applicant agrees as follows:

- 5.1 Annexation Fee.** Applicants have previously paid the annexation application fees in the amount of \$500.00 to the City. As additional consideration for the annexation of the property, and to reimburse the City for the City's existing infrastructure capacity that will be used for the future development, and to pay for the annexed property's proportionate share of the future cost of new City infrastructure that will be necessary to provide services to the future development on the Property, the Applicants agree that they shall pay to the City an amount equal to the existing Alpine City impact fees even though these impact fees were calculated prior to the Property being annexed into the City. Applicants specifically agree that these fees are being paid as a bargained for contractual obligation in consideration of the annexation of the Property and not as an impact fee and that such fees are not subject to the appeal, accounting, or other provisions of the Utah Impact Fee Act. The amount of fees shall be in the amounts as set out in Exhibit B hereto.
- 5.2 Timing of Payment of Annexation Fees.** The annexation fees paid in lieu of impact fees shall be due and payable at the same time and contingent on the same event as if they were an impact fee.
- 5.3 Future Impact Fees.** The City agrees that the payment of the annexation fees paid in lieu of impact fees provided for in this agreement shall relieve the Applicants of any obligation to pay any of the City's impact fees existing at the date of this Agreement. However Applicant agrees that if the City should raise its impact fees or create a new impact fee in the future that is applicable to the City as a whole, that Applicants shall be responsible to pay the net increase in the impact fee or the new fee in the same manner that any other new development in the City would pay the fee.
- 5.4 Grove Drive Improvements.** Applicants hereby agree that they shall acquire and dedicate to the City the right of way for Grove Drive parcels labeled Parcels 1-4 and described and depicted on the attached Exhibit C-1. This dedication shall be provided to the City prior to the City approving any new development on the Property. Applicants further agree to pay the City the costs to construct the Grove Drive improvements within the area depicted in the color "light blue" labeled as "Zol(e)man" on the attached Exhibit C-2, in accordance with the construction standards shown on the cross section for Grove Drive depicted in Exhibit D hereto. Applicants further agree to pay for the costs to construct the Grove Drive improvements within the area depicted in the color "purple" labeled as "Russon" and "Walz", if the Applicants do not install the Elk Ridge Lane connection described in Section 5.5 below. City shall be responsible for the costs to construct within the areas shown in "blue" and labeled "Josh James" on Exhibit C-2. Applicants shall as a condition of any development on the Property pay to complete and install the other improvements described in this Section 5.4 as Applicants' responsibility.
- 5.5 Elk Ridge Lane.** The Applicants agree to connect any development on the Property to Elk Ridge Lane. This connection shall be completed prior to the development on the Property exceeding 30 platted lots. If Applicants elect to install Elk Ridge Lane prior to Grove Drive being completed, Applicants' obligation to pay the amount referenced in section 5.4, and relating only to the "purple" segment of road, shall be waived.
- 5.6 Water Policy.** The Applicants shall dedicate to the City shares of Alpine Irrigation Company shares, to meet the City's water policy. The water shall be provided for the Property at the time that the Applicants, or one of them, seek to record each subdivision plat for lots within the Property at the rate of 0.45 acre feet per residence and 1.66 acre feet per acre for outdoor usage.

THESE UPDATES WERE PASSED BY THE CITY COUNCIL

5. Applicant's Obligations. Subject to the performance by the City of its obligations hereunder, Applicant agrees as follows:

- 5.1 Annexation Fee.** Applicants have previously paid the annexation application fees in the amount of \$500.00 to the City. As additional consideration for the annexation of the property, and to reimburse the City for the City's existing infrastructure capacity that will be used for the future development, and to pay for the annexed property's proportionate share of the future cost of new City infrastructure that will be necessary to provide services to the future development on the Property, the Applicants agree that they shall pay to the City an amount equal to the existing Alpine City impact fees even though these impact fees were calculated prior to the Property being annexed into the City. Applicants specifically agree that these fees are being paid as a bargained for contractual obligation in consideration of the annexation of the Property and not as an impact fee and that such fees are not subject to the appeal, accounting, or other provisions of the Utah Impact Fee Act. The amount of fees shall be in the amounts as set out in Exhibit B hereto.
- 5.2 Timing of Payment of Annexation Fees.** The annexation fees paid in lieu of impact fees shall be due and payable at the same time and contingent on the same event as if they were an impact fee.
- 5.3 Future Impact Fees.** The City agrees that the payment of the annexation fees paid in lieu of impact fees provided for in this agreement shall relieve the Applicants of any obligation to pay any of the City's impact fees existing at the date of this Agreement. However Applicant agrees that if the City should raise its impact fees or create a new impact fee in the future that is applicable to the City as a whole, that Applicants shall be responsible to pay the net increase in the impact fee or the new fee in the same manner that any other new development in the City would pay the fee.
- 5.4 Grove Drive Improvements.** Applicants hereby agree that they shall ~~acquire and~~ dedicate to the City the right of way for Grove Drive parcels labeled ~~Parcels 1-4~~ and described and depicted on the attached Exhibit C-1. This dedication shall be provided to the City prior to the City approving any new development on the Property. Applicants further agree to pay the City ~~the costs to construct the Grove Drive~~ a contribution amount for future improvements within the area depicted in the color "light blue" labeled as "Zol(e)man" on the attached Exhibit C-2, in accordance with the construction standards shown on the cross section for Grove Drive depicted in Exhibit D hereto. ~~Applicants further agree to pay for the costs to construct the Grove Drive improvements within the area depicted in the color "purple" labeled as "Russon" and "Walz", if the Applicants do not install the Elk Ridge Lane connection described in Section 5.5 below. City shall be responsible for the costs to construct within the areas shown in "blue" and labeled "Josh James" on Exhibit C-2.~~ Applicants shall as a condition of any development on the Property pay to complete and install the other improvements described in this Section 5.4 as Applicants' responsibility.
- 5.5 Elk Ridge Lane.** The Applicants agree to connect any development on the Property to Elk Ridge Lane. This connection shall be completed prior to the development on the Property exceeding ~~30-11~~ platted lots. ~~If Applicants elect to install Elk Ridge Lane prior to Grove Drive being completed, Applicants' obligation to pay the amount referenced in section 5.4, and relating only to the "purple" segment of road, shall be waived.~~
- 5.6 Water Policy.** The Applicants shall dedicate to the City shares of Alpine Irrigation Company shares, to meet the City's water policy. The water shall be provided for the Property at the time that the Applicants, or one of them, seek to record each subdivision plat for lots within the Property at the rate of 0.45 acre feet per residence and 1.66 acre feet per acre for outdoor usage.
- 5.7 Off-site Water Infrastructure.** Applicants shall be responsible to build and dedicate to the City any culinary and secondary water infrastructure necessary to extend the services to the Property. The necessary infrastructure shall be as determined by the Alpine City Culinary and Secondary

- 5.7 Off-site Water Infrastructure.** Applicants shall be responsible to build and dedicate to the City any culinary and secondary water infrastructure necessary to extend the services to the Property. The necessary infrastructure shall be as determined by the Alpine City Culinary and Secondary Water master plans and as required by the Alpine City Engineer. Applicants shall dedicate such infrastructure, rights of way and easements to the City at no cost to the City or rights of reimbursement from the City.
- 5.8 Sewer.** The Applicants shall be responsible to build all off-site sewer mains and facilities necessary to provide service to the Property and to acquire any rights of way and easements necessary for such facilities. Applicants shall dedicate such facilities constructed and rights of way and easements to the City at no cost to the City or rights of reimbursement from the City.
- 6. Construction Standards and Requirements.** All construction shall be conducted and completed by a licensed contractor in accordance with the Existing City Laws and the terms of this Agreement. All required public improvements within the Property shall be constructed in accordance with the City's construction standards in effect at the time of construction and shall be dedicated to the City to the extent provided in the Existing City Laws. Prior to commencing any construction or development of any structures or other work of improvements to the Property, Applicants shall secure any and all permits to the extent required by the City under the Existing City Laws or by any other governmental entity having jurisdiction over the work. Applicants shall construct, or cause to be constructed, all improvements in conformity with all applicable federal, state and/or local laws, rules and regulations.
- 7. Miscellaneous.**
- 7.1. Interpretation.** The fact that one party or the other may have drafted the provisions of this Agreement shall not affect the interpretation of its provisions.
- 7.2. Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Utah.
- 7.3. Merger; Amendment.** This Agreement (together with all Exhibits hereto, which exhibits are hereby incorporated herein by reference) constitutes the entire agreement between the City and Applicants concerning the Property and supersedes all prior understandings, agreements or representations, verbal or written, concerning the Property. Except as expressly provided herein, this Agreement shall not be amended except in a writing signed by an officer of Applicant and by the Mayor of the City.
- 7.4. Severability.** If any part or provision of this Agreement shall be adjudged unconstitutional, invalid or unenforceable by a court of competent jurisdiction, then such adjudgement shall not affect any other part or provision of this Agreement except that part or provision so adjudged to be unconstitutional, invalid or unenforceable. If any condition, covenant or other provision of this Agreement shall be deemed invalid due to its scope or breadth, such provisions shall be deemed valid to the extent of the scope or breadth permitted by law.
- 7.5. Force Majeure.** Neither party hereto shall be liable for any delay or failure in the keeping or performance of its obligations under this Agreement during the time, and to the extent that any such failure is due to causes beyond the control and without the fault or negligence of the party affected, including, acts of God, acts of the United States Government or the State of Utah, fires, floods, strikes, embargoes or unusually adverse weather conditions. Upon the occurrence of any such cause, the party affected thereby shall promptly give written notice (setting forth full particulars) to the other party and shall promptly resume the keeping and performance of the affected obligations after such cause has come to an end. During the existence of such an event, each party shall bear its own cost resulting there from and the Term or any extension of the Term shall be extended on a day-for-day basis. Each party shall make every reasonable effort to keep delay in performance as a result of such cause to a minimum.

- 7.6. Agreement to Run with Land; Binding Effect.** This Agreement shall be recorded against the property and shall deem to run with the Property. This Agreement shall be binding upon and inure to the benefit of the City and Applicants, and their respective heirs, representatives, officers, agents, employees, members, successors and assigns.
- 7.7. Attorney's Fees.** In the event either party shall default in the performance of its obligations hereunder or litigation is commenced, the non-breaching party, in addition to its other rights and remedies at law or in equity, shall have the right to recover all costs and expenses incurring by such non-breaching party in connection with such proceeding, including reasonable attorney's fees.
- 7.8. Notices.** Any notices, requests and demands required or desired to be given hereunder shall be in writing and shall be served personally upon the party for who intended, or if mailed, by certified mail, return receipt requested, postage prepaid, to such party at its address shown below:

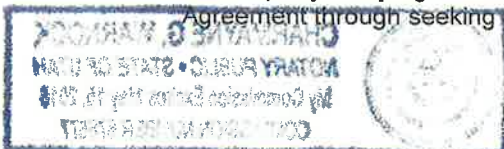
To: Oberre Alpine Farms LLC
Zolman Holdings LLC
Steve Zolman
c/o Paul Kroff
185 N. Pfeifferhorn Dr.
Alpine, UT 84004

With a copy to: John Barlow, Esq.
Mitchell, Barlow & Mansfield
Boston Building
9 Exchange Place
Suite 600
Salt Lake City, UT 84111

To the City: Alpine City
20 North Main Street
Alpine, Utah 84004

Any party may change its address or notice by giving written notice to the other party in accordance with the provisions with this section.

- 7.9. Headings.** The headings contained in this Agreement are intended for convenience only and are in no way to be used to construe or limit the text herein.
- 7.10. No Third Party Rights.** The obligations of Applicants set forth herein shall not create any rights in and/or obligations to any person or parties other than Applicant and the City unless otherwise specifically set forth herein.
- 7.11. Further Documentation.** This Agreement is entered into by all parties with the recognition and anticipation that subsequent agreements implementing and carrying out the provisions of this Agreement may be necessary. The parties agree to negotiate in good faith with respect to all such future agreements.
- 7.12 Enforcement.** The Applicants specifically agree that the City may enforce the terms of this agreement by denying the Applicants, or their successors or assigns, development approval for the Property. City agrees that Applicants may enforce the benefits and other provisions of this Agreement through seeking an injunction, writ of mandamus or specific performance.



IN WITNESS WHEREOF, the parties have executed this Agreement by their authorized representatives effective as of the date first above written.

"City"

Alpine City, a Utah municipal corporation

Mayor

ATTEST:

Charmayne G. Warnock, City Recorder

State of Utah
County of Utah

This instrument was acknowledged before me on June 16, 2016 (date of acknowledgment) by Sheldon Wimmer as Mayor, of Alpine City, a Utah Municipal Corporation, and by Charmayne G. Warnock, City Recorder, on behalf of said corporation.

Notary Public in and for the State of Utah

(Notary's stamp here)

Approved as to form:

David L. Church, City Attorney

Applicant:

By:

State of Utah

County of Utah

This instrument was acknowledged before me on June 16, 2016 by Steve Zolman


Notary Public in and for the State of Utah

(Notary's stamp here)



"Applicants"

Oberre Alpine Farms, a Utah limited liability company

A handwritten signature in black ink, appearing to be 'SZ', written over a horizontal line.

Steve Zolman

Zolman Holdings LLC, a Utah limited liability company

A handwritten signature in black ink, appearing to be 'SZ', written over a horizontal line.

EXHIBIT A

DESCRIPTION OF THE PROPERTY

Parcel #	Acres
11:006:0001	29.75
11:045:0044	29.42
11:045:0243	103.71
11:045:0182	2.858
11:045:0136	6.671
11:045:0057	1
11:045:0242	4.997
11:045:0138	1.11
11:045:0181	0.063
	179.579

EXHIBIT B

LIST OF FEES

Impact Fees	Per Unit	Per SF	
Pressurized Irrigation		\$ 0.095	paid at building permit
Storm	\$ 800		paid prior to recordation
Street	\$ 1,183		paid prior to recordation
Park/Trail	\$ 2,688		paid prior to recordation
Current TSSD impact fee at time of building permit	\$ 2,475		paid at building permit
Water	\$ 1,123		paid at building permit
Sewer	\$ 493		paid at building permit
Sewer Fee	\$ 125		paid at building permit
Water Fee (3/4")	\$ 150		paid at building permit

EXHIBIT C-1**GROVE DEDICATION**

NOTE: GROVE DRIVE DEDICATIONS SHALL BE APPROXIMATELY AS SET FORTH BELOW, PENDING FINAL DEIGN OF GROVE DRIVE.

Parcel 1 - Josh James

Commencing at a point located South 00°47'44" West along the quarter Section line 2134.31 feet from the North quarter corner of Section 4, Township 8 South, Range 2 East, Salt Lake Base and Meridian; thence North 78°35'00" East 83.57 feet; thence South 10°20'51" East 3.32 feet; thence South 79°34'32" West 25.60 feet; thence along the arc of a 29.00 foot radius curve to the left 39.87 feet (chord bears South 40°11'08" West 36.81 feet); thence South 00°47'44" West 145.52 feet; thence along the arc of a 541.00 foot radius curve to the right 72.24 feet (chord bears South 04°37'16" West 72.19 feet), thence along the arc of a 459.00 foot radius curve to the left 61.29 feet (chord bears South 04°37'16" West 61.25 feet); thence South 00°47'44" West 76.50 feet; thence South 78°17'22" West 25.56 feet more or less to the quarter Section line; thence North 00°47'44" East along the quarter Section line 379.71 feet to the point of beginning.

Area = 11,857 SQ.FT.

Parcel 2 - Josh James

Commencing at a point located South 00°47'44" West along the quarter Section line 2514.02 feet from the North quarter corner of Section 4, Township 8 South, Range 2 East, Salt Lake Base and Meridian; North 78°17'22" East 25.56 feet; thence South 00°47'44" West 34.89 feet; thence along the arc of a 490.00 foot radius curve to the right 121.58 feet (chord bears South 07°54'13" West 121.27 feet); thence South 89°41'52" West 9.95 feet more or less to the quarter Section line; thence North 00°47'44" East along the quarter Section line 149.88 feet to the point of beginning.

Area = 3,206 SQ.FT.

Parcel 3 - Corinne and Michael Russon

Commencing at a point located South 00°47'44" West along the quarter Section line 2159.62 feet from the North quarter corner of Section 4, Township 8 South, Range 2 East, Salt Lake Base and Meridian; thence South 00°47'44" West along the quarter Section line 268.70 feet; thence North 89°36'59" West 16.04 feet; thence along the arc of a 500.00 foot radius curve to the right 63.23 feet (chord bears North 04°49'26" East 63.19 feet); thence along the arc of a 500 foot radius curve to the left 66.77 feet (chord bears North 04°37'16" East 66.72 feet); thence North 00°47'44" East 129.74 feet; thence along the arc of a 29.00 foot radius curve to the left 9.55 feet (chord bears North 08°38'23" West 9.51 feet); thence South 89°50'46" East 8.71 feet to the point of beginning.

Area = 2,486 SQ.FT.

Parcel 4- Steve Zolman

Commencing at a point located South 00°47'44" West along the quarter Section line 2428.32 feet from the North quarter corner of Section 4, Township 8 South, Range 2 East, Salt Lake Base and Meridian; thence South 00°47'44" West along the quarter Section line 263.44 feet; thence South 28°20'05" West 168.39 feet; thence South 61°32'40" East 8.24 feet; thence South 28°52'59" West 18.74 feet; thence North 60°40'00" West 41.00 feet; thence North 28°52'59" East 98.69 feet; thence along the arc of a 449.00 foot radius curve to the left 220.11 feet (chord bears North 14°50'21" East 217.91 feet); thence North 00°48'06" East 114.93 feet; thence South 89°36'59" East 16.04 feet more or less to the point of beginning.

Area = 11,468 SQ.FT.

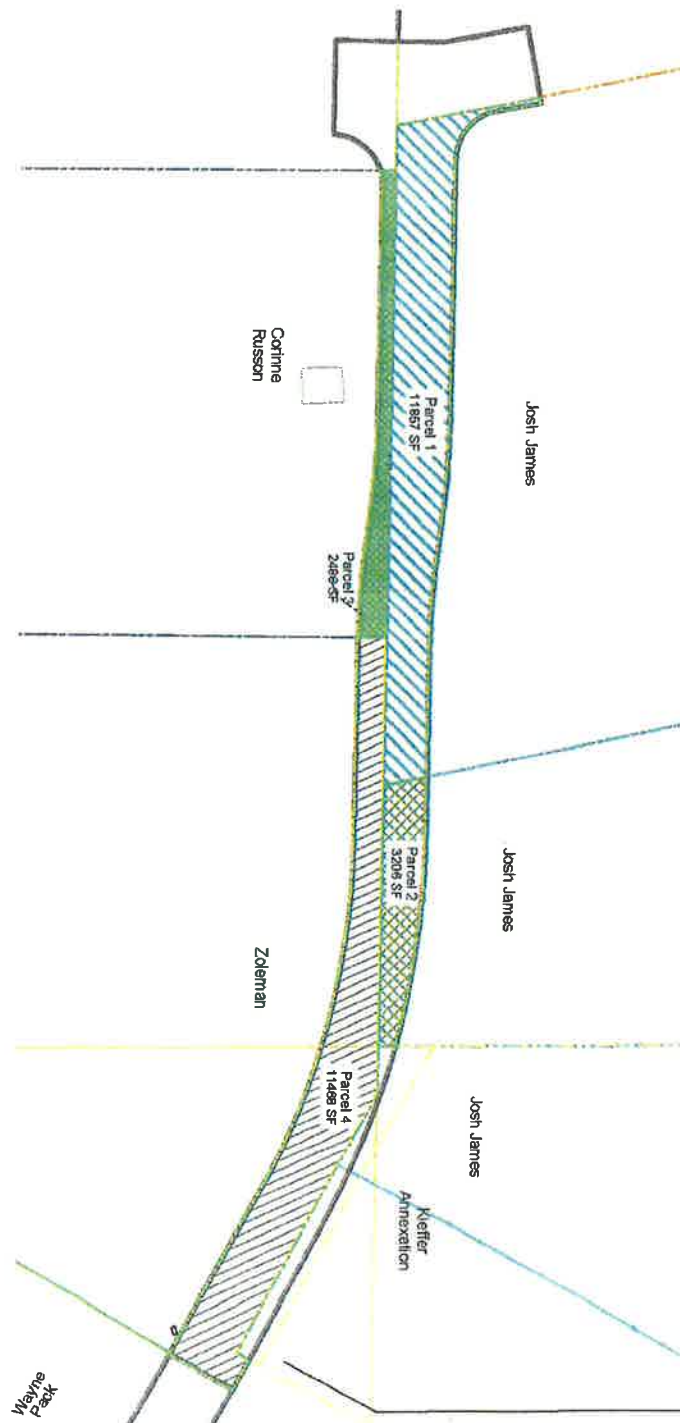


EXHIBIT C-2

GROVE DRIVE IMPROVEMENT FINANCIAL RESPONSIBILITIES

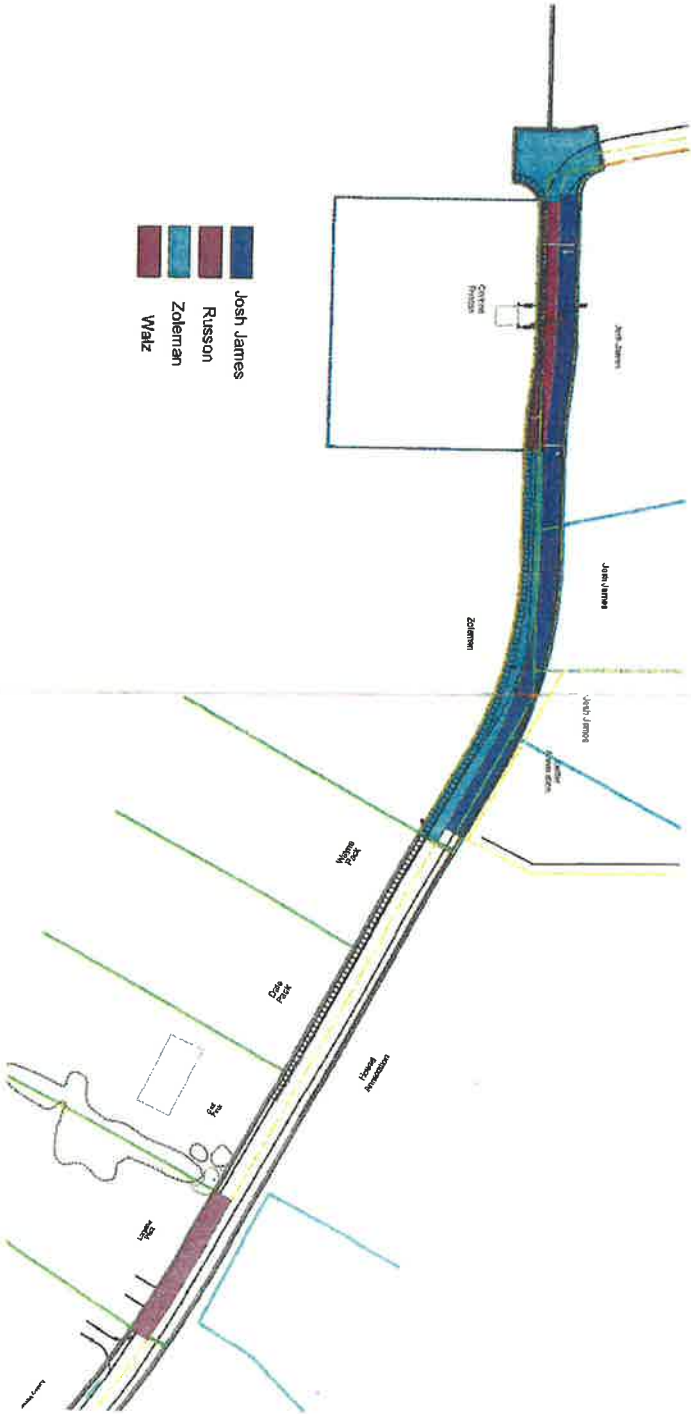
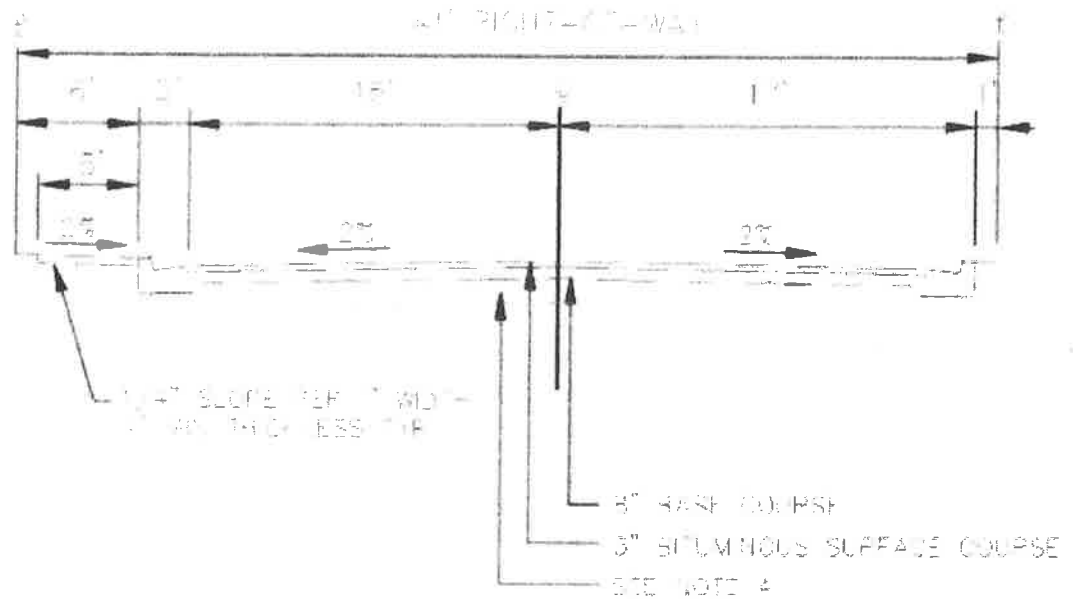


EXHIBIT D

GROVE DRIVE CROSS SECTION



GROVE DRIVE MIN. REQ'D R.O.W.

EXHIBIT E

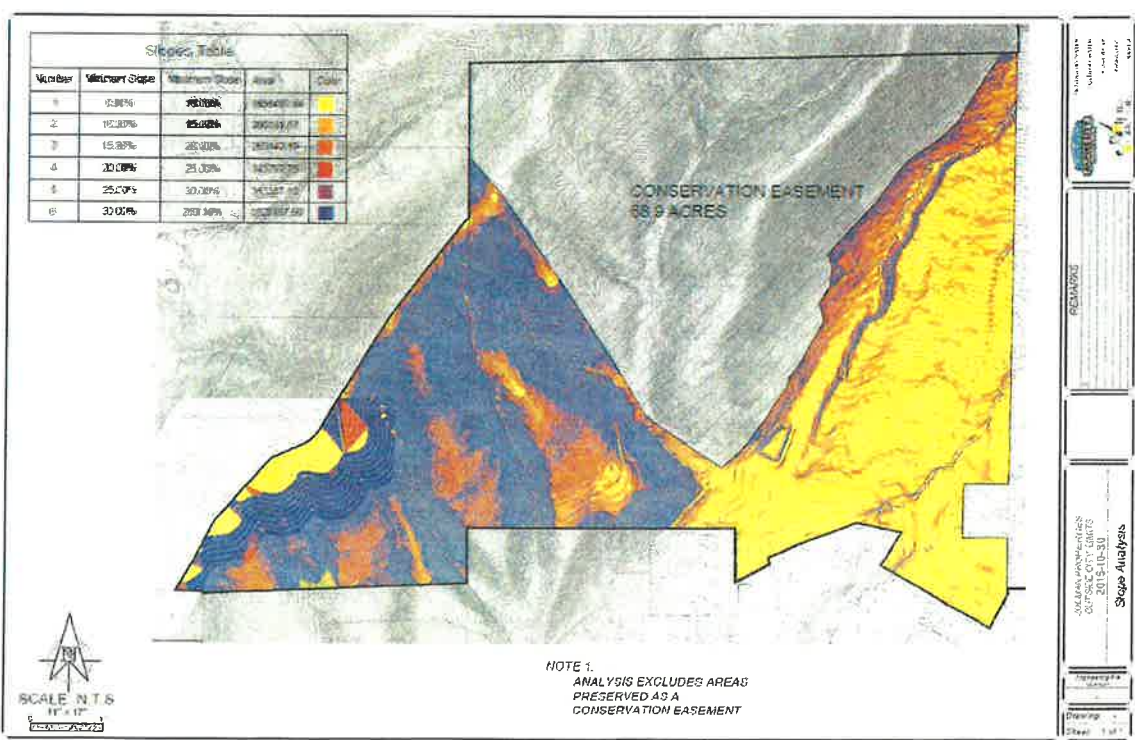
SLOPE ANALYSIS

SLOPE ANALYSIS (BASED ON PRD FORMULA 19.5)



Name: Zolman Annexable Properties (Conservation Easement Area Excluded)
Date: October 30, 2016
Contours Used: 1999 Aerial flown contours

CR-40,000 Zone					
Acreage	Acres	Total Square Feet			
Property	110.88	4,830,128.17			
Zone Total Acreage	110.88				
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%	34.5%	1,688,481.44	38.26	1.00	38.26
10-14.99%	8.1%	390,191.87	8.96	1.50	5.97
15-19.99%	5.4%	263,142.19	6.04	2.00	3.02
20-24.99%	7.1%	343,797.75	7.89	3.00	2.63
25-29.99%	7.5%	363,357.62	8.34	4.00	2.09
30%+	37.3%	1,813,197.50	41.40	5.00	8.28
Totals	100.0%		110.88		
				Base Density, Non-PRD	80
				Private Open Space (10% Max Bonus), PRD	66
				Public Open Space (25% Max Bonus), PRD	75



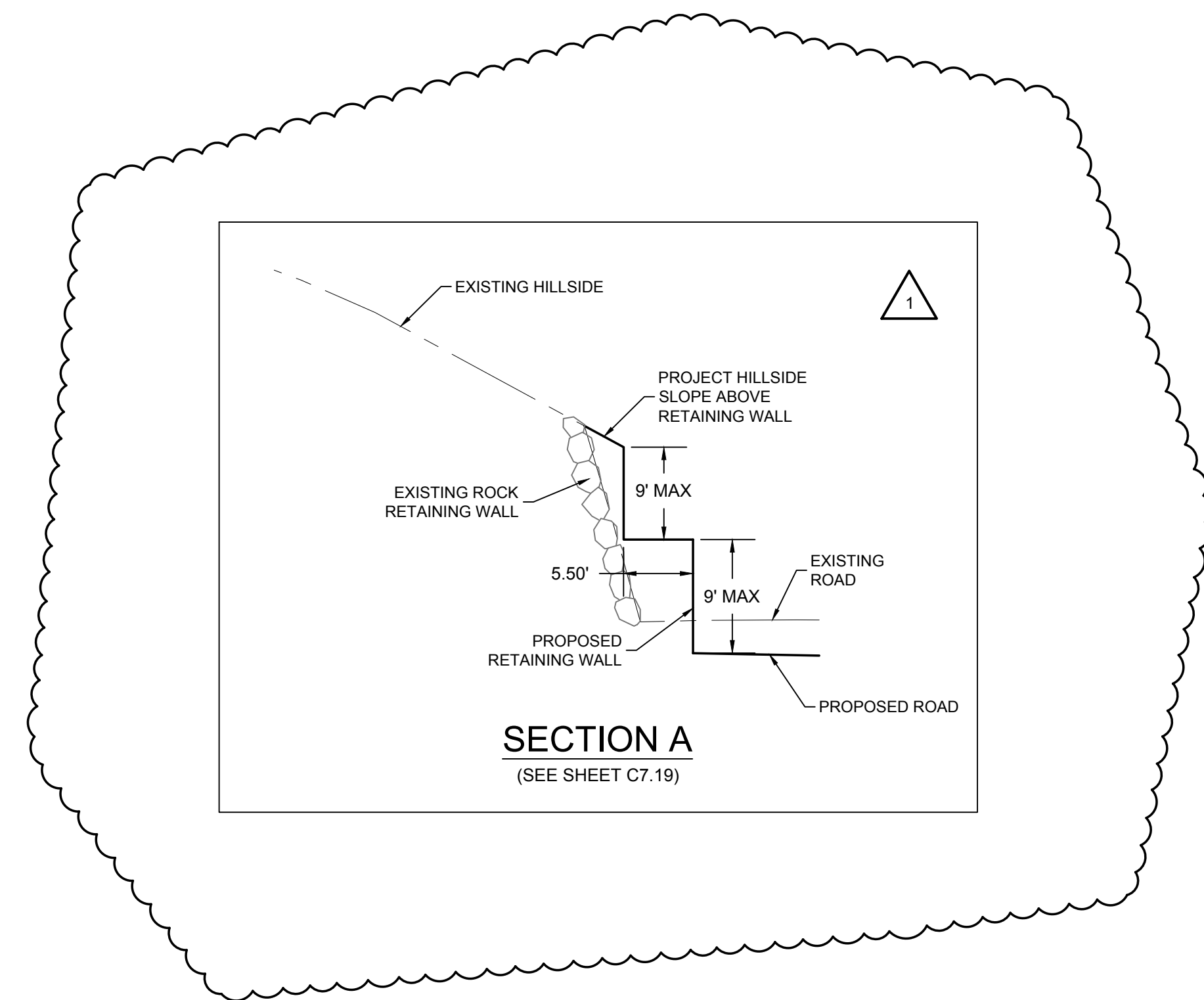
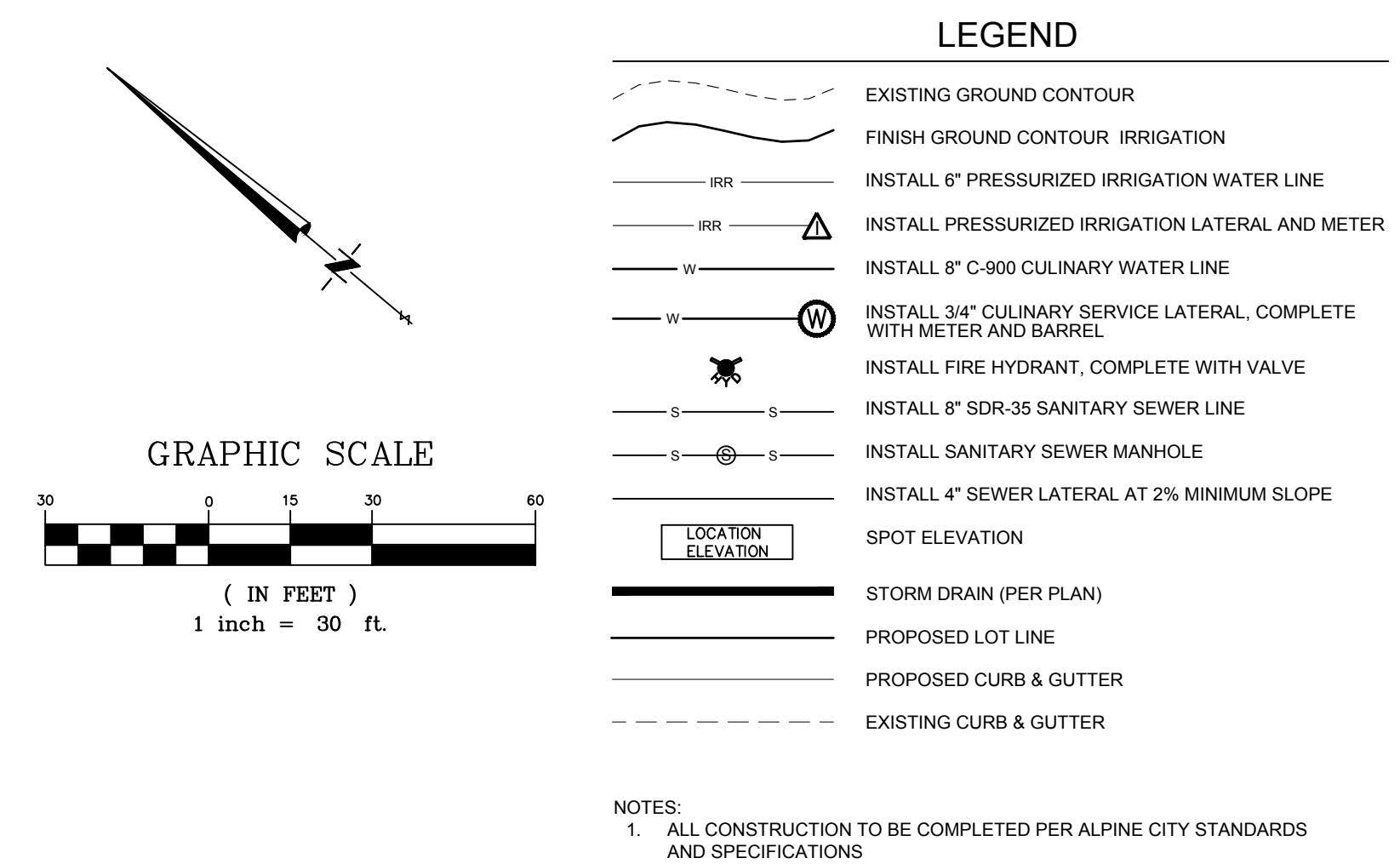
Surveyor's Certificate

I HEREBY CERTIFY THAT THIS A TRUE AND ACCURATE MAP OF THE TRACT OF LAND TO BE ANNEXED TO Alpine CITY, UTAH COUNTY, UTAH.

Boundary Description

Commencing at a point located South 00°47'39" West along the quarter Section line 11.14 feet from the North quarter corner of Section 18, Township 4 South, Range 2 East, salt Lake Base and Meridian: thence South 00°47'39" West along the quarter Section line, said line also being the Westerly Boundary line of Plats "A", "C" Amended, and Plat "D", Alpine Cove Subdivision as shown on record in the office of the Utah County Recorder 2123.97 feet; thence North 78°35'00" East along the Southerly boundary line of Plat "A", Alpine Cove Subdivision as shown on record in the office of the Utah County Recorder 601.96 feet; thence North 71°19'00" East partially along the Southerly boundary line of Plat "A", Alpine Cove Subdivision as shown on record in the office of the Utah County Recorder 145.84 feet; thence South 00°47'43" West along the Westerly boundary line of Plat "E" Amended, Alpine Cove Subdivision as shown on record in the office of the Utah County Recorder 691.76 feet; thence South 89°41'52" West along the Northerly boundary line of the Keiffer Annexation Plat 726.67 feet more or less to the center of section 18; thence along said boundary line as follows: South 00°18'08" East 26.89 feet, South 28°33'59" West 199.33 feet more or less to the Northeast corner of the Pack Annexation Plat, thence along the Pack Brothers, Keystone, and Lindsay Addition annexations as follows: North 60°40'00" West 626.25 feet, North 33°39'00" East 194.56 feet, North 78°13'00" West 226.80 feet, South 69°35'00" West 460.80 feet, South 12°33'00" East 32.91 feet; South 62°21'26" West 185.51 feet; thence South 00°05'00" East 0.26 feet; thence South 62°15'00" West 5.88 feet; thence along Grant Addition Annexation Plat as follows North 00°34'23" West 256.91 feet, South 89°26'28" West 421.56 feet, South 01°07'19" East 0.89 feet; thence West 907.16 feet; thence South 263.11 feet; thence South 87°43'29" West 1291.12 feet; thence along the Fort Canyon (Borchers) Annexation Plat as follows: North 87°58'36" West 141.05 feet, North 29°42'37" East 392.48 feet, North 42°16'47" East 242.22 feet, North 43°08'11" East 169.04 feet, North 65°25'08" East 176.95 feet, North 58°50'08" East 29.39 feet, North 43°32'14" East 58.34 feet, North 30°50'29" East 532.08 feet, North 30°07'04" East 148.90 feet, North 37°30'55" East 618.98 feet, South 89°58'05" East 10.73 feet, North 00°07'18" West 770.17 feet, North 88°47'14" East 2716.50 feet to the point of beginning.

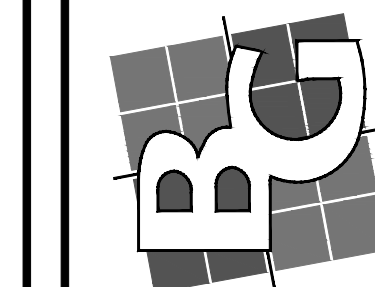
Area = 8,311,812 SF 190.81 Acres



LOT 72 ACCESS ROAD (STA 4+00 - 7+00)

[illegible]

BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors
655 East 4500 South, Suite 100
Salt Lake City, Utah 84107
Phone (801) 364-1212 / Fax (801) 364-1225
www.bushandgudgell.com



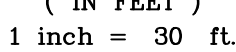
DATE: AUG 2018
DRAWN: CS
APPROVED: RM
SCALE: AS SHOWN
JOB NO. 162085

PLAN & PROFILE 18
THE RIDGE AT ALPINE
PLANNED RESIDENTIAL DEVELOPMENT
PREPARED FOR: PAUL KROFF

SHEET

C7.18

FILE: 162016 BASE P&Ps.dwg



FILE: 162066 BASE P&Ps.dwg

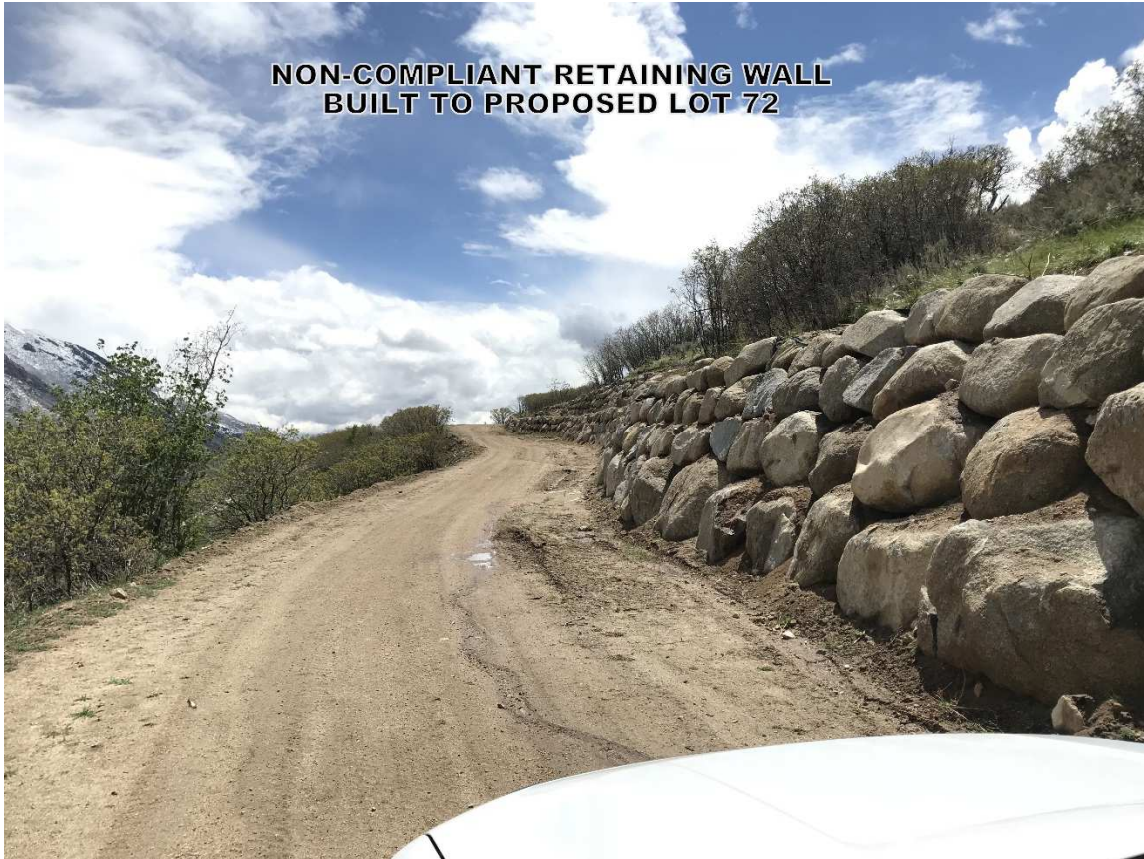
**NON-COMPLIANT RETAINING WALLS
BUILT TO PROPOSED LOT 72**



**NON-COMPLIANT RETAINING WALL
BUILT TO PROPOSED LOT 72**



**NON-COMPLIANT RETAINING WALL
BUILT TO PROPOSED LOT 72**



**NON-COMPLIANT RETAINING WALLS
BUILT TO PROPOSED LOT 72**



ALPINE PLANNING COMMISSION AGENDA

SUBJECT: Development Code Review – Section 3.9 Planned Residential Development

FOR CONSIDERATION ON: 4 September 2018

PETITIONER: Staff

ACTION REQUESTED BY PETITIONER: Recommend updates and/or corrections.

BACKGROUND INFORMATION:

The Alpine City Planning Commission has decided to review the Development Code in 2018. The purpose is to 1) be better familiar with the city code, and 2) to review the code for errors, inconsistencies, needed updates.

STAFF RECOMMENDATION:

Review Sections 3.9 of the Development Code and recommend needed updates and/or corrections.

ARTICLE 1. PLANNED RESIDENTIAL DEVELOPMENTS (PRD) Ord. N. 20000, 2000000
As added Ord. N. 20000, 2000000 Ord N. 200000, 2000000 Ord. N. 2000000,
2000000 Ord. N. 2000000, 2000000 Ord. N. 2000000, 2000000 Ord. N. 2000000,
2000000 Ord. N. 2000000, 2000000

1.1. PURPOSE AND INTENT

It is hereby declared to be the intent and purpose of the City Council in authorizing and establishing provisions relating to Planned Residential Developments (PRD):

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.
2. To establish criteria and standards for the design of PRD projects by developers and also guidelines for evaluation by the City. It shall be the City's sole discretion to decide if a project should be a PRD within the intent of the ordinance as noted above. The Planning Commission shall make a recommendation to the City Council and the City Council shall make the final decision in deciding whether a project should be a PRD prior to a concept approval being given.
3. To set forth the duties and responsibilities of developers and residents with respect to the approval, construction, and maintenance of such projects.
4. To clearly establish the relationship of the City and the developer with respect to the review and approval of such projects.
5. PRDs are permitted only in the CR-20,000, CR-40,000, CE-5, and CE-50 zones.

1.2. PERMITTED USES. The following buildings, structures, and uses of land may be permitted within a PRD:

1. Any use permitted within the underlying zone and those authorized under this section.
2. Common areas and recreational facilities (public and private) including, but not limited to, golf courses, swimming pools, tennis courts, club houses, recreational buildings, landscape parks and similar recreational facilities for the use and enjoyment of the residents.
3. Streets, fences, walls, utility systems and facilities, common storage areas, ponds, landscape features and similar uses and structures incidental to the main use.

1.3. MINIMUM PROJECT AREA. No minimum project area will be required. (Amended by Ord. 2012-10, 12/11/12)

3.9.4 OPEN SPACE **As added by Ord. N. 2005-02, 2/8/05, Ord. N. 2005-02, 2/8/05, Ord. N. 2005-02, 2/8/05, Ord. N. 2005-02, 2/8/05**

1. A portion of each project area shall be set aside and maintained as designated open space. The minimum amount of a project area to be set aside as designated open space shall be as set forth in the following schedule:

Minimum Open Space Required

Project District	Minimum Open Space Required Percentage
CR-20,000	25%
CR-40,000	25%
CE-5	50%
CE-50	50%

2. The designated open space areas may include natural open space, (applicable to steep hillside, wetland, flood plain area etc.) and developed useable open space areas, or a combination thereof.
3. Notwithstanding the minimum open space requirements set forth under Section 3.9.4 #1, the designated open space area shall include and contain all 100 year flood plain areas, defined floodways, all avalanche and rock fall hazard areas, all areas having a slope of twenty five (25) percent or greater, or any other area of known significant physical hazard or development.
 - A. An exception may be made with a recommendation by the Planning Commission to the City Council with the final determination to be made by the City Council that up to 5% of an individual lot may contain ground having a slope of more than 25% in the CR-20,000 and CR-40,000 zones as long as the lot can meet current ordinance.
 - B. An exception may be made that an individual lot may contain up to 15% of the lot having a slope of more than 25% in the CE-5 and CE-50 zone as long as the lot can meet current ordinance without the exception. The exception shall be recommended by the City Engineer to the Planning Commission, and a recommendation by the Planning Commission to the Alpine City Council with the final determination to be made by the City Council. (Ord. 2005-02, 2/8/05)
 - C. An exception may be made with a recommendation by the Planning Commission to the City Council with the final determination to be made by the City Council that an individual lot may contain up to another 5% of the lot (on top of the percentage as mentioned in Sections 3.9.4.3.A or 3.9.4.3.B) having a slope of more than 25% if it can be shown that the extra percentage of area acquired is being used to straighten and eliminate multiple segmented property lines as long as the lot can meet current ordinance.
4. The designated open space area shall be maintained so that its use and enjoyment as open space are not diminished or destroyed. The City will have sole discretion in determining if open space is held in private or public ownership. To assure that all designated open space area will remain as open space, the applicants/owners shall:
 - A. Dedicate or otherwise convey title to the open space area to the City for open space

purposes

- B. Convey ownership of the open space area to the homeowners association established as part of the approval of the PRD or to an independent open space preservation trust organization approved by the City.

In the event this alternative is used, the developer shall also execute an open space preservation easement or agreement with the City, the effect of which shall be to prohibit any excavating, making additional roadways, installing additional utilities, constructing any dwellings or other structures, or fencing or conducting or allowing the conduct of any activity which would alter the character of the open space area from that initially approved, without the prior approval of the City. The appropriate method for insuring preservation shall be as determined by the City at the time of development approval or

- C. A combination of A and B above.

5. Where the proposed open space includes developed or useable space or facilities (tennis courts, pavilions, swimming pools) intended for the use by project residents, the organizational documents shall include provisions for the assessment of adequate fees and performance guarantees required to secure the construction of required improvements including the costs of installation of all landscaping and common amenities.
6. A detailed landscaping plan showing the proposed landscape treatment of all portions of the project proposed to be developed as, useable, common open space shall be submitted as part of the submittal documents.

DENSITY DETERMINATION OF MAXIMUM BASE DENSITY DENSITY BONUS PERMITTED

1. Maximum Total Density of Project. The total number of dwelling units permitted in a PRD (Maximum Total Density) shall be the sum of the Maximum Base Density Units, determined in accordance with the provisions of Paragraph 2 below, plus any Density Bonus Units which may be approved in accordance with the provisions of Paragraph 3 below.
2. Base Density. The Base Density for a project area shall be determined by the City upon a detailed slope analysis of the proposed project area in accordance with the following schedule. Calculations ending a fraction shall be rounded to the nearest whole number.

Base Density (in acres per dwelling unit)

Percent of Slope	CR-20,000	CR-40,000	CE-5	CE-50
0 - 9.9%	.58 acre/unit	1.00 acre/unit	5.00 acres/unit	50.00 acres/unit
10 – 14.9%	.86 acre/unit	1.50 acres/unit	7.50 acres/unit	50.00 acres/unit
15 – 19.9%	1.15 acres/unit	2.00 acres/unit	15.00 acres/unit	50.00 acres/unit
20 – 24.9%	1.72 acres/unit	3.00 acres/unit	30.00 acres/unit	50.00 acres/unit
25 – 29.9%	2.30 acres/unit	4.00 acres/unit	50.00 acres/unit	50.00 acres/unit
30+%	5.00 acres/unit	5.00 acres/unit	50.00 acres/unit	50 acres/unit

Example: 25 acres in the CR-20,000 zone

Example: 25 acres in the CR-20,000 zone

Percent of Slope	Area within Slope Range (acres)	Required Area per Dwelling Unit (acres)*	Allowable Lots**
0 - 9.9%	7.5	0.58	12.93103448
10 - 14.9%	5.5	0.86	6.395348837
15 - 19.9%	4	1.15	3.47826087
20 - 24.9%	3.5	1.72	2.034883721
25 - 29.9%	2.5	2.3	1.086956522
30 + %	2	5	0.4
Total	25		26.3

* Required area per dwelling is found in the table under Section 3.9.5 #2.

** Allowable lots is determined by dividing the area within the slope range by the required area per dwelling unit. For example, in the slope range 0-9.9% divide 7.5 (area within slope range) by 0.58 (required area per dwelling unit).

3. Bonus Density.

A bonus density may be granted by the City Council to a PRD project subject to the prior recommendation of the Planning Commission and a finding that the density bonus is justified. The maximum bonus density eligible for award for a specific project shall be as set forth in the following schedule. The cumulative maximum bonus amount shall not exceed the percentages shown in the public open space column in the following schedule.

Maximum Bonus Award

Density District	Percentage of Bonus Density	
	Private Open Space	Public Open Space
CR-20,000	20%	10%
CR-40,000	25%	10%
CE-5	30%	10%
CE-50	0%	0%

- A. Natural Open Space Bonus Density. Any award of bonus density for natural open space shall be as determined by the City in accordance with the following density bonus criteria.

By providing additional natural open space in excess of the minimum requirement, a developer may receive 1% of the base density for each 1% of additional natural open space dedicated. Private open space will receive 50% less bonus density.

Example: 25 acres in the CR-20,000 zone with 5% slope and developer donates additional 2.5 acres of natural open space.

25 acres in the CR-20,000 zone with 5% slope and developer donates additional 2.5 acres of natural open space.

Base Density:

To determine the base density, divide 25 (area within slope range) by 0.58 (required area per dwelling unit). Base Density = $25/0.58 = 43.103$. Round to the nearest whole number and base density is 43 lots.

Bonus Density:

If the developer donates 2.5 acres (10% of total acreage) of additional land as natural open space, he will receive a 10% bonus (1% of additional natural open space = 1% of the base density as a bonus). To calculate the bonus density, multiply 43 lots (base density) by 10% which equals 4.3. Round to the nearest whole number and the bonus density is 4 lots for a total of 47 lots (43 base density lots + 4 bonus density lots).

25 acres in the CR-40,000 zone with 5% slope and developer donates additional 2.5 acres of natural open space.

Base Density:

To determine the base density, divide 25 (area within slope range) by 1.00 (required area per dwelling unit). Base Density = $25/1.00 = 25$. Base density is 25 lots.

Bonus Density:

If the developer donates 2.5 acres (10% of total acreage) of additional land as natural open space, he will receive a 10% bonus (1% of additional natural open space = 1% of the base density as a bonus). To calculate the bonus density, multiply 25 lots (base density) by 10% which equals 2.5. Round to the nearest whole number and the bonus density is 3 lots for a total of 28 lots (25 base density lots + 3 bonus density lots).

B. Developed Open Space Bonus

Developed useable open space shall be determined on a case-by-case basis and evaluated by the Planning Commission. Development may include one or more of the following or other items as the Planning Commission may determine: landscaping, including lawns, trees, shrubbery, sprinkler systems, drip watering systems, etc. Other amenities may include such things as park benches, playground equipment, walking paths, etc.

By providing additional developed useable open space in excess of the minimum requirement, a developer may receive 3% of the base density as a bonus for each 1% of additional developed useable open space dedicated. Private open space will receive 50% less bonus density.

Example of Developed Open Space Bonus

25 acres in the CR-20,000 zone with 5% slope and developer donates additional 1 acre of developed open space.

Base Density:

To determine the base density, divide 25 (area within slope range) by 0.58 (required area per dwelling unit). Base Density = $25/0.58 = 43.103$. Round to the nearest whole number and the base density is 43 lots.

Bonus Density:

If the developer donates 1 acre (4% of total acreage) of additional developed open space, he will receive a 12% bonus (for each 1% of additional developed open space, the developer may receive 3% of the base density as a bonus – 4% extra is being given so $4\% \times 3\% = 12\%$). To calculate the bonus density, multiply 43 lots (base density) by 12% which equals 5.16. Round to the nearest whole number and the bonus density is 5 lots for a total of 48 lots (43 base density lots + 5 bonus density lots).

25 acres in the CR-40,000 zone with 5% slope and developer donates additional 1 acre of developed open space.

Base Density:

To determine the base density, divide 25 (area within slope range) by 1.00 (required area per dwelling unit). Base Density = $25/1.00 = 25$. Round to the nearest whole number and the base density is 25 lots.

Bonus Density:

If the developer donates 1 acre (4% of total acreage) of additional land as developed open space, he will receive a 12% bonus (for each 1% of additional developed open space, the developer may receive 3% of the base density as a bonus – 4% extra is being given so $4\% \times 3\% = 12\%$). To calculate the bonus density, multiply 25 lots (base density) by 12% which equals 3. Round to the nearest whole number and the bonus density is 3 lots for a total of 28 lots (25 base density lots + 3 bonus density lots).

The developed open space bonus may be used in conjunction with the natural open space bonus in any combination up to the maximum bonus allowed.

DESIGNING CLUSTERS TO MEET THE DESIGNABLE AREA REQUIREMENT

1. All lots shall be located within a designated development cluster. A project may contain more than one development cluster. Each cluster shall contain not less than three (3) separate lots (except for developments having fewer than 3 lots for the entire development). Where a project contains land located within and outside the Sensitive Lands Overlay Zone, development clusters will be located outside of the Sensitive Lands Overlay Zone, to the maximum extent possible. No portion of lots within a PRD shall be located on lands which are required to be designated as open space.
2. (Ord. 97-23: 9/24/97) The size of each individual lot shall conform to the following:

Minimum Lot Sizes

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

3. (Ord 97-02, 2/25/97). Each individual lot shall contain at least one Designated Buildable Area of not less than five-thousand (5,000) square feet. All dwellings and other habitable structures and accessory buildings shall be located within the Designated Buildable Area.

- A. Each Designated Buildable Area shall conform to the criteria for qualification as a "buildable area" as defined in this ordinance. Except that the Planning Commission may approve or require the placement of the Designated Buildable Area in a location within the lot which does not conform to one or more of the criteria for buildable area, upon a finding that the proposed Designated Buildable Area:
 1. will more adequately accommodate subsequent development of the lot,
 2. will not constitute a potential hazard to life or property, and
 3. will serve to diminish the negative impact of subsequent development upon the lot or community (i.e. extraordinary construction of driveway access, mitigate visual intrusion of structure on ridge line).
 - B. The location of each Designated Buildable Area shall be designated upon the preliminary plan and shall also be identified and described on the final recorded plat, together with a notation to the effect that all main and accessory buildings shall be located within the Designated Buildable Area.
 - C. Where a Designated Buildable Area is shown on a lot, the boundary of said area shall constitute the Designated Setback envelope applicable to the lot. Where an entire lot area qualifies as a Buildable Area no designation on the final plat shall be required.
 - D. Except as permitted pursuant to Paragraph 3.9.6.3 Item A above, any portion of a lot which has been graded to produce a percent of slope to qualify under the Buildable Area criteria shall be excluded from consideration as part of the Designated Buildable Area.
 - E. The Designated Buildable Area may be amended by the City Planner and City Engineer as long as the minimum setback requirements of the underlying zone are met. (Ord. 2004-13, 9/28/04)
4. Each dwelling in the project shall be setback from the property line in accordance with the setback lines as shown on the approved plat (Designated Setback Envelope). The Designated Setback Envelope shall be established in accordance with the following (setbacks are measured from the property line to the nearest foundation):
 - A. Front Yard. The minimum front yard setback shall be thirty (30) feet.
 - B. Side Yard - Corner Lots. On corner lots, the side that faces onto a public street shall be not less than thirty (30) feet.
 - C. Side Yard – Interior Lots. The minimum side yard setbacks for interior lots shall be an aggregate of thirty (30) feet with no less than twelve (12) feet on a side.
 - D. Rear Yard. The minimum rear yard setback shall be thirty (30) feet.

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

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

5. The maximum height of any dwelling or other main building shall be thirty-four (34) feet, as determined in accordance with the provisions of Section 3.21.8 of this Ordinance, (Ord. 96-15, 12/18/96) except in the CE-50 zone the height shall not exceed 25 feet. (See Section 3.6.7.1 of this Ordinance.)

DESIGN CRITERIA

1. The design of the project shall incorporate the open space and all other criteria applicable to PRD projects.
2. All existing public streets and all streets proposed to be dedicated to the public shall be improved in accordance with City standards for public streets.
3. To the maximum extent possible, the design of the road system shall provide for continuous circulation throughout the project. Cul-de-sacs (dead end roads) shall be allowed only where unusual conditions exist which make other designs undesirable. Cul-de-sac streets shall be not longer than 450 feet and shall be terminated by a turn-around or loop road of not less than 120 feet in diameter.
4. No street shall be constructed in a location or in a manner which results in the creation of a cut or fill slope face exceeding the cut and fill standards of the City or the critical angle of repose for the soils in the disturbed area or a disturbed cross-section area exceeding the cut and fill slope standards for streets in the City. Use of retaining walls shall conform to the provisions of Section 3.32 of the Alpine City Development Code. Any driveway providing access to a buildable area shall conform to the provisions of Section 3.1.11.5 of the Alpine City Development Code. (Ord. 96-13, 10/9/96 Amended by Ord. No. 2007-04, 4/10/07 Ord. No. 2015-11, 07/28/15)
5. All disturbed cut and fill slopes created in the course of constructing streets, utility systems or other improvements shall be stabilized and revegetated. The materials submitted in support of a request for approval of any PRD project shall include a detailed slope stabilization and revegetation plan showing the intended measures to be employed in stabilizing and revegetating the cut and fill slope areas to be created as part of the project. The performance guarantee amounts shall include the estimated cost of stabilization and revegetation. (Ord. 96-13, 10/9/96)
6. Each lot within the Project Area shall abut upon and have direct access to an adjacent public street. The width of each lot shall be not less than 90 feet (as measured along a straight line connecting each side lot line at a point 30 feet back from the front lot line), and the length of the front lot line abutting the City street shall be not less than 60 feet (Amended Ord. 95-18, 7/11/95).

PROJECTS CONTAINING ERRORS IN MORE THAN ONE ZONE

1. Where a PRD project area contains territory in more than one zone the base density and any bonus density awarded shall be determined separately for the portion of the project area within each zone district and the maximum total density shall be the sum of density amounts permitted for each zone district area.
2. The size of lots within the various zone districts shall be in accordance with the requirements applicable within the underlying zone.
3. When approved as part of the project plan the City may authorize the transfer of density from one zone district within the project to another, except that no such transfer of density into territory located within the CE-5 and CE-50 zones shall be permitted.

DOCUMENTATION REQUIREMENTS

The following documents and statements shall be submitted as part of the application for approval, as applicable.

1. Organizational documents (articles of incorporation, by-laws etc.)
2. Open space preservation documents.
3. Water rights documents.

4.7.22 WATER RIGHTS CONVEYANCE REQUIREMENTS

Water rights shall be conveyed to the City in accordance with the provisions of Section 4.7.23 of the Alpine City Development Code as applicable.

Where the proposed development anticipates a building(s) to be located on common property, the lot area used to determine the amount of water right required to be conveyed pursuant shall include the territory occupied by the building(s) and the area proposed to be occupied as open space.

If it is proposed that a specific open space area remain in its natural, unimproved state, the developer may petition the City Council, following a recommendation from the Planning Commission, for an exception to the water requirement. The request shall be evaluated according to the following criteria:

1. The open space is a naturally wooded area with indigenous plants and trees such as scrub oak that will not need to be watered, or
2. The open space is in the flood plain and the trees and vegetation will receive sufficient water from naturally occurring streams.

4.7.23 REVIEW GUIDELINES AND STANDARDS ADOPTED

In conducting their review, the Planning Commission and the City Council shall be guided by the terms of this Section of the zoning ordinance, the Standards and Specifications of the City, the terms and conditions set forth under the Sensitive Lands Ordinance (Article 3.12) in the Alpine City Development Code, and the subdivision ordinance.

4.7.24 APPROVAL PROCEDURE COMPLIANCE WITH RELATED REQUIREMENTS

4.7.24.1 Approval Procedure

1. The procedure to be followed in obtaining approval of a PRD, or any amendment thereto shall be the same as required for a subdivision. The Planning Commission shall hold a public hearing on the application prior to concept approval and after a recommendation from the City Planner and City Engineer.
2. Upon receipt of all plats, plans, documents and other materials required for review and recommendation the Planning Commission shall consider the application and may recommend approval to the City Council upon a determination that:
 - a. All plans, documents, and other materials required for consideration have been submitted in a form suitable for evaluation, including a computer generated slope analysis in a compatible format specified by City Staff
 - b. The plan conforms in all respects to the design standards and criteria applicable to the PRD.
 - c. The site is suitable for development of the PRD and that such a project will be consistent with existing development in the vicinity and compatible with the General Plan for the area.

- d. The arrangement of the buildings, roadways, open space and other project elements will result in a safe and attractive living environment equal or superior to that which would be provided under lot by lot development.
 - e. The project, if developed, will accomplish the objectives for PRD's as stated under Article 3.9 in the Alpine City Development Code.
3. For PRD projects not meeting the review criteria the Planning Commission shall submit a recommendation of denial.
 4. The Planning Commission may recommend changes in the plan in order to more fully accomplish the intent of the PRD provisions and compliance with the General Plan. Such changes may include but are not limited to, adjustments in the density or the number of structures, relocation of project elements, redesign of the road system, increase in the amount of open space, and provisions for the disposal of surface water drainage.

3.4.4.4 CDD Projects are Not Required to Subdivide. In addition to the requirements of Article 3.9, a PRD project which includes the division of land into separate ownership shall also constitute a subdivision and shall conform to all applicable requirements for subdivisions.

3.4.5 IMPROVEMENT REQUIREMENTS

PRD projects shall be subject to the same improvement and bonding requirements as all other subdivisions.

ALPINE PLANNING COMMISSION AGENDA

SUBJECT: Planning Commission Minutes July 17, 2018 & August 21, 2018

FOR CONSIDERATION ON: 4 September 2018

PETITIONER: Staff

ACTION REQUESTED BY PETITIONER: Approve Minutes.

BACKGROUND INFORMATION:

Minutes from the April 17, 2018 and August 21, 2018 Planning Commission Meetings.

STAFF RECOMMENDATION:

Review and approve the Planning Commission Minutes.

**ALPINE CITY PLANNING COMMISSION MEETING AT
Alpine City Hall, 20 North Main, Alpine, Utah
July 17, 2018**

I. GENERAL BUSINESS

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

Chair: David Fotheringham

Commission Members: Bryce Higbee, Alan MacDonald, John Mackay, David Fotheringham, Jane Griener, John Gubler

Staff: Austin Roy, Marla Fox, Jed Muhlestein

Others: Alan Gillman, Shahbaz Janjua, Ed Bush, Griff Johnson, Will Jones, Breezy Anson

A. Prayer/Opening Comments: Jane Griener

B. Pledge of Allegiance: Ed Bush

II. PUBLIC COMMENT

There were no public comments.

III. ACTION ITEMS

A. Public Hearing - Major Subdivision Final Plat - Alpine View Estates PRD - Griff Johnson

Austin Roy stated that the proposed subdivision, frequently referred to as the Chapfield Property, was located west of 400 West and south of Lupine Drive. The subdivision was approximately 19.3 acres in size, and the subdivision would have 19 lots ranging in size from 0.46 acres to 0.88 acres. The applicant was proposing to dedicate about 4.84 acres of open space, as part of the PRD requirements. The proposed subdivision met all zoning and planning requirements, and staff recommended approval. He noted that there had been discussions about trails on the property during the previous meeting, but the proposed plat did not show the trails. The applicant would work with the Trails Committee before finalizing the plan.

Jed Muhlestein said that the applicant expressed a desire to record the whole plat at once, so the applicant needed to provide the following:

- Easements for offsite utilities, specifically for the sewer.
- Vacation of the storm drain easement on the north side of the subdivision.
- Temporary turnaround needed an easement.
- Two homes needed to be removed before recording.
- Developer met the water policy.
- Lot 20 was originally a square but was changed to meet State requirements on the plat.

Shahbaz Janjua, a resident, said that one of the main reasons the City and residents were okay with the proposed subdivision was because of the potential trails and open space. He believed that the trails should be on the plan before it was approved. He also said that the storm drain

1 issues should be resolved before approval. Mr. Janjua asked for clarification on the temporary
2 turnaround and had some concerns with construction nuisances.

3
4 Austin Roy said the City Attorney had state that the developer did not have to show the trails on
5 the plan at this time. The applicant would be able to work out the trails with the Trails
6 Committee before the subdivision was recorded.

7
8 Jed Muhlestein added that the developer had already discussed their plans for the open space,
9 which was to keep it natural. He would be preserving the scrub oak that was currently there.

10
11 Jane Griener said that the City had already discussed the abandonment of the pipe above the
12 subdivision, and would not be used any longer; this should address the storm drain issues. The
13 temporary turnaround would only be in place until the adjacent property developed and
14 connected into the roadways. The turnaround was required by the Fire Department.

15
16 Jed Muhlestein explained that construction companies had to follow a set of City standards, and
17 they were required to keep the dust down. There shouldn't be concerns about blocking
18 residential driveways with construction vehicles, but if there was a problem, the residents could
19 approach the construction company to address the problem.

20
21 Griff Johnson, the developer, assured the Commission that he would be working with the Trails
22 Committee on the trails in the subdivision. Using the subdivision plat, he identified where the
23 trails could go and connect with other trails. He confirmed that they were planning to vacate the
24 storm drain easement on the north side of the property, as required. There would be a time
25 where residential driveway access would be limited because they would be hooking in utilities.
26 The neighbors would be given notice and they would finish the project as quickly as possible.

27
28 Jane Griener asked if the proposed trails would match up with other trails in the City.

29
30 Will Jones said that they only wanted to put trails in that would be used. He was very concerned
31 about the subdivision being approved without the developer working with the Trails Committee.
32 He confirmed that he had not had a discussion with the developer yet. If the developer was not
33 required to meet with the Committee, they usually did not do so.

34
35 Shahbaz Janjua again stated that he would like to see some kind of trail system on the plat before
36 the subdivision was approved. The PRD was approved because the developer promised the City
37 a trail system. The open space the developer was offering was not useful to the City, but the trail
38 system would be.

39
40 Jane Griener disagreed and stated that open space would be beneficial simply because it was
41 open space. Any open spaces would improve the feel and look of the community.

42
43 Alan MacDonald said that natural open space did have value without having to be grassed or
44 turned into a soccer park. He said that he did not have a preference as to when the developer
45 worked with the Trails Committee, but he was concerned that the tentative plan would create

1 trails that went nowhere. He explained that this was one of the Committee's concerns as well;
2 they wanted to be sure that the trails were usable.

3
4 Shahbaz Janjua made some impassioned comments from the audience.

5
6 Bryce Higbee did not recall approving the PRD just for the trail system. He believed that trails
7 were usually visible on the plat before final approval, but he wasn't sure that they should hold up
8 the final plat for trails. Making such a requirement would give a lot of leverage to the Trails
9 Committee. The Trails Committee was important, but the Planning Commission was the body
10 that made recommendations to the City Council who made the final decision.

11
12 Austin Roy read from the motion made during the previous meeting. One of the conditions of
13 approval of the concept plan was to work with the Trails Committee.

14
15 Bryce Higbee said that he would feel comfortable requiring that a trail be shown on the final plat,
16 or at least have the Trails Committee review the plan. He noted that the Trails Committee would
17 decide that a trail wasn't appropriate on the property after all. However, he did not know how to
18 make that requirement without having the application come back to the Commission.

19
20 Jane Griener did not want to put the Trails Committee in a position where they were making
21 decisions that did not belong to them, but she also wanted to be sure that they reviewed the plans.

22
23 Griff Johnson said that the open space was only five acres in size, so there was only so much
24 room to put in a trail. He assured the Commission that he would satisfy the Trails Committee
25 before final approval, but he did not think it was right to put a hold on the application for that
26 reason. The proposal met the requirements of City Code, and they had been very consistent with
27 their submittals throughout this process.

28
29 Breezy Anson said that he would like to get a trail master plan for both this property and his
30 parent's property to the south. A trail on the subject property probably wouldn't be useful, but if
31 the trail were to connect into his parent's property when it was developed, it could be very
32 beneficial to the residents. He stated that he would sit down with the developer this week and try
33 to put a plan together.

34
35 **MOTION:** Bryce Higbee moved to recommend approval of the proposed Alpine View Estates
36 PRD Final Plat with the following conditions:

- 37
38 1. The Developer provide an easement for the temporary turn-a-round prior to recording
39 2. The Developer provide a utility easement for the offsite utilities prior to recording
40 3. The Developer vacate the storm drain easement on lots 4 – 6 of the Alpine Ridge
41 Phase 1 Amended Plat
42 4. The Developer either remove the existing buildings located at 391 N 400 W and 305
43 N 400 W prior to recording the plat or provide a bond to cover the costs of doing so
44 5. Water source and/or water right requirements are met
45 6. Trail be shown on final plat, with approved alignment of Trails Committee
46 7. Developer work with the City Attorney on Lot 20

John Mackay seconded the motion. The motion passed with 5 Ayes and 0 Nays. Bryce Higbee, Alan MacDonald, John Mackay, David Fotheringham, and Jane Griener all voted Aye.

B. Concept Plan Review – Lambert Park Bowery – Will Jones

Austin Roy reminded the Commission that two concept plans for the Lambert Park Bowery had been discussed by the Planning Commission at two previous meetings. Based on their feedback, a revised plan was created. He presented the revised plan and said that this version incorporated the amphitheater from Plan A and the parking from Plan B. There was also some additional parking, another restroom, some RV parking areas and camping spots.

Will Jones identified the open fields which would be used for potential overflow parking during the rodeo. He reported that parts of the project would be completed through public volunteer efforts, and some would be contracted work.

The Planning Commission reviewed the look and design of the entrance sign.

MOTION: Jane Griener moved to recommended approval of the Lambert Park Bowery Concept Plan.

Alan MacDonald seconded the motion. The motion passed with 5 Ayes and 0 Nays. Bryce Higbee, Alan MacDonald, John Mackay, David Fotheringham, and Jane Griener all voted Aye.

C. Development Code Review – Article 3.3 – 3.7 – CR-20,000; CR-40,000; CE-5; Business Commercial

Austin Roy explained that the Planning Commission was reviewing sections of the City Code for the General Plan update. Sylvia Christiansen had already sent staff an email with some grammatical changes and other recommended changes.

Jed Muhlestein presented Section 3.4.4 which addressed non-conforming lots in relation to the slope. About three years ago, the Commission changed the way the City calculated slope, but he found that it wasn't working as well as they had hoped. He suggested that they go back to the previous calculations and see if there was a better way to make it work. Going back to the old way would also help to limit development on the hillside. He recommended that if they brought this method back, they include an exception process to assist developers who were trying to straighten their lot lines. The Planning Commission was in favor of researching this option.

IV. COMMUNICATIONS

Jane Griener expressed her condolences to Carla Merrill and her family on the loss of their son.

Austin Roy noted that the next Planning Commission meeting would be held on August 21, 2018.

The Commissioners expressed their thanks to Will Jones for spending his own money on the Lambert Park Master Plan.

1 **V. APPROVAL OF PLANNING COMMISSION MINUTES: June 19, 2018**

2
3 **MOTION:** Bryce Higbee moved to approve the minutes for June 19, 2018, as amended.

4
5 John Mackay seconded the motion. The motion passed with 5 Ayes and 0 Nays. Bryce Higbee,
6 Alan MacDonald, John Mackay, David Fotheringham, and Jane Griener all voted Aye.

7
8 **ADJOURN**

9 David Fotheringham stated that the Planning Commission had covered all the items on the
10 agenda and adjourned the meeting at 8:30 p.m.

ALPINE CITY PLANNING COMMISSION MEETING
Alpine City Hall, 20 North Main, Alpine, UT
August 21, 2018

I. GENERAL BUSINESS

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

Chairman Dave Fotheringham

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

Staff: Charmayne Warnock, Austin Roy, Jed Muhlestein

Others: Alan Cottle, Jeremy King, Val Killian, Linda Childs, William Veach, Erin Darlington, Velia Dayton, Ross Beck, Brig Arnold, MacKenzie Arnold, Will Jones, Alan Gilman, Carolynn Lambert, Daniel Noot, Garrett Noot, Walter Noot, Tom Watkins, Christy Collins, Shirley Barnes, Rachel Layton

B. Prayer/Opening Comments: Dave Fotheringham

C. Pledge of Allegiance: Daniel and Garrett Noot

II. PUBLIC COMMENT

Tom Watkins – Summit Way. He said he'd heard Summit Pointe was not on the agenda because they had to go through a few more hoops, which was good. He said the number of homes projected for the development in Draper was a lot more than the number of homes in Alpine in that area that would be affected by a connection to Draper. He said Mayor Wimmer had pointed out that the City granted a Hartvigsen a right-of-way to his property because they could not landlock him. Was that the only easement granted? He asked if the City still owned the land between Lakeview and the proposed development.

Austin Roy said there were two easements. One was the Hartvigsen easement and the other was a piece of land at the west end of Lakeview Drive to access Summit Point.

Jed Muhlestein said the easement on Lakeview Drive was to provide access to the Summit Point property. It was a 54-foot right-of-way and was shown on the recorded plat. There were no other written documents regarding the easement. In response to a question from Jane Griener about whether the easement was intended only as access for the property owner, he said he had no knowledge of any legal intentions. John MacKay asked if that issue could be researched with legal counsel. Mr. Muhlestein said they were doing that.

There were no more comments and the Public Comment section of the meeting was closed.

III. ACTION ITEMS

A. PUBLIC HEARING – Senior Housing Overlay, 242 S. Main Street – Montdella

Introduction: City Planner Austin Roy introduced the developer's request for a Senior Housing Overlay zone at 242 S. Main Street. The proposed 55 and older senior housing development consisted of 27 units on 3.87 acres. There were three access points, two off Main Street and one through the adjacent commercial development where the fitness center was located. The plan showed a minimum of 20 feet between the units and the property line, and a minimum setback of 25 feet from the flood plain to the

nearest unit. The structures ranged in height from 26 feet to 30 feet with some single story and some two-story units. Since it was located in the Gateway Historic District, there were certain requirements including a historical appearance. The development would contain a trail along Dry Creek that would potentially tie into the Dry Creek corridor trail. Each unit would have two parking spaces. Because the development was on Main Street, staff recommended a traffic study be done. Staff felt the traffic impact of the proposed development would be equal to or less than businesses that same space.

City Engineer Jed Muhlestein said the City was working with a traffic engineer to look at the additional traffic impact on Main Street. The City's Master Street Plan recommended minimizing ingress and egress points along an arterial road. The proposed development showed two accesses onto Main Street which were fairly close to each other. Staff would prefer to see just one access to comply with the Master Plan. He said studies showed that senior housing developments typically generated only 30% of the traffic generated by the usual residential area.

The Hearing was opened to public comment.

Walter Noot – River Meadow Drive. He said that when he came out of Red Pine Drive in the morning, the cars for the charter school were lined up in double rows and it was difficult to get onto Main Street. He'd been involved in an accident because of it. The cars blocked the intersection and the police couldn't do anything about it. He had talked to them and they said it had to be addressed by the City.

Christy Collins – 225 S. 100 W. She said her home was adjacent to the proposed development and pointed out on the map where her home was located. She said the trail alignment encroached on their property. She appreciated that a traffic study was being done but the biggest issue for them was the encroachment on their property.

Linda Childs – Red Pine. She said she lived in one of the 55+ developments in Alpine and her biggest concern was the traffic. There were times when she couldn't get off Red Pine Drive onto Main Street because of the cars. There were times when they couldn't even get out of her development because cars from the charter school were backing into there. She said people talked as if 55+ developments didn't generate traffic, but the people weren't that old. They drove cars. They had family that visited. She said she understood that they were not allowed access through the parking lot of the business district.

William Veach - 97 S. 100 W. He asked how long construction would take. He had kids that walked to school at Mountainville and it was already hazardous. Construction traffic was different from community traffic. He said a lot of trash and garbage came with new construction. He asked if the development would affect property values. Jed Muhlestein said that in terms of trash, every construction had EPA regulations that required a lot of inspections. This one would be by a river and inspections were required twice a month.

Shirley Barnes - 411 E. 100 S. She said traffic was a big concern. Getting onto Main Street, especially during school opening and closing was quite difficult. She was also concerned about property values in the area. She said she would prefer no access onto Main Street at all.

Erin Darlington – Wildflower Circle. She said she had traffic concerns. In 55+ developments, only one person had to be 55 or older. They could have a spouse that was younger and have kids living there. Plus people who were 55 could still be driving to work every morning. That would be more car trips. She said she would support senior housing somewhere off Main Street. She felt Main Street needed to be reserved for commercial businesses. Senior housing could survive without fronting on Main Street but businesses could not. She said she'd heard the development would underground parking and there would be stairs. Would there be elevators?

Will Jones – Grove Drive. He said the proposed trail running from Main Street to the creek would be a Class A trail. It would be 8-feet wide and paved and would be a public access trail. It would not be on the Collins' property.

Valia Dayton – Preston Drive. She said she understood a similar project on the same ground had been denied. Why was it denied? Dave Fotheringham said it wasn't denied. The applicant did not continue their petition and the property was sold. Jed Muhlestein said the big stumbling block was that it did not conform to the regulations of the Gateway Historic Committee. The plan had the backs of the homes facing Main Street.

Christy Collins – 100 West. She said she had seen erosion on the creek bed. Would that be fortified. The developer said there would be a retaining wall.

Rachel Layton - Piccadilly Circle. She said cars coming from 100 South had a difficult time getting onto Main Street because of the traffic. She said they'd moved from American Fork three years ago because the city had promised their home wouldn't back up to commercial, but they altered the city plan and they had to move because it was so awful. She said people made plans based on zoning maps and city plans. She said she was sure people like the Collins didn't foresee townhomes in their backyard.

Brig Arnold - 215 S. 100 W. He said his property backed up to the majority of the proposed development. The senior housing did not upset them at all as opposed to commercial businesses. He said he was a little concerned about the density. 27 units seemed like a lot of units for that space.

Erin Darlington – Wildflower Circle. She said the main problem was the school and they hadn't been able to solve the traffic problem. There was no easy solution.

There were no more comments and the Hearing was closed.

B. Senior Housing Overlay Zone Recommendation – Montdella (242 S. Main Street) – Alan Cottle. Chairman Dave Fotheringham invited the developer, Alan Cottle to discuss the proposed development.

Alan Cottle said he would like to address the concerns that were raised under public comment.

- First, the Collins encroachment. He said they had been trying to accommodate the Alpine City trail and would gladly move it off the Collins' property.
- He said he used to be the VP of Hyatt and had built a lot of senior housing for the high-end market. Most of the developments they built were much larger than this one would be. There were federal laws that dealt with housing for citizens 55 and older. Cities could not deny them. The 55+ housing was a gateway into assisted living, nursing homes, hospitals. There was no development that would bring a lower impact to the area than the one they proposed. He said the highest zoning designation Alpine had was commercial, and they were essentially downsizing from commercial. There would be 300 percent more traffic on the road with commercial businesses. Their proposal may not be ideal but from a traffic standpoint, they were the best option.
- He said he liked the idea of having one main entrance off Main Street rather than two.
- According to Alpine's rules on the overlay zone, only two units could be connected so they would be building twin homes with one common wall.

- 1 • He said not everyone moving into their homes would be 55. The anticipated ages ranged from 55
- 2 to 75. Studies showed that 80 percent of the people who purchased senior housing had lived
- 3 within a two-mile range of their new housing. It would be their neighbors buying the homes
- 4 because they no longer wanted an 8,000 square foot home, yet they wanted to be around their
- 5 neighbors and families. This development provided an opportunity for them to do that.
- 6 • The average construction time on such a project was 18 months to two years. They would try to
- 7 minimize the traffic impact and have major deliveries made during slack times.
- 8 • As far as property values, the homes would be 3,000 to 4,000 square feet with an option for
- 9 elevators which would cost an additional \$30,000. Most of the homes would be rambler types
- 10 with a basement. Some would have a loft or reading room. The cost of the homes would be
- 11 between \$400,000 to \$700,000 depending on what people wanted. They would have the feel of
- 12 one-story units with a steeper roof. They would have two car garages and in some an extra hobby
- 13 garage.
- 14 • There would be street parking and guest parking in addition to parking in the driveways.
- 15 • For street view, people looking into the community from Main Street would see a lot of trees
- 16 rather than garage fronts. By design, they would stagger them. There would be a small
- 17 community center in front.
- 18 • He said the density was comparable or less to other such developments. The ordinance allowed
- 19 up to 24 units on about half the acreage.
- 20 • He expected it would take six months to plat the development and then begin work on
- 21 infrastructure.
- 22 • Useful facts. Twenty percent of the people in Alpine were 50 or older. Across the county, ten or
- 23 fifteen percent of the people were 50 or older.
- 24 • At last one person had to be 55 in order to purchase a unit. The HOA could create rules about
- 25 having teenage kids but it was nearly impossible to police. There may be some teens. Federal law
- 26 said that 20 percent of the housing in a 55+ development could be sold to people who were not 55
- 27 or older. That meant they could have four or five units owned by younger people. A variety of
- 28 ages made for a better community.
- 29 • Street width within the development would be 24 feet. There were no interior sidewalks.
- 30 • There would be some retaining issue along the creek. There would be a detention basin on the
- 31 west side of the development.

32
33 Dave Fotheringham asked what measures would be taken along Dry Creek in the event of a 100-year
34 flood. Mr. Cottle said they would be looking at that with the Corp of Army Engineers and Alpine City.
35 Jed Muhlestein said the ordinance did not allow construction in the flood plain but they could have
36 minimal landscaping and trails.

37
38 Mr. Cottle wanted to know who would maintain the trail and hold the liability. If they built it, they
39 expected to transfer it to Alpine City unless the HOA was supposed to be responsible.

40
41 There were questions from Planning Commission members about how the development would actually
42 look since there were no elevations or renderings. Mr. Cottle showed some slides of other projects they'd
43 built. He said they didn't want to invest a lot of money into design until they had some assurances from
44 the City for approval.

45
46 Bryce Higbee said the problem they ran into with the last development was that they wanted to know
47 what people were going to see. It was in the Gateway Historic Zone. They couldn't just put the side of a
48 home on Main Street. The front strip was the biggest issue. Mr. Cottle said the part facing Main Street
49 would a courtyard and the community center. They were planning to make it open and inviting.

Austin Roy said staff didn't see any conflict with the ordinance and the intent of the Senior Housing overlay.

Jed Muhlestein said the Overlay zone approval wouldn't take effect until the development received final approval.

MOTION: Sylvia Christiansen moved to recommend that the City Council approve a Senior Housing Overlay for the proposed Montdella development at 242 S. Main Street. Alan MacDonald seconded. Ayes: 5 Nays: 2. Motion passed

Ayes:

Alan MacDonald
John MacKay
Dave Fotheringham
Jane Griener
Sylvia Christiansen

Nays:

Bryce Higbee
John Gubler

C. Retaining Wall Exception – 1312 E. 466 S. – Bearss residence: Jed Muhlestein said that the last time the Planning Commission met, they had a request for an exception on the height of a retaining wall which was approved. This request was for a small section of retaining wall that would be 12 feet high. He had reviewed the permit and visited the site and recommended approval based on the following findings:

1. Calculations were submitted which showed it could be safely constructed to that height. The calculations would be independently reviewed prior to issuing a building permit.
2. The wall would not be seen from the nearest public ROW which was 980 feet from the residence.

Alan Gilman asked about liability if someone fell off the wall. Jed Muhlestein said that question had come up earlier. The attorney said a city could not require someone protect themselves, but if it affected others, they could require a fence. That issue would be addressed later on the agenda.

MOTION: John Gubler moved to approve the retaining wall exception for the Bearss residence at 1312 East 466 South as recommended by staff. Alan McDonald seconded. Ayes: 6 Nays: 1 Motion passed.

Ayes:

Bryce Higbee
Alan MacDonald
John MacKay
Dave Fotheringham
John Gubler
Sylvia Christiansen

Nays:

Jane Griener

D. PUBLIC HEARING – Amending Article 3.32 of the Alpine City Development Code, Retaining Walls: Jed Muhlestein reviewed the proposed amendments to the retaining wall ordinance. Addressing the question of requiring fences on retaining walls, Mr. Muhlestein said that the city can't require homeowner to make themselves safe, but if they created an unsafe condition on the property, then the code could require them to build a fence. Item 7 was added to Section 3.32.3 to address that situation. Item 8 was added regarding the extension of retaining wall components beyond one's property line. Other amendments were to make it consistent with practice or provide clarity.

Dave Fotheringham opened the meeting to public comment.

Tom Watkins – Summit way in Alpine. He said when Taylor Smith first brought the Summit Point development to the City there were a lot of retaining walls, which would have been a nightmare. He hoped this amendment would help.

There were no more comments and a motion was made.

MOTION: Bryce Higbee recommended approval of the proposed amendments to Section 3.32.3, Retaining Walls, in the Alpine City Development Code. Jane Griener seconded. Ayes: 6. Nays: 1. Motion passed.

Ayes:

Bryce Higbee
Alan MacDonald
John MacKay
Dave Fotheringham
Jane Griener
John Gubler

Nays:

Sylvia Christiansen

E. PUBLIC HEARING – Amending Article 4.8.4 of the Alpine City Development Code, Construction and Improvements: Austin Roy said the proposed amendment to Section 4.8.4 of the Alpine Development Code prohibited the commencement of site improvement or grading prior to Planning Commission approval. The amendment changed it to City Council approval, which was how it was done in practice.

Dave Fotheringham opened Hearing. There were no comments.

MOTION: John Gubler moved to approve the proposed amendment to Article 4.84. of the Alpine City Development Code, Construction and Improvements. Jane Griener seconded. Ayes: 7 Nays: 0. Motion passed.

Ayes:

Bryce Higbee
Alan MacDonald
John MacKay
Dave Fotheringham
Jane Griener
John Gubler
Sylvia Christiansen

Nays:

none

F. Landscaping Plan Review for Moyle Park – Will Jones: Austin Roy said the biggest changes were to the parking along the entrance which would allow more parking than was currently available. There were other minor changes throughout the park which were shown on the plan.

MOTION: Bryce Higbee moved to recommendation approval of the Moyle Park landscaping plan. Jane Griener seconded. Ayes: 7 Nays: 0. Motion passed

Ayes:

Bryce Higbee

Nays:

none

1 Alan MacDonald
2 John MacKay
3 Dave Fotheringham
4 Jane Griener
5 John Gubler
6 Sylvia Christiansen
7

8 **G. Development Code Review – Article 3.9, Planned Residential Developments:** David
9 Fotheringham recommended this item be postponed to a later meeting due to the time.
10

11 **IV. COMMUNICATIONS**

12

13 David Fotheringham and Bryce Higbee would both be gone for the next meeting. Since both the Chair
14 and Vice Chair, it was recommended they elect a substitute chairman pro tem.
15

16 **MOTION:** John Gubler nominated Jane Griener be the chairman pro tem for the next meeting. Alan
17 MacDonald seconded. Ayes: 7 Nays: 0. Motion passed.
18

19 **Ayes:**

20 Bryce Higbee
21 Alan MacDonald
22 John MacKay
23 Dave Fotheringham
24 Jane Griener
25 John Gubler
26 Sylvia Christiansen
27

Nays:

none

28 **V. APPROVAL OF PLANNING COMMISSION MINUTES:** The minutes to be approved at the next
29 meeting.
30

31 The meeting was adjourned at 9:10 pm.
32